

**MINUTES OF REGULAR MEETING OF THE  
AMITE RIVER BASIN DRAINAGE & WATER CONSERVATION DISTRICT**

3535 S. Sherwood Forest Boulevard, Suite 135, Baton Rouge, LA

**August 20, 2013**

MEMBERS PRESENT DURING ROLL CALL: Don Thompson, Terry Louque, Ben Babin, John Brass, David Hoover, Anthony “Tony” Rouchon, Jerry Thibeau, Kenneth Wade Welborn

MEMBERS ABSENT: Willie George Lee

MEMBERS NOT PRESENT DURING ROLL CALL: Russell Cornette, Larry Thomas

NOTE: Vacant Seat (EBR Parish & Livingston Parish)

ALSO PRESENT: Dietmar Rietschier, Toni Guitrau, Larry Bankston, BKI, and (Mona Nosari via conference call)

1. The meeting was called to order at 6:00 p.m. by Don Thompson.
2. Public Comments on Agenda Items: None
3. Minutes
  - The Board unanimously approved a motion by Rouchon second by Babin to approve the July 2013, regular meeting minutes as presented.
4. Financial Statement Report:
  - Rouchon presented to the Board the July 2013 General Fund and CRDC Fund financial statements. The Board unanimously approved a motion by Brass, second by Babin to approve the June 2013 General Fund and CRDC Fund financial statements.
  - President Don Thompson welcomed new Board member, David Hoover (representing Livingston Parish).
  - **Note: Thomas entered the meeting at this time – 6:06 p.m.**
5. Executive Director Report
  - **Note: Cornette entered the meeting at this time – 6:10 p.m.**
  - Profit Island: Profit Island is still under negotiation.
  - Other Mitigation:
    - A. Purchase of mitigation property from Mitigation Banks is still on hold.
  - Finalized a study “COMITE RIVER DIVERSION CANAL PROJECT - An Assessment of Mitigation Needs Functional Element 1, prepared by Nelle Fruge.
  - Rietschier updated the Board on the following: Real Estate, Phase I/ADV., Lilly Bayou Access (Irene Rd.), US 61, demolition of structures - bid opening is September 13, 2013 at 10 a.m. Genesis Pipeline: USACE is sending letters requesting public comments.
  - Denham Springs, Comite, Greenwell Springs prediction gages: The USACE can no longer fund said gages. Discussed alternative funding of gages. This will be discussed at the next regular meeting of the Board.
  - Gulf Coast Testing/ARBC Contract with Nelle Fruge, Individual: This contract matter will be placed on the agenda for consideration to correct/amend the existing contract with GCT, LLC by vote of the Board at the next regular meeting in September 2013
  - Flood Plain Management Plan: Rietschier is reviewing the URS 2005 Draft Flood Plain Management Plan.
  - Attended a meeting at LA DOTD: Present were the following: LeBas, Knotts, Delmar, Rietschier, Louque, Rouchon, Babin, and Bankston. Discussed the ARBC function in working with the USACE and LA DOTD – Communication Procedures.
6. Report by LADOTD: None
7. Report by ARBC Legal Counsel
  - Hearing is set for September 16, 2013 concerning various motions filed by ARBC and the Class representatives. The motions include: Motion in Limine, Exception re: concursus, Motion to compel discovery, and Motion to Quash and Protective Order.
  - In an attempt to have the tax money being held in the Registry of the Court released, B&A filed a Writ Application with the First Circuit Court of Appeals requesting such release of funds.
  - Irene Road: Nosari stated the 2<sup>nd</sup> appraisal came in late today. Should have the Lipscomb report by Friday.
  - On August 13, 2013, B&A took the deposition of Janelle Campbell.
  - B&A attended a meetings as follows: with State Police regarding Brooks Lake Closure on August 9, 2013; the PDT meeting via teleconference on August 13, 2013; participated in an environmental meeting with the Picard Group via teleconference on August 14, 2013; On August 14, 2013, participated in a telephone conference with Tyrone Picard and Frankie Nunez concerning mitigation bank options.
  - **McMahon Property:** Property owners are still reviewing the offer but have been in contact with GCR.
  - **Freeman Property:** GCR, B&A, Commerce Title, and the property owners’ attorney are planning to meet to discuss ownership of the property.

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- **Soil Boring ROE:** ARBC has been provided with an Authorization for Entry (AFE) prepared by GCR. ARBC is to execute three original AFE documents to be maintained by GCR, ARBC, and DOTD.
- On July 30, 2013, DOTD provided ARBC and the Corps with copies of permit letters granting the Corps right-of-entry for those soil boring activities taking place within DOTD' s right-of-way for La Hwy 19 and La Hwy 67.
- **Brook Lakes Closure:** Land needed for this construction is owned by the State of Louisiana, Office of State Police. Located on this property is a joint emergency services training center. B&A has met with State Police regarding the need to use this property for the construction of Brooks Lake Closure. Instead of acquiring ownership of the land, B&A is working on a Joint Use Agreement to be entered into between ARBC and State Police. This Agreement would allow ARBC and the Corps to access the land for construction and maintenance. Additionally, the Agreement would allow for the construction of a necessary access road.
- **KCS Crossing:** KCS Legal Department is currently reviewing the permit.

8. Old Business. None

9. New Business

- Resolution for Local Service Agreement: The Board unanimously approved a motion by Rouchon second by Babin to adopt Resolution 1104 - Local Service Agreement as presented.
- The Board unanimously approved a motion by Rouchon second by Thomas authorizing the ARBC President Don Thompson to execute right of entry for soil boring activities for the USACE/CRDC.

10. The Board unanimously approved a motion by Cornette, second by Rouchon to adjourn the meeting.

APPROVED:

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/s/ Don Thompson

Don Thompson, ARBC President

Date: September 17, 2013

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/s/ Toni B. Guitrau

Toni B. Guitrau, Executive Secretary