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MEETING MINUTES FOR
THE BOARD OF COMMERCE AND INDUSTRY
OF THE
LOUISIANA ECONOMIC DEVELOPMENT CORPORATION
HELD AT
LASALLE BUILDING
617 NORTH 3RD STREET
BATON ROUGE, LOUISIANA
ON THE 24TH DAY OF FEBRUARY, 2021
COMMENCING AT 9:30 A.M.

REPORTED BY: ELICIA H. WOODWORTH, CCR

THE BOARD OF COMMERCE AND INDUSTRY

1 **Appearances of Board Members Present:**

2 Vincent St. Blanc
3 Don Briggs
4 Rickey Fabra
5 Manuel Fajardo
6 Cleo Fields
7 Barry Ivey
8 Ronnie Johns
9 Jerald Jones
10 Heather Malone
11 Guy S. McInnis
12 Jan K. Moller
13 Stuart A. Moss
14 Naheem George Nassar, Jr.
15 Secretary Don Pierson
16 Ronnie Slone
17 David Toups

18 **Staff members present:**

19 Michaela Agdebe
20 Tam Bourgeois
21 Kristin Cheng
22 Brenda Guess
23 Stephanie LeGrange
24 Mandi Mitchell
25 Robin Porter
26 Kelley Raney
27 Deborah Simmons
28 Hud Usie
29 Anne Villa
30 Shawn Welcome



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1 MR. JONES: Good morning, everyone. It's
2 good to see you at the February 2021 meeting of the
3 Board of Commerce & Industry.

4 This day and age, I'm just glad I show up
5 anywhere at any meeting and that there's no snow, ice,
6 that there is electricity, there is water, there's no
7 hurricane and everybody's masked up except me. And I'm
8 apologizing ahead of time simply because I can't speak
9 behind the mask and enunciate, and I've asked both of my
10 seat mates for permission to be without the mask, so I
11 appreciate that they're allowing me to do that.

12 I think you will see in the notice of the
13 minutes -- excuse me notice of the meeting, there are
14 going to be some COVID requirements we're going to have
15 for the speakers, and I hope you will follow those. If
16 you have any questions about that, see staff over here
17 on the front row of the room.

18 With that, we will have the rollcall. Ms.
19 Simmons, if you'd help us there

20 MS. SIMMONS: Good morning.

21 MR. JONES: Good morning.

22 MS. SIMMONS: Don Briggs.

23 MR. BRIGGS: Present.

24 MS. SIMMONS: Mayor Toups.

25 (No response.)



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1 MS. SIMMONS: Yvette Cola.
2 (No response.)
3 MS. SIMMONS: Guy McInnis.
4 MR. MCGINNIS: Here.
5 MS. SIMMONS: Rickey Fabra.
6 MR. FABRA: Here.
7 MS. SIMMONS: Manual Fajardo.
8 MR. FAJARDO: Here.
9 MS. SIMMONS: Stuart Moss.
10 MR. MOSS: Here.
11 MS. SIMMONS: Representative Vincent St.
12 Blanc for Paula Davis.
13 MR. ST. BLANC: Here.
14 MS. SIMMONS: Senator Ronnie Johns.
15 MR. JOHNS: Here.
16 MS. SIMMONS: Kenneth Havard.
17 (No response.)
18 MS. SIMMONS: Jerald Jones.
19 MR. JONES: Here.
20 Heather Malone.
21 MS. MALONE: Here.
22 MS. SIMMONS: Senator Cleo Fields for Bret
23 Allain.
24 MR. FIELDS: Present.
25 MS. SIMMONS: Barry Ivey for Stuart Bishop.



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MR. IVEY: Here.

MS. SIMMONS: Jan Moller.

MR. MOLLER: Here.

MS. SIMMONS: Secretary Don Pierson.

SECRETARY PIERSON: Present.

MS. SIMMONS: Mr. George Nassar.

MR. NASSAR: Here.

MS. SIMMONS: Darrel Saizan.

(No response.)

MS. SIMMONS: Daniel Schexnaydre.

(No response.)

MS. SIMMONS: Ronnie Slone.

MR. SLONE: Present.

MS. SIMMONS: Dr. Shawn Wilson.

(No response.)

MS. SIMMONS: Dr. Woodrow Wilson.

(No response.)

MS. SIMMONS: Travis Holley.

(No response.)

MS. SIMMONS: We have a quorum.

MR. JONES: Thank you very much.

First item on the agenda are the approval of
the minutes from our November 13, 2020 meeting and a
short meeting of January 29, 2021.

I would entertain a motion.



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1 MR. MOSS: So moved.

2 MR. JONES: We have a motion from Mr. Moss;
3 a second from Mr. Slone approving the minutes of both
4 meetings.

5 Do we have any questions or comments from
6 the Board?

7 (No response.)

8 MR. JONES: Seeing none, any questions or
9 comments from the public?

10 (No response.)

11 MR. JONES: Seeing none, all in favor, say
12 "aye."

13 (Several members respond "aye.")

14 MR. JONES: Any opposed?

15 (No response.)

16 MR. JONES: Hearing none, the motion
17 carries.

18 First up, the Quality Jobs Program. I
19 understand, Ms. Cheng, you're going to be sitting in for
20 Mr. Favaloro.

21 MS. CHENG: Yes, sir.

22 MR. JONES: We traded up. And you can tell
23 him I said so.

24 MS. CHENG: I will.

25 Good morning. We have three new Quality



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1 Jobs applications: 20180441, Amedisys Holding, LLC in
2 East Baton Rouge Parish; 20180197, Fibrebond Corporation
3 in Webster Parish; and 20190510, Valero Services, Inc.
4 in St. Charles Parish.

5 MR. JONES: I would entertain a motion to
6 approve these three applications.

7 MR. MOSS: So moved.

8 MR. JONES: Motion, Mr. Moss; second from
9 Mr. Johns.

10 Any questions or comments from the Board?
11 (No response.)

12 MR. JONES: Any questions or comments from
13 the public?

14 (No response.)

15 MR. JONES: Hearing none, all in favor, say
16 "aye."

17 (Several members respond "aye.")

18 MR. JONES: Any opposition?

19 (No response.)

20 MR. JONES: Hearing none, the motion
21 carries.

22 MS. CHENG: Next we have five Quality Jobs
23 Contract renewals: 20160741, BBQ Guys Manufacturing,
24 LLC in East Baton Rouge Parish; 20151134, Calumet GP,
25 LLC, in Caddo Parish; 20161943, General Informatics, LLC



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1 in East Baton Rouge Parish; 20151086, LACC,LLC US in
2 Calcasieu Parish; and 20141117, YCI Methanol One, LLC in
3 St. James parish.

4 MR. JONES: Point of personal information,
5 the Chair will be recusing himself from deliberation or
6 discussion of 20141117, YCI Methanol 1.

7 Otherwise entertain a motion on these.

8 From Mr. Nassar -- motion to approve, Mr.
9 Nassar?

10 MR. NASSAR: Yes, sir.

11 MR. JONES: Second from Mr. Moss.

12 Any questions or comments from the Board?

13 (No response.)

14 MR. JONES: Any questions or comments from
15 the public?

16 (No response.)

17 MR. JONES: Hearing none, all in favor, say
18 "aye."

19 (Several members respond "aye.")

20 MR. JONES: Any opposition?

21 (No response.)

22 MR. JONES: Hearing none, the motion
23 carries.

24 MS. CHENG: Next we have one late renewal,
25 which the company has asked to defer to the next



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1 meeting.

2 MR. JONES: I would entertain a motion to
3 defer this 20150264, Matheson Tri-Gas, Inc.

4 From Mr. Favalaro (sic); second from Mr.
5 Slone.

6 Any questions or comments from the Board?
7 (No response.)

8 MR. JONES: Any questions or comments from
9 the public?

10 (No response.)

11 MR. JONES: Motion to defer, all in favor,
12 say "aye."

13 (Several members respond "aye.")

14 MR. JONES: Any opposition?

15 (No response.)

16 MR. JONES: Hearing none, the motion
17 carries. That matter is deferred until the next
18 meeting.

19 MS. CHENG: We have one change of company
20 name request: Contract 20110680, current contract is
21 under Almatris Burnside, LLC, and they're wanting to
22 change it to LAlumina, LLC in Ascension Parish.

23 MR. JONES: Entertain a motion to approve.

24 Motion from Mr. Briggs; second from

25 Mr. Moss.



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1 Any questions or comments from the Board?
2 (No response.)

3 MR. JONES: Any questions or comments from
4 the public?

5 (No response.)

6 MR. JONES: Hearing none, all in favor, say
7 "aye."

8 (Several members respond "aye.")

9 MR. JONES: Any opposition?

10 (No response.)

11 MR. JONES: There being none, the motion
12 carries.

13 MS. CHENG: We have one change of project
14 physical location for Project 20170280, Waitr, Inc. is
15 moving from 8444 Ryan Street, 3rd Floor, Lake Charles,
16 Louisiana 70601 in Calcasieu Parish to 214 Jefferson
17 Street, Lafayette, Louisiana 70501 in Lafayette Parish.

18 MR. JONES: Entertain a motion to approve
19 this change of physical location.

20 Motion from Mr. Briggs; second from
21 Mr. Moller.

22 Any questions or comments from the Board?
23 (No response.)

24 MR. JONES: Any questions or comments from
25 the public?



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1 (No response.)

2 MR. JONES: Hearing none, all in favor, say
3 "aye."

4 (Several members respond "aye.")

5 MR. JONES: Any opposition?

6 (No response.)

7 MR. JONES: Hearing none, the motion
8 carries.

9 MS. CHENG: We have one change of affiliates
10 or owners, Project 20160741, BBQ Guys Manufacturing, LLC
11 in East Baton Rouge Parish. The old affiliates and LLC
12 members are Shopperschoice.com, LLC, Michael Hackley,
13 Ladina Hackley and Corey Tisdale. The new affiliates
14 and LLC members are Shopperschoice.com, LLC and Blaze
15 Buyer Corp.

16 MR. JONES: Entertain a motion to approve.
17 From Mr. Nassar; second from Mr. Johns.
18 Any questions or comments from the Board?

19 (No response.)

20 MR. JONES: Hearing none, any questions or
21 comments from the public?

22 (No response.)

23 MR. JONES: Hearing none, all in favor, say
24 "aye."

25 (Several members respond "aye.")



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1 MR. JONES: Any opposition?

2 (No response.)

3 MR. JONES: Hearing none, the motion
4 carries.

5 MS. CHENG: We have one full transfer of
6 ownership to a new company, Project 20121272, German
7 Pellets Louisiana, LLC & Louisiana Pellets, Inc. is
8 being transferred to Lasalle BioEnergy, LLC in La Salle
9 Parish.

10 MR. JONES: Entertain a motion to approve.
11 Mayor Toups; second from Mr. Moss.

12 Any questions or comments from the Board?

13 (No response.)

14 MR. JONES: Hearing none, any questions or
15 comments from the public?

16 (No response.)

17 MR. JONES: Seeing none, all in favor, say
18 "aye."

19 (Several members respond "aye.")

20 MR. JONES: Any opposed?

21 (No response.)

22 MR. JONES: Seeing none, the motion carries.

23 MS. CHENG: And that concludes the Quality
24 Jobs portion of the agenda.

25 MR. JONES: Thank you, Ms. Cheng.



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1 Let's see. Now we're moving to Restoration
2 Tax Abatement applications. Are you going to handle
3 that as well?

4 MS. CHENG: Yes, sir.

5 MR. JONES: Excellent. Thank you. Just
6 lead us on.

7 MS. CHENG: We have 13 Restoration Tax
8 Abatement applications: 20190418, 1315 Gravier Owners,
9 LLC in Orleans Parish; 20200221, 201 North Rampart, LLC,
10 Orleans Parish; 20180126, 226 Decatur, LLC in Orleans
11 Parish; 20200190, 301 Lafitte, LLC, St. Tammany Parish;
12 20200263, 347 Girod, LLC in St. Tammany Parish;
13 20190490, 6400 Chef Menteur, LLC in Orleans Parish;
14 20180067, CNI Redevelopment, LLC in Orleans Parish;
15 20170221, Gordon Redevelopment, LLC Orleans Parish;
16 20180449, In Loving Arms, LLC East Baton Rouge Parish;
17 20200311, Michael Echols Enterprises in Ouachita Parish;
18 20190359, OFCH, LLC in Lafayette Parish; 2018090, Rahul
19 Properties, LLC, Orleans Parish; and 20180427, SF NOLA
20 FUND 2, LLC in Orleans Parish.

21 MR. JONES: Do I hear a motion to approve
22 these Restoration Tax Abatement applications?

23 Motion from Mr. Johns; second from
24 Mr. Slone.

25 MR. IVEY: Point of order?



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1 MR. JONES: Yes, sir, Mr. Toups.

2 MR. IVEY: No. Rep Ivey.

3 MR. JONES: I'm sorry.

4 MR. IVEY: Representative Ivey.

5 MR. JONES: Thank you, Mr. Ivey.

6 MR. IVEY: This is my first time filling in
7 on this Board. I just want to understand what the
8 standards were with respect to a legislator, you know,
9 voting or participating in a vote of what may appear to
10 be another legislator's application? Is that --

11 MR. JONES: Historically we've allowed.
12 These are ex officio appointments, so...

13 MR. IVEY: Thank you for the clarification.

14 MR. JONES: Thank you. Appreciate your
15 question.

16 We have a motion and a second.

17 Any other questions or comments from the
18 Board?

19 (No response.)

20 MR. JONES: Any questions or comments from
21 the public on these Restoration Tax Abatement
22 applications?

23 (No response.)

24 MR. JONES: All in favor, say "aye."

25 (Several members respond "aye.")



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1 MR. JONES: Any opposition?

2 (No response.)

3 MR. JONES: There being none, the motion
4 carries.

5 MS. CHENG: Next we have five RTA renewals,
6 but we have a request to withdraw 20131425, Gulf
7 Ventures Associates, LLC in Jefferson Parish.

8 MR. JONES: I'm sorry, Ms. Cheng. Is that a
9 withdrawal or a deferral?

10 MS. CHENG: It's a withdrawal.

11 MR. JONES: So I would entertain a motion to
12 approve the withdrawal of this application of Gulf
13 Ventures Associates.

14 Motion from Mr. Slone; second from Mr. Moss.
15 Any questions or comments from the Board?

16 (No response.)

17 MR. JONES: Seeing none, any questions or
18 comments from the public?

19 (No response.)

20 MR. JONES: Hearing none, all in favor, say
21 "aye."

22 (Several members respond "aye.")

23 MR. JONES: Any opposition?

24 (No response.)

25 MR. JONES: Motion carries. Thank you.



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1 MS. CHENG: We have 20121110, 235 14th
2 Street, LLC, d/b/a 235 South 14th Street, East Baton
3 Rouge Parish; 20141199, Leonard & Rebecca Rohrbough, St.
4 Tammany Parish; 20141429, Monroe Development, LLC,
5 Ouachita Parish; and 20131410, Super Hospitality Master
6 Tenant, LLC, East Baton Rouge Parish.

7 MR. JONES: All right. I would entertain a
8 motion to approve those four renewals.

9 Motion from Mr. Moss; second from
10 Mr. Fajardo.

11 Any questions or comments from the Board?
12 (No response.)

13 MR. JONES: Any questions or comments from
14 the public?

15 (No response.)

16 MR. JONES: Hearing none, all in favor, say
17 "aye."

18 (Several members respond "aye.")

19 MR. JONES: Any opposition?

20 (No response.)

21 MR. JONES: Hearing none, the motion
22 carries.

23 All right. I think that takes us into the
24 Enterprise Zone Program. Ms. Cheng, you have to give up
25 your seat.



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1 MS. METOYER: Just for a minute.

2 MR. JONES: We will note our staff is
3 practicing our new procedure of replacing microphone
4 masks, and that will put masks on microphones so we
5 don't have to scrub them down with disinfectant.

6 Thank you, Ms. Metoyer. Take us through.

7 MS. METOYER: We have 19 new applications
8 for Enterprise Zone: 20180055, Alliance Compressors,
9 LLC, Natchitoches Parish; 20170540, Brown Eagle
10 Contractors, Incorporated, Iberville Parish; 20161771,
11 Claiborne Senior Living, LLC, East Baton Rouge Parish;
12 20180523, Coastal Process, LLC, Livingston Parish;
13 20190007, Edward Via Virginia College of Osteo,
14 Medicine, Ouachita Parish; 20150258, Equilon
15 Enterprises, LLC, St. Charles Parish; 20160984, Gator
16 Millworks, Incorporated, Livingston Parish; 20180636,
17 Harvey Hospitality, LLC, Jefferson Parish; 20170453,
18 Houma Family Dental, Terrebonne Parish; 20180115, M&A
19 Safety Services, Iberia Parish; 20180114, M&A Safety
20 Services, LLC, Terrebonne Parish; 20170089, New Orleans
21 Steamboat Company, Orleans Parish; 20180172, Moble
22 Plastics, Incorporated, St. Landry Parish; 20170425,
23 Ochsner Clinic Foundation, Jefferson Parish; 20170460,
24 Plantation Management Company, LLC, Livingston Parish;
25 20180312, Plantation Management Company, LLC, Tangipahoa



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1 Parish; 20170643, Rail Logix Lacassine, LLC, Jefferson
2 Davis Parish; 20151391, SLC Hospitality, LLC, Calcasieu
3 Parish; and 20151903, Willis Knighton Medical Center,
4 Incorporated, Caddo Parish.

5 MR. JONES: All right. A number of
6 applications, but I would entertain a motion to approve
7 the applications.

8 From Mr. Briggs; second from Mr. St. Blanc.

9 Any questions or comments from the Board?

10 (No response.)

11 MR. JONES: Hearing none, any questions or
12 comments from the public?

13 (No response.)

14 MR. JONES: Hearing none, all in favor, say
15 "aye."

16 (Several members respond "aye.")

17 MR. JONES: Any opposition?

18 (No response.)

19 MR. JONES: There being none, the motion
20 carries.

21 All right. We have some contract
22 terminations now?

23 MS. METOYER: Yes.

24 20140222, Blake Management Group, LLC,
25 Lafayette Parish, the existing contract is 7/1/15 to



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1 6/30 of 20, the requested termination date is 6/30 of
2 2019. The program requirements have been met, no
3 additional jobs are anticipated; 20151400, Lafayette
4 General Health System, Incorporated, Lafayette Parish,
5 the existing contract is 3/13/16 to 12/20/21. The
6 requested term date is 9/12 of 18. The program
7 requirements have been met, no additional jobs are
8 anticipated; 20150864, Palmisano Contractors, LLC, the
9 existing contract period is 4/17 of 15 to 4/16 of 2020.
10 The requested term term date is 10/16 of 2017. Program
11 requirements have been met, no additional jobs are
12 anticipated; 20160765, Placid Refining Company, LLC,
13 West Baton Rouge Parish, the existing contract is 4/13
14 of 17 to 4/12 of 2022. The requested term date is 10/12
15 of 2019. Program requirements have been met, no
16 additional jobs are anticipated; 20141406, Plantation
17 Management Company, LLC, Livingston Parish, the existing
18 contract is 6/13 of 15 to 6/12 of 2020. The requested
19 term date is 6/12 of 2019. The program requirements
20 have been met, no additional jobs are anticipated;
21 20131140, Westlake Management Services, Incorporated,
22 Calcasieu, the existing contract is 10/1 of 13 to 9/30
23 of 18. The requested term date is March 31, 2016. The
24 program requirements have been met, no additional jobs
25 are anticipated; 20140297, Westlake Management Services,

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1 Incorporated, Calcasieu Parish, the existing contract is
2 July 1, 2015 to June 30, 2020. The requested term date
3 is 12/31/2017. The program requirements have been met,
4 no additional jobs are anticipated; 20130040, Rent A
5 Center East, Incorporated, Orleans Parish, the existing
6 contract is January 11, 2013 to January 10 of 2018. The
7 requested term date is 1/1 of 16. The program
8 requirements have been met, there are no additional jobs
9 anticipated; 20131358, Hotel Ambassador NOLA, LLC,
10 Orleans Parish, it's August 1 of 2014 to 7/31 of 19 is
11 the existing contract period. The request term date is
12 12/31 of 2017. The program requirements have been met,
13 no additional jobs are anticipated; 20170216, Rich's
14 NOLA 2, LLC, Orleans Parish, July 1 of 2017 to June 30
15 of 2022 is the existing contract period. The requested
16 term date is 12/31 of 2019. The program requirements
17 have been met, no additional jobs are anticipated;
18 20160426, DIVI Hospitality of Port Allen, LLC, West
19 Baton Rouge Parish, the existing contract is 12/15 of 16
20 to 12/14 of 2021. The requested term date is 12/31 of
21 2019. Program requirements have been met, no additional
22 jobs are anticipated; 20150143, Leading Health Care of
23 Louisiana, Rapides Parish, the existing contract is 1/28
24 of '15 to 1/27 of 2020. The requested term date is 1/30
25 of 2019. The program requirements have been met, no

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1 additional jobs are anticipated.

2 MR. JONES: Thank you very much.

3 I would entertain a motion.

4 Mr. Favalaro (sic) motion to approve these
5 terminations; second from Mr. Moss.

6 Any questions or comments from the Board?

7 (No response.)

8 MR. JONES: Any questions or comments from
9 the public?

10 (No response.)

11 MR. JONES: Hearing none, all in favor, say
12 "aye."

13 (Several members respond "aye.")

14 MR. JONES: Any opposed?

15 (No response.)

16 MR. JONES: There being none, motion
17 carries.

18 Now we have cancelations?

19 MS. METOYER: Yes.

20 We have 10 cancelations: 20130810, BBP
21 Sales, LLC, East Baton Rouge Parish, the company could
22 not meet the program requirements; 20131314, ESNola
23 Julie Street Hotel Owner, LLC, Orleans Parish, the
24 company could not meet the program requirements;
25 2016035, JNR Hospitality, Ascension Parish, the company



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1 could not meet the program requirements; 20161672, Lyons
2 Specialty Company, LLC, West Baton Rouge Parish, the
3 company could not meet the program requirements;
4 20140165, Lusk Eye Specialist, LLC, West Baton Rouge
5 Parish, company could not meet the program requirements;
6 20151082, Five S Industrial, LLC, East Baton Rouge
7 Parish, the company could not meet the program
8 requirements; 20140135, MK Dixon Funeral Home, LLC, St.
9 Mary Parish, the company could not meet the program
10 requirements; 20141168, Oge's Rent All Center, Lafayette
11 Parish, company could not meet the program requirements;
12 20131128, Parc Lafayette, Lafayette Parish, the company
13 could not meet the program requirements; and 20151011,
14 Performance Car Wash, Caddo Parish, the company could
15 not meet the program requirements.

16 MR. JONES: All right, ma'am. We have these
17 cancelations. I would entertain a motion to approve
18 cancelations.

19 From Mr. Fabra; second from Mr. Molar.

20 Any question or comments from the Board
21 concerning these cancelations?

22 (No response.)

23 MR. JONES: Hearing none, any questions or
24 comments from the public?

25 (No response.)



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1 MR. JONES: Hearing none, all in favor, say
2 "aye."

3 (Several members respond "aye.")

4 MR. JONES: Any opposed?

5 (No response.)

6 MR. JONES: There being none, the motion
7 carries.

8 Thank you so much.

9 MS. METOYER: Thank you. That concludes EZ.

10 MR. JONES: All right. Now this takes us to
11 the Industrial Tax Exemptions. First, the Pre-Executive
12 Order applications.

13 All right. Who's up?

14 MR. USIE: First we have six Pre-EO new
15 applications. All six are from Marathon Petroleum
16 Company, LP and all in St. John the Baptist Parish.

17 MR. JONES: Okay.

18 MR. USIE: Contract Numbers 20141606,
19 20141601-A, 20141609, 20141610-A, 20152023, and
20 20152026.

21 MR. JONES: Okay. I understand we had
22 someone from the staff wanted to speak to these.

23 MS. MITCHELL: Mr. Chair, do you want to
24 have a motion on the table first, and then take these
25 individually?



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1 MR. JONES: That's what I would prefer.

2 MS. MITCHELL: And then I could explain.

3 MR. JONES: We have a motion from Mr. Slone;
4 second from Mr. Nassar to approve these applications.

5 Now, Ms. Mitchell, please lead us.

6 MS. MITCHELL: Thank you. Good morning,
7 members. Mandi Mitchell, Assistant Secretary, LED. And
8 the Board, the last time these agenda items came up, the
9 Board asked the department to go back and look into the
10 circumstances surrounding the changes made to the
11 advanced notification for applications 20141606 and
12 20141606-A, and so I'd like to share with you our
13 findings and provide you some additional context.

14 So on December 30 of 2014, an advance was
15 filed with the project description "install new gas
16 hydrotreater." In 2018, the data was migrated from our
17 old system, our old Fastlane system, to the new system,
18 Fastlane NextGen. And that's important for future
19 comments that I'll be making. And December 5th of 2018,
20 the Fastlane system audit trail shows that ITEP
21 administrator Hud Usie unlocked the advance for Marathon
22 using the information required system function -- that's
23 a technical function -- to modify the description as
24 requested. So essentially the system has to be unlocked
25 in order for an applicant to make some changes.



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1 Mr. Usie has no writings or notes on this occurrence,
2 but based on past common practice, he firmly believes it
3 was a call that was made to him on this pre-Executive
4 Order advance that didn't raise any concerns or red
5 flags. And it's important, keep in mind, pre-Executive
6 Order.

7 On December 21st of 2018, a Marathon
8 representative went into system and made some changes,
9 presumably changing the description from "install new
10 gas hydrotreater" to "coker max," changing the start and
11 end dates and reducing the capEX from 386-million to
12 275-million. December 26, 2018, Mr. Usie reviewed those
13 changes and accepted them.

14 So it's important now that I go into some
15 context for Board members. Historically changes to
16 advances and applications were commonplace without much
17 scrutiny, sometimes prompted by LED staff for additional
18 information and detail, and sometimes prompted by
19 companies or their representatives and consultants as
20 project details shifted, for example, investment amount
21 changes, changes to start and end dates, switching from
22 traditional back-end projects to a front-end application
23 or other legitimate changes in scope.

24 LED's focus was then, and continues to be,
25 on ensuring that the Board is presented with accurate



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1 information for consideration, which often changes from
2 the time of filing an advance to Board presentation.

3 As the Board is well aware, this
4 administration has made substantial changes to the ITEP
5 program. Those changes come with a number of processes
6 that have been implemented. ITEP is the only incentive
7 that has two dedicated full-time administrators instead
8 of only one, and they are operating the program under
9 three different sets of rules.

10 In the earliest years of this
11 administration, the focus for the administrators of the
12 program was on drafting new rules and analyzing the
13 processes to go along with the new rules, including the
14 affect of these new rules on updates to Fastlane and how
15 to implement the new requirements. Because
16 pre-Executive Order advances were subject to
17 pre-Executive Order rules, those advances and requested
18 changes to them continue to receive the same level of
19 scrutiny as before the Executive Order, which is the
20 case with the application before you today.

21 As time began to pass from the enactment of
22 the 2016 Executive Order, the administrators began
23 looking at potential issues on a more forward-looking
24 basis. It was sometime in late 2018 and early 2019 --
25 keep in mind that the 2018 rules had just been finalized



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1 in August of 2018 -- that ITEP administrators began
2 applying more scrutiny and asking more questions of
3 applicants on pre-Executive Order advances and
4 applications.

5 Along these lines, I'd like to remind the
6 Board that at the October 29 meeting, LED announced to
7 the Board that we would begin reaching out to all
8 companies holding pre-Executive Order advances for which
9 an application had not yet been submitted to the Board
10 to inquire about the company's plans. That survey was
11 conducted between November and December of 2018. And at
12 the February of 2020 Board meeting, LED made a
13 recommendation, which the Board adopted, to begin asking
14 applicants for more detail about pre-Executive Order
15 applications coming to the Board and to explain how
16 their pre-Executive Order projects relate back to the
17 advance.

18 Going forward, staff will continue to review
19 what amendments have been made to advances and
20 applications and report on this to the Board prior to
21 your consideration.

22 I'd like to address a few statements and
23 accusations that have been made in the public sphere.
24 It has been suggested that the change was made because
25 the locals denied a previous post-Executive Order ITEP



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1 application by the company. That denial occurred in
2 November of 2019. The amendment to the advance was made
3 in December of 2018, almost a full year prior, so the
4 timing doesn't work out for the local denial to have
5 been the motivation for the requested change.

6 An accusation has been made that LED staff
7 colluded with the company to circumvent local approval
8 or to defraud the process. We believe that it is
9 undisputed that anyone with LED advised, directed or
10 encouraged the company to amend a pre-Executive Order
11 advance.

12 In December of 2018, what Marathon asked of
13 LED staff on its pre-Executive Order advance didn't
14 raise any flags or questions before the adjustment to
15 the advance was allowed. Today, we have the benefit of
16 hindsight.

17 Specifically referring to fraud, in no
18 circumstance did LED staff attempt to engage in
19 deception of the Board or the public or in any effort to
20 give one applicant among hundreds any sort of advantage.
21 The request made did not run afoul of the ITEP rules
22 relating to advances, and, again, the request did not
23 raise any flags or concerns for staff. This also is not
24 any falsification of any information. This is the
25 company approaching LED with a request to make a change,



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1 which was granted by staff. This was not fraud.

2 I'll leave you with these closing comments
3 for your contemplation. From the perspective of LED's
4 ITEP administrative staff, we have a conflux of a number
5 of things: Massive overhaul of a program that
6 essentially functioned one way for 80 years, including
7 two Executive Orders and two subsequent ITEP program
8 rules changes; new staff that had been with a department
9 for just over a year at the time of the request; staff
10 trying to balance grandfathering rules for pre-Executive
11 Order advances and contract holders while implementing a
12 different approach from the previous program
13 administrators; and a gradual shift towards more intense
14 scrutiny of post, and, more recently, pre-Executive
15 Order advances, applications and renewals.

16 In fact, LED often finds itself the eyer of
17 stakeholders on all sides, "Too lax, too business
18 friendly" on one hand, and "overly burdensome,
19 bureaucratic, nit-picky and difficult" on the other.

20 I'll reiterate some thoughts shared by
21 Secretary Pierson just a few months ago. No one should
22 question how seriously LED takes its responsibility to
23 administer programs according to the rules and the laws
24 of the State of Louisiana. That unwavering belief
25 encompasses all of LED's approximately 100 employees, no



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1 matter if we are referring to civil servants or
2 unclassified political appointees. I'm not aware that
3 we've ever claimed perfection, although that is our
4 daily pursuit, but please recognize the purpose which
5 drives our work is always to administer programs
6 according to the regulations and to the law.

7 So I hope that overview and additional
8 context is helpful to the Board as you proceed to hear
9 from the company and others regarding this matter.

10 I'll be happy to answer any questions.

11 MR. JONES: Thank you, Ms. Mitchell.

12 Any questions or comments from the Board to
13 Ms. Mitchell?

14 Mr. Moller.

15 MR. MOLLER: I need to clarify -- in
16 December 2018, a Marathon representative went into the
17 system and changed the original advance?

18 MS. MITCHELL: That is correct, and the
19 request came in to staff presumably by phone, so that
20 staff would unlock the system to allow the company or
21 its representative to go in and make the change.

22 MR. MOLLER: And has that always been common
23 practice after the 2018 rules?

24 MS. MITCHELL: So -- and I'm glad you asked
25 that question. We took a look back at other



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1 pre-Executive Order applications, and of about 197
2 projects, there were 17 changes to advances that are
3 largely date changes or requests from staff for clearer
4 project descriptions. So, to our knowledge, and as best
5 as we could trace the information, there weren't any to
6 the extent of the change made with this particular
7 application before you. But to directly answer your
8 question, yes, a representative of the company logged
9 into the system and made the changes.

10 MR. MOLLER: What happened to the
11 hydrotreater project?

12 MR. JONES: Excuse me, Mr. Moller.

13 MS. MITCHELL: I believe those questions
14 should be directed to the company.

15 MR. JONES: Make sure his microphone is
16 turned on. Are we having issues there? For some reason
17 I'm having a difficult time hearing him.

18 Try again, Mr. Moller, to make sure I can
19 hear you.

20 MR. MOLLER: Can you hear me now?

21 MR. JONES: No, I cannot. Try one more --
22 try again.

23 All right. Well, let's continue working on
24 those technical problems. I want to be sure we can hear
25 the Board members' questions. Make sure it's clear for



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1 the court reporter as well.

2 Any other questions, Mr. Moller? I'm sorry.

3 MR. MOLLER: Not for right now.

4 MR. JONES: Okay. Any other questions from
5 any other Board members?

6 (No response.)

7 MR. JONES: Ms. Mitchell, did you have
8 something to...

9 MS. MITCHELL: Yes. At this time, I just
10 would like to turn it over to the company so that you
11 can have the full picture as to the events that led to
12 where we are today.

13 MR. JONES: Okay. Do we have a company
14 representative here from Marathon? Please come forward.

15 Thank you. If you'd state your name and
16 your position with the company, please.

17 MR. WORTMANN: Sure. Dan Wortmann, I'm the
18 Division Controller at the Marathon refinery in
19 Garyville, Louisiana. It's located in St. John the
20 Baptist Parish.

21 MR. JONES: Great.

22 Ms. AREND: My name is Camille Arand. I'm a
23 Property Tax Representative with Marathon based out of
24 the Findlay campus, 539 South Main Street in Findlay,
25 Ohio.



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1 MR. JONES: Thank you.

2 MR. WORTMANN: So for the Board, so with
3 regard to the application 2014606 advance, we appreciate
4 the LED's confirmation that our transparent approach
5 adhered to the rules of the ITEP program.

6 At Marathon Petroleum, we value open dialog
7 with our stakeholders, including the communities we are
8 part of and the government bodies that do the work of
9 the people. Through ongoing engagement with
10 stakeholders, we seek first to listen and then
11 incorporate feedback.

12 Based on our review and discussion with LED,
13 and given that the rules with regard to advances are not
14 specific, with respect to the contract, we believe it is
15 appropriate to come together in agreement with the LED
16 team or Board of Commerce and Industry, and most
17 importantly St. John the Baptist Parish. Right? That's
18 the three bodies there, the school board, the sheriff,
19 the council; right? That's the important thing I want
20 to bring out.

21 So with that, we, therefore, respectfully
22 ask that the Board approve Contract Application ending
23 in 606 and 606-A with a condition that it must be
24 approved by the local tax authorities. They're the ones
25 that, you know, that -- they're not here today. They're



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1 the ones that are the beneficiaries, so, you know, we
2 work in their community, you know, we operate there.
3 We're asking that you approve it with the condition that
4 it's approved by all three of those organizations. So
5 if the answer is three yeses, fine. If it's three noes,
6 fine. If it's somewhere in between, we're fine with
7 that as well. We're just asking that the decision be at
8 the local level.

9 MR. JONES: Okay. Thank you.

10 Any questions or comments from the Board?

11 MR. MOLLER: Yeah. What happened to the
12 hydrotreater project that you originally filed the
13 advance on?

14 MR. WORTMANN: Okay. So as things happen
15 throughout the budget process, that project, it -- the
16 economics dried up on it. Okay? So the economics were
17 not there for that, so we had, you know, during the
18 budget process, you come up with other ideas, and this
19 coker max project was a nice project for us. It's a
20 nice asset for the refinery and for our competitive
21 advantages going forward, and we went with that. So the
22 hydrotreater project was canceled.

23 MR. MOLLER: Okay. So the coker drum
24 project came up in December '18, and you filed the
25 previous -- (inaudible) -- that into the 2014 advance;



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1 correct?

2 MR. WORTMANN: Correct. Correct.

3 MR. MOLLER: But by that point -- oh, my mic
4 is back.

5 MR. JONES: Mr. Moller has arrived.

6 MR. MOLLER: But so by that point certainly
7 everybody was aware that the rules had changed on the
8 program and that there was this 20 percent haircut in
9 the local approval; correct?

10 MR. WORTMANN: Correct.

11 MR. MOLLER: But you wanted to have it done
12 under the old rules to get the 100 percent exemption;
13 right?

14 MR. WORTMANN: And, you know, we felt we --
15 to abide by the rules, we asked -- correct. You know,
16 we asked the LED on the procedures and was granted that
17 change.

18 MR. MOLLER: Okay.

19 MR. WORTMANN: Yes.

20 MR. MOLLER: And so what you're asking us
21 today, you don't want to take the 20 percent haircut.
22 You want the 100 percent exemption that applied really
23 before June 24th of 2016, even though this project was
24 more than two and a half years later; correct?

25 MR. WORTMANN: Correct, but it's not really



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1 your decision -- it is your decision, but it is the
2 decision of the parish. You know, we're saying you can
3 approve -- we'd like you to approve it, but with the,
4 you know, contingent upon the three bodies.

5 MR. MOLLER: So you want to operate under
6 part of 2018 rules, but not all of the 2018 rules? You
7 want the 2014 -- pre-2016 rules that applies to the size
8 of the exemption, but you want -- and it sounds like
9 you're...

10 MS. AREND: Sorry. Excuse me. If I may
11 respond.

12 So our approach is to, again, consult with
13 the local tax authorities, and if it is their desire to
14 support us, but at the 80 percent percentage point, then
15 we would be willing to do that. We want to have the
16 opportunity to work with the locals and make sure that
17 they support us. At 100 percent, at 80 percent, we're
18 working with them.

19 MR. MOLLER: Okay.

20 MR. JONES: Does that answer your question,
21 Mr. Moller?

22 MR. MOLLER: Yes.

23 MR. JONES: Senator Fields.

24 MR. FIELDS: Thank you, Mr. Chairman. I
25 just want to make sure I'm clear on what you're



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1 requesting. You're requesting that we move forward as a
2 Board today on your projects with the understanding that
3 you would seek approval of the local governing
4 authorities, and if they don't approve, then these
5 exemptions will not go in effect; is that correct?

6 MR. WORTMANN: Correct. And it will be on
7 the tax rolls this year, right, correct.

8 MR. FIELDS: Okay.

9 MR. WORTMANN: I guess procedurally we're
10 not saying "How about we defer it," we go back to them
11 and get their approval or denial and then we come back
12 here another -- and go through this process again. I
13 think y'all would probably like to put this to bed and
14 move forward, and that's just kind of the process we
15 came up, "Hey, let's y'all approve it with conditions."
16 And it's the people we work with, the people we live
17 with, the people we operate in, the community we work --
18 you know, we provide lots of stuff to St. John the
19 Baptist Parish. We just want them to decide.

20 MR. JONES: Mr. Moller, just one second.

21 Mr. Ivey, I think you had...

22 MR. IVEY: I do. So it's my understanding
23 that there's -- it's not a statutory control with
24 respect to it's always been permitted to have the
25 changes with the application, the details, the amount



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1 invested, the specific type or the specific equipment or
2 installation, those things, it's always been permitted
3 historically, and so obviously y'all are caught in the
4 middle of some changes in that. And so all y'all are
5 seeking is the opportunity for the local government,
6 local officials to determine whether or not they will
7 grant the application that's the pre-20 -- the
8 pre-change, put it in their hands and let them decide.
9 If they say no, then you're back here?

10 MR. WORTMANN: If they say no --

11 MR. JONES: It's over.

12 MR. WORTMANN: -- it's no. We don't come
13 back to the next meeting and go through it all again.

14 MR. IVEY: It's kind of an all-or-nothing
15 proposition then?

16 MR. WORTMANN: No. The sheriff, Sheriff
17 Tregre could say yes and the school board and the parish
18 council could say no, or any of those combinations.

19 MR. IVEY: In theory there may be more risk
20 for y'all, you know, seeking that 100 percent versus the
21 80?

22 MR. WORTMANN: Correct. Correct. We're
23 putting it in their hands. That's where we operate,
24 that's where we work, that's where we live. We just
25 want to let them make the decision.



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1 MR. IVEY: All right. Thank you.

2 MR. JONES: Mr. Moller.

3 MR. MOLLER: If we approve this today, then
4 we're saying we think you should get 100 percent
5 exemption if the locals agree. What if the locals come
6 back and say they want to give 80, would they have that
7 ability if we voted for 100?

8 MR. JONES: Yes. Yes.

9 Mr. Fields.

10 MR. FIELDS: Then would it have to come back
11 before -- this is my second time sitting in for Senator
12 Allain.

13 MR. JONES: Good to have you here. You can
14 thank him later.

15 MR. FIELDS: Last time I was here,
16 Mr. Chairman, it was this very issue, and it's just --
17 so would they have to come back before the Board if the
18 local government decides 80 versus 100?

19 MR. JONES: Let me help with procedure
20 perhaps, if I can, and then that may...

21 The way I see this working is, right now we
22 have a motion to approve these -- all of these Marathon
23 applications. I think the issue that is coming that
24 we're discussing specifically right now deals with the
25 first two, 1606 and 1606-A. So what I would foresee, if



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1 it's the Board's desire, to come back with amended
2 motion for these two projects, 1606 and 1606-A that make
3 them specifically contingent upon whatever the locals
4 vote. So if the locals vote 100, if they vote 80, if
5 they vote 20, then that's the way it is and that
6 Marathon would not be coming back to this Board.
7 Whatever the locals vote, that would be the decision.

8 Mr. McInnis.

9 MR. MCINNIS: Mr. Chairman, I would like to
10 offer that amendment at this time, if that is --

11 MR. JONES: Okay. I would entertain that
12 amended motion just as to 1606 and 1601-A.

13 I have a second from Mr. Fabra.

14 Before we -- any other questions or comments
15 about the procedure of that? And we're not going to
16 vote on it just yet because we have other people who
17 want to comment on all of this and we want to give them
18 adequate opportunity.

19 So procedurally what we have right now is an
20 amended motion on 1606 and 1606-A that would make the
21 Board approval, if we get that approval, contingent upon
22 action and approval by the locals. Okay?

23 MS. MALONE: Can I ask one question?

24 MR. JONES: Yes, Ms. Malone.

25 MS. MALONE: Can we ask LED counsel, based



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1 on our current rules, can we allow the locals to choose
2 which ITEP rules to follow?

3 MR. JONES: Fair question.

4 MS. MALONE: Or are we getting...
5 overstepping...

6 MR. JONES: Fair question.

7 Ms. Bourgeois.

8 MS. BOURGEOIS: Tam Bourgeois, LED Executive
9 Counsel.

10 I think technically we're operating under
11 the 2016 rules, but I also think that regardless of what
12 rules we're operating under -- I will say the 2016
13 rules, and all of them, say you operate under the facts
14 and circumstances presented to you at the time of
15 consideration, and so I don't think it would be
16 inappropriate if you wanted to put any conditions or,
17 you know, present a motion like this, I think it would
18 be appropriate because these are the facts and
19 circumstances that you're presented with. The rules
20 can't account for every situation that comes before you,
21 and, really, at the end of the day, your charge is to do
22 what you think is in the best interest of the state, and
23 if that is passing a motion like this under these
24 circumstances, then I think you're well within your --

25 MR. JONES: Ms. Bourgeois, let me make sure



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1 I understand what you just said, and to clarify for the
2 record. When you say we're operating under 2016 rules,
3 pre-EO 2016 rules, that's because this was technically a
4 2014 advance notification, so, therefore, we're under
5 those pre-EO rules; is that --

6 MS. BOURGEOIS: Yes, sir, because the 2018
7 rules say that if you have an application related for an
8 advance that was filed before the Executive Order, you
9 operate under 2016 rules.

10 MR. JONES: Correct. Okay. Thank you.

11 MS. MALONE: I have one other question.

12 So with the conditions, will they be for the
13 locals to choose, you know, between the three sets of
14 rules essentially that we have right now? Because I
15 don't want us to get into another situation where the
16 locals bring back this sliding scale of, you know, first
17 year, this percentage, second year, this percentage. So
18 how should we go about directing the locals on how to
19 determine the percentage exemption that they should
20 receive?

21 MS. BOURGEOIS: That's a great question, and
22 as y'all have been talking, I've been taking notes of
23 ways to perhaps refine the procedure. So I think --
24 this sounds to me more like a hybrid between 2017 and
25 2018, and 2017 you went to -- you go to the locals first



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1 and they set their own individual percentages, if you
2 recall. So I think what it sounds to me like the
3 pleasure of the Board would be, with this particular
4 motion that you're considering, would be to go back to
5 the locals and say you pass the resolution, and your
6 resolution will set a certain percentage. And I think
7 it should be clear that it's one percentage for the life
8 of, you know, the initial and/or renewal part of the
9 exemption.

10 MS. MALONE: Thank you.

11 MR. JONES: Mr. Slone.

12 MR. SLONE: Thank you for that explanation.

13 However, this is -- we're considering this because the
14 change in the coker max being the adjustment made to the
15 application? Because if we're operating from that
16 timeframe, it would have been 100 percent; am I correct?

17 MS. BOURGEOIS: You are correct.

18 MR. SLONE: We're pulling these two out
19 because of that, because of the changes and the
20 adjustments made by the organization to their
21 application?

22 MS. BOURGEOIS: That's my understanding.

23 MR. JONES: Yes.

24 MR. SLONE: So it would seem to me that we
25 would be, even if we're doing the local piece contingent



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1 upon them, it would be based upon the 100 percent unless
2 locals decide they -- and I think that's what's being
3 presented.

4 MS. BOURGEOIS: Well, as I understand it, in
5 order for this exemption to go to contract, you will
6 have to receive -- we will have to receive resolutions
7 and letters from each local saying yes they approve it,
8 and then telling us what percentage of the exemption
9 they want to approve it under.

10 MR. JONES: If I may, let me see if I can
11 help with this just a little bit because I want to be
12 sure. This is an unusual situation simply because the
13 company is coming to the Board and saying we are
14 prepared to live with whatever the local entities want
15 to do. Normally what would happen in a, let's say,
16 pre-EO situation, it's 100 percent, and that's it. And
17 if they went to the locals and asked the locals'
18 opinion, the locals could say we don't want you to get
19 anything and they can basically thumb their no noses to
20 the locals. But I think what has happened here is --
21 and I don't want to speak for Marathon, so if I veer off
22 and hit a tree here, pull me back, but what I think I
23 hear the company saying is we're willing to submit
24 ourselves to the will of the locals, whatever they wish
25 to do, and if they do something less than 100, then



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1 we're not going to come back to this Board and complain
2 about it.

3 MR. WORTMANN: Correct.

4 MS. AREND: Correct.

5 MR. WORTMANN: Correct.

6 MR. JONES: So I think that's where we are.
7 The company is saying we will give up any rights that we
8 have and we will submit ourselves to the will of the
9 locals.

10 I'm sorry. Am I --

11 MR. WORTMANN: Correct.

12 MR. JONES: Okay. The company's agreeing
13 with me on that.

14 MR. MOLLER: I just want to make -- go back
15 to the fundamental point is that you said you were going
16 to build one thing, and then in 2018, after the new
17 rules, you said we're going to build something entirely
18 different. So for all practical purposes, it seems to
19 me this is a project that should be considered under the
20 2018 rules. I just don't understand why we are
21 considering this under these old rules when this is a
22 post-2018 project.

23 MR. JONES: Well, but it's not. That's the
24 problem.

25 MR. MOLLER: But the application was -- the



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1 application for coker drums was December 2018.

2 MR. JONES: But I think, Mr. Moller, we have
3 a lot of situations that were where the advance
4 notification was pre-EO and the application did not come
5 in until after the EO, and what happens here is that the
6 project, the project changed. And under the -- and,
7 frankly, under the pre-EO rules, that was -- I'm not
8 saying it was done, but I'll say it wasn't frowned upon.

9 MR. MOLLER: But if the -- I mean, this is
10 a, for all practical purposes, this is a post-EO
11 project.

12 MR. JONES: Okay. Help me understand --
13 let's assume that your distinction is correct. I'm not
14 conceding the point. I'm just assuming for sake of
15 argument. Let's assume for sake of argument that your
16 point is correct. What's the difference? At the end of
17 the day, the company goes to the locals and the locals
18 will vote yes, no or something in between and the
19 company is agreeing to live with that. What is the
20 difference?

21 MR. MOLLER: The difference is is that the
22 2018 rules say there is a 20 percent haircut no matter
23 what. You know, the locals don't have the option under
24 the 2018 rules to grant 100 percent.

25 MR. JONES: You're worried about the



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1 locals --

2 MR. MOLLER: I just --

3 MR. JONES: You're worried about the locals
4 rendering their opinion on this project?

5 MR. MOLLER: I think they should render
6 their opinions under the 2018 rules because this is a
7 post-2018 project.

8 MR. JONES: All right. I think you'll have
9 an opportunity to vote on the motion.

10 Mr. Pierson.

11 SECRETARY PIERSON: Just a point of clarity
12 I'd like to bring to the table. An advance notification
13 is not a contract. It is notice of an intent to make an
14 investment. It's general in nature. It can't be
15 specific because of all of the market forces out there
16 that we're talking about. So this starts a clock. It
17 helps us weed out who's got a real project and writes a
18 check with that and then triggers that an application
19 will come and sets a deadline for that application to
20 come or they come back and ask for an extension in the
21 process.

22 So to continue to beat on the advance
23 notification I think doesn't characterize what that
24 document is, in fact.

25 Thank you.



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1 MR. JONES: All right. Mr. Ivey.

2 MR. IVEY: Another point of, you know, the
3 application or the advance notice numbers are all dated
4 that were 2014, 2015, so, I mean, what we're -- what's
5 actually, you know, we're going to be voting on this
6 application that were dated back then. So unless
7 they're somehow by statute or by rule required to
8 resubmit a new application or advance notice, well,
9 then, I believe the request and motion to be made are
10 perfectly in order.

11 MR. JONES: Okay. All right. Right now I
12 think procedurally I'm rethinking my -- I think we need
13 to vote on replacing the old motion with the new motion
14 procedurally. I think that's the appropriate action
15 under Robert's rules.

16 So right now we have -- the motion properly
17 on the table is to approve all six, and the motion was
18 made by Mr. McInnis and seconded I think by
19 Mr. Fields -- I forgot who made the second.

20 MS. SIMMONS: Fabra.

21 MR. JONES: Sorry?

22 Mr. Fabra. Forgive me. Thank you.

23 -- to amend that motion to approve just 1606
24 and 1606-A contingent upon approval by the local
25 government entities.



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1 Ms. Bourgeois.

2 MS. BOURGEOIS: The only other thing I might
3 suggest is if the Board wants to put a deadline by which
4 the company would be able to -- so this doesn't drag on
5 indefinitely. Sixty, 90 days in order for them to get
6 their resolutions.

7 MR. JONES: I'm not -- I mean, that's up to
8 the Board. The only problem is I don't know how I
9 enforce that. I just, you know, as a practical matter.

10 Mr. Wortmann.

11 MR. WORTMANN: Ninety days is...

12 MS. BOURGEOIS: If they don't provide LED
13 with resolution of approval within 90 days, they don't
14 get --

15 MR. JONES: What you're saying is we need to
16 have this one way or the other.

17 MS. BOURGEOIS: Correct.

18 MR. MCINNIS: I would agree with the 90
19 days.

20 MS. BOURGEOIS: So they're not coming back
21 in two years.

22 MR. JONES: Takes a village to raise me.
23 Thank you very much.

24 Motion. Mr. Fabra, you accept that
25 amendment to the motion, so now the motion is to



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1 approve.

2 Let me restate the motion and then --

3 MR. ST. BLANC: Could we state the motion,
4 exactly what we're doing?

5 MR. JONES: That's what I'm going to do.

6 MR. ST. BLANC: I can give you an idea that
7 we have to approve it with the approval of the locals,
8 and we have to just add with 90 days.

9 MR. JONES: Exactly.

10 MR. ST. BLANC: So we're working on one
11 motion. We already have a motion on the floor, so we're
12 working on this motion, this motion, approval of the
13 ITEP, plus the approval of the locals.

14 MR. MCINNIS: It's an amendment.

15 MR. ST. BLANC: What are you amending to,
16 what motion?

17 MR. JONES: This is what the Chair would
18 like to do, if the Board is agreeable, the original
19 motion when we first started was to approve all six. I
20 would like to replace that motion with a motion just to
21 approve 1606 and 1606-A contingent upon local approvals
22 within 90 days.

23 MR. IVEY: Who made the original motion?

24 MR. ST. BLANC: Mr. Chair, you have the
25 ability to do that. If you're doing it, you will have



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1 to ask for a point of order, do you have any opposition
2 do this?

3 MR. JONES: Okay. Do we have any opposition
4 of replacing -- and then we'll come back and handle the
5 other four after we handle that part.

6 MR. MOLLER: So a point of clarification.

7 MR. JONES: Sure.

8 MR. MOLLER: So the locals could then decide
9 how much -- I mean, whether they want to grant the
10 exemption or the percentage of exemption? Because
11 remember we went through this with St. James Parish
12 where they tried to kind of craft their own deal, and we
13 said no, you've got to be fish or fowl.

14 MR. JONES: That was because they were under
15 a different set of rules.

16 MR. MOLLER: Okay. So we are creating a
17 special case here, and only this case?

18 MR. JONES: Again, this is the key to this,
19 Mr. Moller, as far as I am concerned is that under the
20 pre-EO rules, they get 100 percent exemption.

21 MR. MOLLER: Correct.

22 MR. JONES: We're carving something out for
23 them and the company is basically represented to this
24 Board and we're operating under this representation that
25 if they don't go and get 100 percent, that they're not



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1 going to come back here and complain and try to appeal
2 and raise cane about it. They're going to accept
3 whatever the local governments give them, whether that's
4 zero or whether it's 100 or anything in between.

5 MR. MOLLER: Okay. And if we vote down this
6 motion, then we revert back to the original version,
7 which is all six; is that correct?

8 MR. JONES: Then we would have to come back
9 and figure out where we go from there.

10 All right. Mr. McInnis.

11 MR. MCINNIS: Mr. Chairman, I will withdraw
12 my original amendment and ask that we file a new
13 negotiation for 1606 and 1606-A.

14 MR. JONES: Okay.

15 MR. MCINNIS: And being a parish president
16 and having dealt with a mistake, if you will, on denying
17 an exemption for a company that now St. Bernard wants to
18 approve, knowing that this body cannot do that, I
19 believe -- and I don't know if it's been tested, to
20 answer your original question, us allowing locals to do
21 something. I don't -- I don't necessarily agree with
22 that. I think the locals can do what they want, it's
23 just never been tested, and there's no -- there's no
24 prohibition in the Constitution for locals to do their
25 own exemptions. There's nothing that gives them the



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1 authority either. So that's a question. And we want to
2 test that in St. Bernard Parish. I don't think it's
3 been tested.

4 But to answer the question raised, I don't
5 think this body can enter into a contract other than the
6 100 percent or the 80 or the 20 based on the rules we're
7 under, but the locals, I believe, can do their own
8 contract if it comes outside of the rules that we
9 operate under. So that's just kind of where I'm at, and
10 my amendment's withdrawn and my motion is set.

11 Thank you, Mr. Chair.

12 MR. JONES: All right. So where we are
13 right now, and just so -- I know we have some people who
14 have also signed up to speak. Before we vote on this
15 motion, we're going to give everyone a chance to speak,
16 so don't -- I'm not trying to railroad this thing
17 through. We want to give everybody who is here to speak
18 on this issue because this has been a long time coming.

19 So the motion is 1606, 1606-A, approve those
20 two projects contingent upon local government approval
21 at whatever levels the locals approve each one of them.
22 I think there's three that we're talking about here, and
23 the three of those will do whatever the three of those
24 choose to do and they have 90 days to do it. And if
25 they fail to do it in 90 days, then it's zero. Is that



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1 fair? Do we all understand the motion?

2 All right. Now, any other comments?

3 Ms. Mitchell.

4 MS. MITCHELL: Very briefly, just one point
5 of clarification to Mr. Wortmann's comments, LED staff
6 did not specifically approve for the company to go in
7 and change their project from hydro treater to the coker
8 max, so I just wanted that to be reflected on the record
9 that a request was made of LED staff to unlock the
10 system so a change could go in and be made, and that was
11 done, but not specifically to go from one project
12 description to another. Point of clarification, that's
13 all.

14 MR. JONES: Thank you, Ms. Mitchell.

15 Any other comments from the company?

16 (No response.)

17 MR. JONES: All right. Thank you.

18 Now let's go to others who want to comment
19 on the project.

20 We have a -- I'm sorry. I can't read your
21 writing -- a Mr. Washington or Dr. Washington.

22 They'll need to sit there, please. If y'all
23 can go back to your chairs, please, that would be great,
24 if you don't mind. Thank you.

25 Dr. Washington, if you'll take a seat right



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1 there, please. Thank you.

2 DR. WASHINGTON: Thank you. Good morning to
3 each of you.

4 MR. JONES: Good morning. Dr. Washington,
5 if you would, state your name the record, please, and
6 pull that mic down to you if you don't mind so it will
7 pick you up a little bit better. Thank you.

8 DR. WASHINGTON: Dr. Alice Washington.

9 MR. JONES: Yes, ma'am. And you're
10 representing a company or a group?

11 DR. WASHINGTON: NASW Together Louisiana.

12 MR. JONES: Great. Thank you very much.
13 Please give the Board your comments.

14 DR. WASHINGTON: I will be brief, and in the
15 inevitable possibility of being redundant, I'm going to
16 continue with my notes as I have them.

17 MR. JONES: That's fine.

18 DR. WASHINGTON: In 2016, Governor Edwards
19 reformed the Industrial Tax Exemption process requiring
20 a vote by local taxing bodies on any ITEP requests with
21 advance notice dated after June 24, 2018. Now, some
22 have attempted to avoid the Governor's orders by seeking
23 or erroneously assuming grandfathered status for
24 unrelated orders posted after June 2016.

25 LED appears to have known about those



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1 changes, and, to my dismay, they seem to be cooperating
2 with such unacceptable, perhaps even fraudulent
3 practices. Such changes were allow a corporation to
4 avoid a local review of requested exemptions by taxing
5 bodies, thus, local or state municipalities would be
6 deprived of millions of dollars in property tax revenue
7 without consent or review from local government.

8 Today I come before you to request that this
9 Board review these patterns and practices, unacceptable,
10 perhaps even fraudulent, and root them out immediately.

11 Thank you.

12 MR. JONES: Thank you, Dr. Washington.

13 Any questions or comments for Dr. Washington
14 from the Board?

15 (No response.)

16 MR. JONES: Thank you very much. Appreciate
17 you being here today.

18 Next, Mr. Bagert, Mr. Broderick Bagert.

19 MR. BAGERT: Thank you.

20 MR. JONES: Thank you, sir. State your name
21 and your position.

22 MR. BAGERT: I'm Broderick Bagert with
23 Together Louisiana. And I've got a packet of
24 information that I think most of you have, but there's a
25 few more here.



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1 Let me try to describe what appears to be
2 happening with this. As Dr. Washington stated, the
3 Governor and this Board made changes to the Industrial
4 Tax Exemption Program, and when you make changes, you
5 always have the question of current practice. And I
6 think fairly, even if maybe we wouldn't have it this
7 way, fairly he said but let's just change rules going
8 forward. If you have an advance notice you've already
9 submitted, the existing rules are in place, but for all
10 new projects, any projects that are initiated after this
11 advance notice, that a new set of rules are going to
12 apply, which I think was a very fair thing. We might
13 even at the time have said too fair, but is appropriate,
14 because if things had been done a certain way, even if
15 it's not a good way, that is due some respect because
16 businesses do deserve consistency. They do deserve to
17 have some sense of what the expectations are, and if the
18 expectation has been set for a practice, even if it's
19 not an ideal practice, the decision was made by this
20 Board to continue that practice, but to say going
21 forward, there's going to be a different set of rules,
22 and the different set of rules have been clearly
23 stipulated. Maybe there have been changes here and
24 there, but it's always said you're going have to go to
25 the locals.



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1 So in 2018, not like July of 2016, not
2 August, but in 2018, Marathon Oil initiated a project to
3 install four new cokers. It then takes an advance
4 notice on which it has enacted, empties it of its
5 content and fills it with this brand new project in
6 order to portray it as though it's a pre-Executive Order
7 contract, a pre-Executive Order advance notification.
8 And then goes to LED staff and says "Is that okay?
9 Could I have access to change the system?" And LED
10 staff says yes to changing the system. And in e-mail,
11 Hud Usie says it is appropriate for a company to be able
12 to make changes.

13 Now, this has been portrayed as though it's
14 just some technical matter. You know when you have a
15 new project, you do an advance notice. To go through
16 the trouble of not doing advance notice, but taking an
17 old advance notice for an entirely unrelated project, a
18 hydro treater; right, which pulls sulphur out of already
19 refined fuel, and instead, emptied of its content, made
20 a special request to have access to the computer system,
21 change the computer system and now have a project not
22 initiated in 2015, but in 2018, reflects clear intent.
23 And the clear intent was to have the 100 percent and the
24 no local approval process apply to a project for which
25 they knew, and anyone who's looking at this in a



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1 reasonable way knows, is a post-Executive Order project.

2 We find it kind of astounding that these are
3 being contemplated for approval. I mean, you have a
4 company that has tried to abuse and game this system.
5 There are serious problems with the way that this
6 program is being administered by staff, which
7 continually makes the interpretation most favorable to
8 the company regardless of the circumstances.

9 To allow a company to take a 2018 project
10 and stuff it into a 2015 Executive Order in order to
11 avoid your regulations, and then to have this Board say
12 "Well, because this tiny nonprofit, who's got as many
13 staff statewide as this agency has on this program,
14 happened to have kept a 2017 version of the advance
15 notices" and said "That's funny, a 2018 project
16 submitted in 2014," and it consulted it, we caught this
17 and you've caught them. And having caught them
18 attempting to abuse this board and the taxpayer of this
19 state to the tune of \$43-million by changing documents
20 in order to have a project that is not eligible for a
21 certain consideration receive that consideration in a
22 context where there is a serious material benefit, to
23 then say "Well, you've been caught, so now we're going
24 have the same even more favorable than you would have
25 had had you not engaged in the manipulation in the first



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1 place" just seems entirely inappropriate in those
2 circumstance.

3 We think these ought to be rejected. We
4 think Marathon's applications as a whole, because of
5 their clear intent to abuse the process of this system,
6 of this project, that their applications as a whole
7 should be rejected, and there has to be a serious look
8 at the practices of staff of how they are administering
9 this program to allow things that any reasonable person
10 knows is a totally different project, allow that to be
11 presented as though it's the same.

12 So we would urge you to reject these
13 applications and to begin initiating external
14 investigation about how this program is being
15 administered.

16 Thank you.

17 MR. JONES: Any questions or comments for
18 Mr. Bagert?

19 Mr. Ivey.

20 MR. IVEY: Just quickly. And, again, this
21 my first time appearing here, so I don't know a whole
22 lot about procedural things, however, being a legislator
23 and serving on ways and means and dealing with ITEP, I'm
24 very familiar with a lot of these programs. And we've
25 talked before as well.



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1 So prior to 2016, were there any rules or
2 provisions -- any rules, basically, because there's not
3 much statute -- that prohibited an advance notice
4 application from being heavily amended or if, you know,
5 like you said, contents dumped out, was that prohibited
6 prior to 2016 by the rule or anything else?

7 MR. BAGERT: Could you submit an application
8 for advance notice that's on an entirely different
9 subject?

10 MR. IVEY: Well, is it the same site? I
11 mean, is it a -- I don't know. I'm not very familiar.
12 My first day here. But if it's the same site --

13 MR. BAGERT: Look, I would say that I
14 content that it's no longer an advance notice for that
15 project. It's an advance notice for an entirely
16 different project.

17 I mean, now, I'm saying -- I'm not an
18 attorney. We have an attorney who's not able to be here
19 who's looked at this very carefully. This is not -- the
20 advance number being used for this project does not
21 apply to this project. It applies to a different
22 project, which was abandoned, and then that totally new
23 project has been attached to this advance notice
24 inappropriately. So I would say at any time the idea
25 that you can take an advance notice number, submit it



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1 under one circumstance, change the project entirely and
2 consider that advance to be applicable to this entirely
3 different project, it seems ludicrous to suggest that
4 that is reasonable. Or not even reasonable, but
5 illegal.

6 MR. IVEY: I wasn't suggesting anything. I
7 was just curious if there's any rules --

8 MR. BAGERT: My interpretation, and I think
9 our interpretation would be that no, you cannot have an
10 entirely different project, not amended to it, but an
11 entirely different project be considered to be applied
12 for under an advance notice when the advance notice was
13 submitted for something unrelated to that project.

14 MR. IVEY: All right. And then, you know,
15 mentioned -- you know, I'm all about accountability. I
16 do believe that at the end of the day, we're not
17 approving anything. We are requiring the local
18 government, you know, authorities to determine whether
19 or not they want to give that 100 percent or that it 80
20 percent, you know, or nothing at all. I mean, so I do
21 believe, you know, it's not all one way or the other.
22 You know, we're not deciding they have to go 80 percent
23 or this is 100 percent deal. This is we're requiring
24 the locals to decide what level they want to participate
25 in.



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1 So there is opportunity for -- we're not
2 forcing anything. The locals get to decide ultimately,
3 and I think that's the primary objective that the
4 Governor, you know, had intended in his major reform to
5 the program is that the local government gets to have a
6 say in what goes on in these types of transactions.

7 So while it may not be tech- -- you know, if
8 the opportunity is up to 100 percent in this particular
9 case, but it's the locals' decision, I think the main
10 objective is being absolutely adhered to, you know, in
11 that the locals get to decide.

12 MR. BAGERT: Representative Ivey, for us
13 this is no longer about the merits of this specific
14 application. You have a company that has intentionally
15 modified a document in order to attempt to avoid
16 regulations that you've set in place with one goal.
17 There's no other reason why they don't just submit a new
18 advance notice. Why wouldn't they -- I mean, they do an
19 average of four of these a year in the past. Why not
20 submit a new advance notice? And in that circumstance,
21 where a company has attempted to manipulate the rules in
22 order to make an end run around this Board where the
23 staff that you have to rely on; right? Y'all aren't
24 paid. You have to rely on the staff to have effective
25 and appropriate oversight. There are some really



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1 serious things and questions that we think you should be
2 asking about how this is being administered.

3 To contemplate any -- the actual exemption
4 seems to us to be almost just off the table. At that
5 point, they have attempted to abuse this system in order
6 to avoid your regulations willfully, and there's no
7 other explanation that I can understand of why they
8 wouldn't submit a new advance notice if that was not
9 their intent. So we think no, that's not a compromise
10 to have it just go back to the locals. That's what they
11 would have to do anyway if they had not attempted to
12 manipulate the document in order to have it apply for
13 rules for which is it not eligible to the tune of
14 \$43-million.

15 We work with a lot of black churches and
16 poor communities, and if a kid steals \$100, they throw
17 the book at him and they put him in jail and people
18 applaud and they say we have a rule of law and they say
19 that rules have to apply. And now we have company
20 attempting to manipulate a process, attempting willfully
21 to manipulate a process for \$43-million and they get
22 caught and you say "Well, let's give them 100 percent if
23 it locals decide." We think it's entirely inappropriate
24 and it reflects the double standards of our state around
25 who gets to have the rules applied to them and who does



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1 not.

2 MR. JONES: Thank you, Mr. Bagert.

3 All right. Next in line, Mr. Rich

4 Mooreland.

5 MS. MITCHELL: Mr. Chair, can I make one...

6 MR. JONES: In a moment.

7 MS. MITCHELL: Okay.

8 MR. JONES: Mr. Mooreland, if you can, state
9 your name and the organization that you represent,
10 please.

11 MR. MOORELAND: Rick Mooreland, Together
12 Louisiana.

13 MR. JONES: Great. Thank you, sir.

14 MR. MOORELAND: Like Dr. Washington, I had
15 prepared remarks. Before I get into those, I do want to
16 mention that I believe the advance notice was submitted
17 on December 30th, 2014, and the project was to begin on
18 January 1st, 2015, so I don't think we can talk about
19 economic forces changing in the interim. This was a
20 project that was set to proceed a few days later.

21 Also, I don't see the logic of allowing
22 changes for whatever investment is in the pipeline to
23 whatever the company decides any time in the future that
24 they want to do. That just defies the whole logic of
25 allowing -- defies the logic of the Executive Order.



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1 But to go on, Together Louisiana's role here
2 for the last few years has been to call on you as a
3 Board to pay closer attention to ITEP applications where
4 ITEP rules seem to be getting stretched, stretching the
5 definition of manufacturing almost beyond recognition,
6 stretching applications for manufacturing in one site to
7 include another site 10 miles away, stretching ITEP
8 rules to fit what looks a lot like routine cost of doing
9 business or required pollution equipment, stretching
10 deadlines for companies, but strictly enforcing them for
11 local taxing bodies. Sometimes it feels as if LED is
12 stretching the rules however they can to make sure
13 companies get the exemptions they want.

14 LED does promote these exemption programs,
15 they coach companies through the application process and
16 they collect hefty application fees, so LED doesn't want
17 these companies to fail. But these first two Marathon
18 applications, 20141601 and 201461606-A, these go way
19 beyond stretching the rules. We've given you strong
20 evidence that this simply breaks the rules or ignores
21 the rules. This tops everything we've raised questions
22 about before.

23 And the really disturbing, scary thing is
24 that we don't know whether this is one exceptional case,
25 and now we do know, or just the tip of the iceberg



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1 because we only happened to notice this one case and
2 bring it to your attention. And it's hard to know how
3 many other cases we missed, apparently at least 17, and
4 how long this kind of thing has been going on. And we
5 couldn't expect you as a Board to have noticed this
6 because LED staff gave you no indication in your packets
7 in November or in your packets for today's meeting that
8 the 2014 advance notice record allowing Marathon to
9 apply under all rules had been altered by them or by
10 Marathon to fit another entirely different new project.
11 And this does not seem like just a more detailed
12 description of the same project. I think that's pretty
13 clear. LED hid it from you either deliberately or
14 because this was considered normal practice, part of
15 making sure their companies get the exemptions they
16 want.

17 Who is looking out for the people who pay
18 for these exemptions either directly in higher property
19 taxes or indirectly in higher rents or cuts in schools
20 and other public services?

21 Together Louisiana has only a skeleton staff
22 and volunteers, like myself, from its member
23 organizations, and we can't possibly keep up with the
24 room full of company spokespeople and certain attorneys
25 here representing applicants for these exemptions.



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1 Looking out for the public interest, making sure LED is
2 following their own rules and the law when they award
3 exemptions that the rest of us have to pay for, that's
4 not our job. It's your job on this Board. You're
5 supposed to exercise oversight, but your oversight
6 becomes impossible if they're hiding things from you
7 that you need to know, not just in this case, but
8 potentially in many other cases.

9 So it's now your responsibility as a Board
10 not just to deny this application outright, but to
11 demand a truly independent investigation of whatever
12 patterns and practices allow this, and who knows how
13 many other rule-breaking exemptions to be presented for
14 your approval. We can't make this investigation happen,
15 but you can, and you should because that's your job.
16 And that's what it seems that it's going to take.

17 Thank you.

18 MR. JONES: Thank you, Mr. Mooreland.

19 Any questions from the Board to
20 Mr. Mooreland?

21 (No response.)

22 MR. JONES: Thank you, sir.

23 Next. And, again, I'm having a little bit
24 of difficulty reading the handwriting. Mr. Larry
25 Sorapuru from St. John Parish. Forgive me.



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1 Can you state your name?

2 MR. SORAPURU: Yes. Good morning. Larry
3 Sorapuru, Junior.

4 MR. JONES: Forgive me for not reading well.

5 MR. SORAPURU: 502 Highway 18, Edgar,
6 Louisiana. I'm a former councilman from St. John
7 Parish. I was here in November, but I ask you to not
8 take any action on 1606 and 1606-A until the local
9 government, the school board and St. John Parish council
10 both have input before this bill moves any forward with
11 this application.

12 Thank you.

13 MR. JONES: Thank you, sir. Appreciate your
14 comments.

15 Any questions or comments?

16 (No response.)

17 MR. JONES: There being none, all right.

18 Next, Mr. Edgar Cage, please.

19 Mr. Cage, state your name and your position.

20 MR. CAGE: Thank you, Mr. Jones. My name is
21 Edgar Cage, and I'm with Together Louisiana and I'm here
22 to speak not about these applications because we
23 shouldn't even be discussing them, but about the
24 process, what's going on and what needs to happen to
25 clear the process. There are a lot of questions, a lot



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1 of discussions because it's not clear. It's not clear
2 why we're even looking at these.

3 You know, in our society, we have a way of
4 identifying things, and we identify those with numbers.
5 Each individual, we have a Social Security Number, and
6 that number is used to file any and everything we do.
7 In the ITEP system, we assign application numbers, and
8 that is to help file and help keep and help understand
9 what's happening with a particular project. And in this
10 case, it's very, very clear, it's very, very clear that
11 a pre-Executive Order project number was used for a
12 project that was started in 2019 but submitted December
13 21st, 2018. That should not happen.

14 And you talk about the scope changes. I
15 understand scope changes, but a hydro treater and a
16 coker is two different things. It's not the same scope.
17 It's two different things. If it was up and up in this
18 process, another application would have been presented
19 for the later project from 2018.

20 And what I'm asking and what I would like to
21 see and is to protect the integrity of this process and
22 this Board and the citizens of the State of Louisiana,
23 that we have somebody look into this to fully understand
24 the process. And the more I heard this morning, I think
25 the more we need that someone look at this process.



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1 How do we allow company to go into the
2 state's system to change something freely, it seems,
3 without supposedly any approval on an application from
4 2014? That shouldn't happen. That shouldn't -- you
5 think they going to do something that will make less
6 profit for them? No. So there's so many things that
7 we're hearing, that I'm hearing, that I'm calling for.
8 I'm demanding. Senator Johns, Senator Fields,
9 Representative Ivey, I want to protect you guys'
10 integrity. You can't say after today "We didn't know."
11 We're letting you know there are issues and problems
12 would the system, the process that needs to be
13 investigated that needs to be looked at.

14 Thank you.

15 MR. JONES: Thank you, sir.

16 Any questions or comments for Mr. Cage?

17 (No response.)

18 MR. JONES: Next we have Ms. Lady Carlson.

19 MS. CARLSON: Good morning.

20 MR. JONES: Good morning. Please state your
21 name and your position.

22 MS. CARLSON: My name is Lady Carlson, and
23 I'm with Together Louisiana. And first of all, I would
24 like to say that our leaders, many of our leaders are
25 elderly, they cannot come to this hearing, they want to



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1 be here, but they're concerned about the virus, and so
2 according to your rules, we sent in comments before 4
3 o'clock yesterday, mailed and e-mail comments, and I'd
4 like to know if members of the Board have been privy to
5 those. Have they been distributed to the Board?

6 MR. JONES: I have not seen these comments.
7 Have we received any from the staff?

8 MR. USIE: Staff didn't receive any
9 comments. We had a e-mail address stated on the agenda
10 cover page that they were to send it to, and, to best of
11 my knowledge, none were received.

12 MS. CARLSON: And so I want to disagree with
13 the staff. And, again, a lot of our leaders are
14 elderly, they did send in comments. We worked with
15 people. And so I would ask that they go back and look
16 again at whether or not you received comments because
17 we've talked to some of our folks.

18 MR. JONES: Okay. Thank you. We'll do
19 that.

20 MS. CARLSON: And I think you can't make a
21 judgment on this unless you have those comments as well.

22 And I'd want to say this: Listen, if I
23 called the assessor and said to the tax assessor "I
24 don't like my taxes, and so I'd like to give you -- I'd
25 like you to give me access to my tax records in the



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1 computer so I can go in and change it," that is -- I
2 can't do that, so I'm not sure why Marathon or any other
3 company is allowed to do that.

4 I think this Board needs to investigate the
5 standards. There need to be standards, there needs to
6 be a look at the way LED operates. I'm not accusing
7 anybody. I'm just saying you need to understand how
8 they operate, and if I can't go in and change my taxes,
9 I don't think other people should be able to. I don't
10 think Marathon should be allowed to go in and change
11 anything in the computer that the state has authority
12 over. And if we can -- if they can do it, then I'd like
13 to ask Mr. Ivey that you pass a bill that I can do it
14 because fair is fair. I don't get out of paying my
15 taxes. Fair is fair. If you're going to let LED work
16 with companies to change their applications, then work
17 with us as citizens so we can change ours.

18 MR. JONES: Thank you, Ms. Carlson.
19 Any other comments or questions for Ms.
20 Carlson?

21 (No response.)

22 MR. JONES: Thank you very much.

23 All right. I have no other cards of those
24 who wish to speak. We have a motion on the floor --
25 first of all, do we have any other --



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1 MR. USIE: Can I just make one more comment
2 about not receiving the e-mails?

3 MR. JONES: Yes.

4 MR. USIE: In the agenda packet, we do have
5 a written comment section, and it says
6 LEDBoardPublicComments@la.gov. We did receive one
7 public comment that came through. We did not receive
8 any others, so I just wanted to be clear.

9 MR. JONES: Okay. The one public -- have we
10 received the one public comment that came through?

11 MR. USIE: Correct.

12 MR. JONES: No. Have we received it, the
13 Board received it?

14 MR. USIE: It was from a company that
15 couldn't be here. It wasn't about making a comment to
16 the Board. It was about them not being able to be
17 present at the meeting.

18 MR. JONES: Oh, it had nothing to do with
19 this Marathon --

20 MR. USIE: Had nothing to do with Marathon.
21 I just wanted to be clear. She said that other people
22 sent in e-mails, and we did not see them at that
23 address.

24 MR. BAGERT: I'm CC'd on them. It's just
25 not true. I'm CC'd on them. I've received them.



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1 MR. USIE: I just wanted to state that we
2 knew the e-mail was working because we had one that came
3 through to that e-mail, and we also did a test.

4 MR. JONES: All right. I'm not going to
5 referee what we did and did not receive. I am in a
6 dilemma about not being able to receive public comments
7 when there apparently have been made available.

8 Let's do this: I want to take a five-minute
9 recess so I can confer. I'm asking you not to go
10 anywhere. So we're going to come back and deal with
11 this motion, but give me five minutes.

12 Ms. Mitchell, do you have something to say
13 before we break?

14 MS. MITCHELL: Yes, sir. There were just a
15 few comment made, and I promise I'll be brief. I do
16 need to make some clarifications.

17 I can speak on behalf of LED staff, there
18 was no intent to abuse any system. The rules do not
19 prohibit changes to advance notifications so long as the
20 project end date has not lapsed. Secretary Pierson has
21 already eloquently explained the purpose of the advance
22 notification document. And then also I'd like to say
23 that LED did not hide anything from the Board, and I
24 would just ask Board members to go back to the context
25 that was explained. Yes, the Executive Order happened



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1 in 2016. Subsequent to that, there were two iterations
2 of the rules, the last of which had just been -- the ink
3 had just been dried August of 2018.

4 MR. JONES: Thank you, Ms. Mitchell.

5 All right.

6 MR. FIELDS: Let me ask a question about
7 that real quickly. I know, Mr. Chair, just real
8 quickly, Madam Undersecretary.

9 MR. JONES: Go right ahead.

10 MR. FIELDS: Thank you, Mr. Chairman.

11 When a company requests -- I guess they have
12 to request permission to change anything on their
13 application; correct, based on your testimony?

14 MS. MITCHELL: For the advance. So, yes,
15 it's submitted in the system, and in order to reopen it,
16 they -- it has to be information required or unlocked,
17 so they may ask to make an adjustment. And as Secretary
18 Pierson alluded to, from time to time, the investment
19 dollar amount changes, the scope changes, the project
20 dates shift, and so there are a myriad of reasons.

21 MR. FIELDS: I guess my only question is do
22 they tell you why they want to change something? Do you
23 know, is there a specific request made or do they just
24 say "Can you give me permission to alter my request?"

25 MS. MITCHELL: From my understanding -- and



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1 I'm not an administrator of the program. From my
2 understanding, it varies from time to time as to whether
3 or not there is specificity added to the request.

4 I will tell you, late 2018, early 2019, and
5 you have to keep in mind, this is a pre-Executive Order
6 advance that we're referring to, and everyone, when we
7 were going through the rules changes for the ITEP
8 program, everyone agreed we are grandfathering
9 pre-Executive Order advances at this cutoff date June
10 24th, 2016. And for some time, there was a certain
11 level of scrutiny that has since intensified, even on
12 those pre-Executive Order advances, applications and
13 renewals.

14 MR. FIELDS: Well, in deference to the
15 Chair, you know, I respect that, but I do think that we
16 probably need to look at it if a company makes a
17 request, you probably need to know for what reason, and
18 then we need to -- because that's why we're here today
19 because of this.

20 MS. MITCHELL: Yeah. And that is a
21 commitment we have made to the Board, and as I
22 recounted, when I provided additional context, LED
23 proactively brought to the Board a recommendation that
24 we start demanding and requesting more information from
25 companies, even on pre-Executive Order applications, and



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1 they now come to the Board and explain when they're
2 coming in and submitting an application on a
3 pre-Executive Order advance how it links back to the
4 advance and, you know, why are we here today if it may
5 have been some time predating the Executive Order.

6 Thank you, Mr. Fields.

7 MR. MOLLER: I just have one...

8 MR. JONES: Yes, sir, Mr. Moller.

9 MR. MOLLER: I'm sorry.

10 MR. JONES: No, that's okay.

11 MR. MOLLER: If I understand your earlier
12 testimony, you said that there have been 17 instances of
13 pre-EO changes -- advances being changed?

14 MS. MITCHELL: Yes, changes made to those
15 advances, and it varies from date changes to investment
16 amount changes, but mostly those simple technical
17 changes. We couldn't find any in our research that were
18 similar to this one.

19 MR. MOLLER: Okay. Would it be responsible
20 just to get a list of those just so we understand -- I
21 mean, I understand that this is a unique case where --

22 MS. MITCHELL: This is a unique case.

23 MR. MOLLER: -- where the entire project
24 changed, but I would like to understand what other
25 changes may have been made to those pre-EO applications.



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1 MS. MITCHELL: Okay.

2 MR. MOLLER: Thank you.

3 MR. JONES: All right. Let's take five
4 minutes. We'll be back at 11:15. Thank you.

5 (A recess was taken.)

6 MR. JONES: All right. Calling the meeting
7 back to order after a short recess. During the recess,
8 we have -- it appears as though there were comments that
9 were sent in to the correct e-mail address. For
10 whatever reason, those comments are not in our e-mail
11 system. I have invited Together Louisiana to send us
12 those comments. Mr. Bagert has refused to do so, so we
13 will not take those comments. So we will now move on to
14 a vote.

15 Are there are there any other comments or
16 questions from the public?

17 (No response.)

18 MR. JONES: There being none, any other
19 comments or questions from -- Mr. Bagert, you've had
20 your opportunity. No, sir. No, sir. I will not
21 recognize you today. That ship has come and gone.

22 MR. BAGERT: What you said is not accurate.

23 MR. JONES: Now, Mr. Johns.

24 MR. JOHNS: I'd like to make some comments.

25 MR. JONES: Absolutely.



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1 MR. JOHNS: I've served in this legislative
2 process since 1996. I represent a very
3 highly-industrialized district in Southwest Louisiana.
4 I've worked very, very closely with the Department of
5 Economic Development over all these years. There were a
6 lot of comments that were made in this meeting today
7 that I think maybe impugns the integrity of this state
8 agency. There are many, many times over the years that
9 this agency has told my area no on something. Not once
10 have I ever asked, never once have I ever seen them bend
11 the rules that were in place at that time to help any
12 business in this entire state. So I just, I want that
13 to be on the record.

14 The charge of this agency is to bring jobs
15 to this state, and they've done an incredible job over
16 the years considering some of the business climate that
17 we have, some of the obstacles, the challenges that they
18 have faced, and so I'm proud of the work that the
19 Department of Economic Development has done. And I just
20 want that to be on the record that I think that their
21 integrity is A-plus in my eyes, and if somebody can
22 prove otherwise to me, I'd be glad to meet with you.

23 Thank you, Mr. Chairman.

24 MR. JONES: Thank you, Mr. Johns.

25 Any other comments or questions from the



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1 Board?

2 MR. FIELDS: I have a comment on the --

3 MR. JONES: Yes, sir.

4 MR. FIELDS: We're about to vote,
5 Mr. Chairman, on your motion.

6 MR. JONES: All right.

7 MR. FIELDS: I want to first of all thank
8 you, thank Together Louisiana and Dr. Washington,
9 Mr. Bagert, Mr. Mooreland and all of them. I do think
10 that they have identified perhaps a problem, and
11 hopefully in listening to the Undersecretary, we can
12 address more, maybe more effectively. I think the
13 Chair's motion makes me look at this a little different.
14 When I read the agenda last night, I was -- I came in
15 here with my mind made up I was going to vote against
16 these two proposals because, based on the discussion
17 last week, I had a certain perspective, but because of
18 the Chair's motion to basically give the local
19 government an opportunity to be heard. And that's all I
20 wanted was the local governments to be heard. So I
21 appreciate the Chair's motion, and I plan to vote in
22 favor of it. And I would hope that -- and I certainly
23 understand the Chair, my Chair of Commerce comments, and
24 I certainly don't want to impede the integrity of the
25 Department of Economic Development because I know that



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1 we all work very hard to bring economic development to
2 the state.

3 And with that said, I'm going to vote in
4 favor of your motion in lieu of the fact that the local
5 government will, in fact, have an opportunity to be
6 heard.

7 MR. JONES: Thank you, Mr. Fields.

8 Any other questions or comments from the
9 Board?

10 (No response.)

11 MR. JONES: Are we ready to vote? This is a
12 motion on 1606 and 1607-A, approving those applications
13 contingent upon approval by the local governing entities
14 at any level the governing entities wish to with the
15 deadline of 90 days from today's date.

16 Any questions about the motions?

17 (No response.)

18 MR. JONES: All in favor, say "aye."

19 (Several members respond "aye.")

20 MR. JONES: Any opposed?

21 (No response.)

22 MR. JONES: There is no opposition. It
23 passes unanimously.

24 Now let's move to remaining four Marathon
25 Petroleum Company applications. They've already been



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1 read into the record by Mr. Usie, but as according to
2 our custom, I would invite a member of the company to
3 come up and explain where we are on these four
4 additional pre-EO applications and what the applications
5 have for us in the future.

6 Go right ahead. State your name and your
7 position with the company, please.

8 MR. WORTMANN: Sure. Dan Wortmann, Marathon
9 Petroleum Refinery Controller.

10 MR. JONES: Thank you, Mr. Wortmann. Tell
11 us what these projects are and what -- are there going
12 to be additional developments within these notifications
13 that were filed both in -- one in 2014 and one in 2015?

14 MR. WORTMANN: So the first one, ending in
15 609, so that is our wastewater treatment plant capacity
16 increase. So throughout the normal process, we have
17 wastewater treatment plant that cleans the water using
18 bacteria microorganisms. This is to accrue capacity
19 increase over time. We need to increase the capacity of
20 this facility. So this basically allows us to run max
21 capacity at our facility.

22 MR. JONES: Okay. 1610-A?

23 MR. WORTMAN: 1610-A, application standard.
24 I believe I was here and chatted about this. This is a
25 safety program, a safety shutdown program. No return on



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1 investment on this project. This project is it allows
2 us to safely shut down the plant in the event of an
3 unplanned outage. And we know that happened here, you
4 know, west side of the state just this past week. It
5 protects our people, community and our equipment.

6 MR. JONES: Okay. 20152053 and 20152026.

7 MR. WORTMANN: Okay. Crude flexibility
8 blackwater. So over the years the composition of crude
9 changes, whether it's a particular type of crude or we
10 get different types of crudes in, and what we have to do
11 is we have to remove the dirt, the salt from those
12 crudes. And to do that, we throw water on the crude.
13 We have a desalter that pulls that salt off the water
14 and off the crude. And then you also get dirty water
15 from it, so it's just a part of the process that we got
16 to do.

17 MR. JONES: Okay. And 2026.

18 MR. WORTMANN: Sulfur to gassing. So this
19 process, we have to get down to cell specs on gasoline,
20 10 parts per million, and to do that we have to upgrade
21 our sulfur processing.

22 MR. JONES: Okay. My next question, on all
23 four of these, do you see any future applications coming
24 out of these pre-notifications or is this it?

25 MR. WORTMANN: Future applications?



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1 MR. JONES: Right.

2 MR. WORTMANN: No new applications on these
3 four.

4 MR. JONES: So this will be the last time we
5 see you on these prenotifications?

6 MR. WORTMANN: I'm sorry. The SIS. That's
7 the one I did talk about a while back when I came here.
8 These systems are implemented during turnarounds. Those
9 can be on five, six-year cycles. So that is the only
10 one that there will be one that there will be another
11 one to come through.

12 MR. JONES: And under which Application
13 Number -- or -- excuse me -- prenotification number.

14 MR. WORTMANN: Ending in 610.

15 MR. JONES: 1610-A?

16 MR. WORTMANN: Yeah, 1610-A.

17 MR. JONES: So there will be a 1610-B or C;
18 is that what you're saying?

19 MR. WORTMANN: Right. To not stretch this
20 out, it will be when those turnarounds happen and this
21 equipment goes in.

22 MR. JONES: Okay. All right. Thank you for
23 that.

24 With those explanations, I would entertain a
25 motion from the Board.



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1 We have a motion from Mr. Fabra to approve,
2 a second from Mr. Moss.

3 Any questions or comments from the Board?
4 (No response.)

5 MR. JONES: Any questions or comments from
6 the public?

7 (No response.)

8 MR. JONES: Thank you, Mr. Wortmann. You
9 can give up the seat to Ms. Carlson here.

10 MS. CARLSON: Lady Carlson with Together
11 Louisiana.

12 MR. JONES: Thank you, ma'am.

13 MS. CARLSON: The way I understand ITEP, it
14 is for manufacturing, expansion of a plant or attracting
15 new manufacturing. This sounds like normal operating
16 procedure. It's stuff they have to do. They're not
17 expanding the plant, there are no new jobs added to
18 this, and so I would respectfully ask you to deny those
19 applications based on what the law says, expansion of
20 the plant, relocating and creating new, permanent,
21 high-paying jobs, and it does not do that.

22 Thank you.

23 MR. JONES: Thank you, Ms. Carlson.

24 Mr. Bagert, state your name and your
25 position, please.



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1 MR. BAGERT: Broderick Bagert with Together
2 Louisiana.

3 We'd like to object to the process of public
4 input that there was an e-mail address created that --

5 MR. JONES: Mr. Bagert, that issue has been
6 passed. You're now on -- we've got a motion, and your
7 comments are not directed to that motion, it sounds
8 like.

9 MR. BAGERT: No, they are. They're directed
10 to public comments submitted for the agenda items under
11 consideration at this moment, and we're objecting to the
12 agenda item under consideration.

13 MR. JONES: Okay. All right. My apologies.

14 MR. BAGERT: Okay. Public comments were
15 submitted opposing these motions under consideration
16 right now. They're bifurcated. The e-mail address was
17 set up that, to my knowledge, dozens based on the
18 reactions. I got four or five, and the reason I didn't
19 want to share them earlier is because that creates the
20 impression that's it been complied with and it hasn't
21 because if there's a process where you take public
22 input, but then that public input isn't conveyed to the
23 people making the decision, then what you have is the
24 appearance of public input, but not any real public
25 input. Because, you know, the point, Senator Johns, is



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1 to express the public and to the decisionmakers, not
2 just to look like you're expressing that. So we would
3 like to object on that basis.

4 We'd also like to object to these exemptions
5 exceptions substantively. The evaluation of these --
6 and this is our concern, Senator Johns, with the staff.
7 It's a substantive one. It is not derogatory. It's
8 that there is -- the process of review does not meet the
9 Constitutional standard. There's no meaningful process
10 of review, there's no cost benefit analysis, there's no
11 evaluation of whether these investments would take place
12 without this. In fact, every investment that you're
13 about to consider already happened years ago, and what
14 you're doing is saying that they need this thing to do
15 something that they already did years ago. That doesn't
16 meet the Constitutional standard. It, we believe,
17 violates the Constitutional standard of giving a thing
18 of value for a nonpublic purpose, and we object to it
19 and urge you to object as well.

20 Thank you.

21 MR. JONES: Any questions or comments for
22 Mr. Bagert?

23 SECRETARY PIERSON: I do.

24 MR. JONES: Mr. Pierson.

25 SECRETARY PIERSON: I just think there's a



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1 fundamental misunderstanding of the program and the way
2 that it's executed, and in this specific instance,
3 you're looking at a set of rules that existed at that
4 point and those are the rules that are applicable today.
5 And we're in complete agreement. The program needed to
6 have more accountability, more transparency, and we've
7 taken some really great steps together with your
8 organization to establish those things. We now have an
9 Annex A, which is a Cooperative Endeavor Agreement, a
10 contract, on what will be executed. Those rules were
11 not in place at the time that this company and hundreds
12 of other companies made decisions and moved forward, and
13 it was allowable. And we don't change the rules in the
14 middle of the game.

15 I think what I'd like to make sure you
16 understand is this meeting takes place around six times
17 a year, but we're in this building 12 months out of the
18 year, and for you to better understand the process and
19 for you to know whether there's a return on investment
20 calculation that's done that you just said is not done,
21 I can only believe that you're not trying to be less
22 than truthful, but you just don't know. You don't know
23 what you don't know. And I think it's incumbent on you
24 to begin a dialog with LED that we're very open to and
25 stop putting out misinformation to your members and to



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1 the public.

2 Thank you.

3 MR. BAGERT: May I respond to that,
4 Mr. Chair?

5 MR. JONES: Yes.

6 MR. BAGERT: Senator Pierson, the basis for
7 me saying that there wasn't a cost benefit analysis was
8 that we've done public records requests of pre-Executive
9 Order applications for the statement on return on
10 investment and the cost benefit analysis and were told
11 by the staff's attorney, Tam Bourgeois, that it is done
12 informally, that it doesn't need to be done in writing,
13 and there's no need for a formal statement of return on
14 investment or return on investment.

15 Now, if that is, in fact, being done, then
16 we're delighted to hear that. We'll repeat our public
17 records request, but it was not done or said -- in fact,
18 I would say, based on my experience, that we've seen no
19 evidence of cost benefit analysis being done on these or
20 others. In fact, we did a public records request of all
21 the documents that has to do with these specific
22 applications. I have 2,000 documents in my computer,
23 and -- that were responsive to that request, and none of
24 them were a cost benefit analysis.

25 You have just told me and the public that we



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1 have misled our members. I believe you are misleading
2 me and you are misleading this Board by purporting to
3 have done a cost benefit analysis when you have not,
4 sir. You have not. We have all of the documents
5 responsive to these application numbers. It is not
6 responsible for you to stand up here and tell people
7 things that are not true. It's not true that you've
8 done a cost benefit analysis on these applications. How
9 dare you? You have not.

10 MR. JONES: All right. That's enough.

11 Any other questions or comments?

12 (No response.)

13 MR. JONES: We have a motion before the
14 Board. Any other questions or comments from the public?

15 (No response.)

16 MR. JONES: There being none, all in favor,
17 say "aye."

18 (Several members respond "aye.")

19 MR. JONES: Any opposed?

20 (No response.)

21 MR. JONES: There is no opposition. The
22 motion carries.

23 I am now going to turn to the Board and ask
24 your thoughts. It is now 11:35 according to my watch.
25 We still have a number of matters to handle. Do we want



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1 to take a lunch break and come back or do you want to
2 work through? What is the pleasure of the Board?

3 Work through. Thank you very much. I got
4 in trouble because I didn't give y'all the option lost
5 time. By God, I'll give you the option this time.

6 All right. Thank you very much. Let's move
7 to the ITEP applications under the 2017 rules.

8 Mr. Usie.

9 MR. USIE: We have five new applications
10 following the post-Executive Order 2017 rules. One has
11 requested deferral: 20170399, Plastipak Packaging, Inc.
12 in Rapides Parish.

13 MR. JONES: I will entertain a motion to
14 defer the Plastipak Packaging, Inc.

15 I have a motion from Mr. Moller; second from
16 Mr. Johns.

17 Any comments or questions from the Board?

18 (No response.)

19 MR. JONES: Any comments or questions from
20 the public?

21 (No response.)

22 MR. JONES: There being none, all in favor,
23 say "aye."

24 (Several members respond "aye.")

25 MR. JONES: Any opposed?



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1 (No response.)

2 MR. JONES: There is no opposition. That
3 application is deferred to the next meeting.

4 MR. USIE: 20180176, Air Liquide Large
5 Industries US LP in West Baton Rouge Parish; 20161561,
6 Calumet Shreveport Refining, LLC in Caddo Parish;
7 20161562, Calumet Shreveport Refining, LLC in Caddo
8 Parish; and 20170091, Calumet Shreveport Refining, LLC
9 in Caddo Parish.

10 MR. JONES: Entertain a motion to approve
11 these applications.

12 Motion from Mr. Briggs; second from Mayor
13 Toups.

14 Any questions or comments from the Board?
15 (No response.)

16 MR. JONES: Any questions or comments from
17 the public?

18 (No response.)

19 MR. JONES: There being none, all in favor,
20 say "aye."

21 (Several members respond "aye.")

22 MR. JONES: Any opposition?

23 (No response.)

24 MR. JONES: Seeing none, motion carries.

25 Now move to the Industrial Tax Exemption



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1 applications for the 2018 rules.

2 MR. USIE: We have 13 new applications
3 following the 2018 rules. Two companies have requested
4 deferral. The first is 20200422, Beuche PV1, LLC, West
5 Baton Rouge Parish, and the other is 20180409, Richard's
6 Cajun Foods Corp. in Acadia Parish.

7 MR. JONES: Entertain a motion to defer
8 Beuche and Richard's Cajun Foods.

9 Motion from Mr. Nassar; second by Mr. Moss.

10 Any questions or comments from the Board?

11 (No response.)

12 MR. JONES: Any questions or comments from
13 the public?

14 (No response.)

15 MR. JONES: Seeing none, all in favor, say
16 "aye."

17 (Several members respond "aye.")

18 MR. JONES: Any opposition?

19 (No response.)

20 MR. JONES: Those two matters are deferred
21 to the next meeting.

22 MR. USIE: 20200369, Anvil Attachments, LLC,
23 East Feliciana Parish; 20200520, Blue Runner Foods,
24 Inc., Ascension Parish; 20180358, Bollinger Quick
25 Repair, LLC, Jefferson Parish; 20200327, Cabot



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1 Corporation, Evangeline Parish; 202020377, Cargill,
 2 Inc., St. Martin Parish; 20200189, Gron Fuels, LLC, West
 3 Baton Rouge Parish; 20190412, Howell Foundry, LLC, West
 4 Feliciana Parish; 20180099, Inferno Manufacturing, Caddo
 5 Parish; 20190178, International Paper Company, De Soto
 6 Parish; 20200133, International Paper Company,
 7 Washington Parish; and 20180470, Stuller, Inc. in
 8 Lafayette Parish.

9 MR. JONES: Entertain a motion to approve
 10 these 2018 rule applications.

11 Motion from Mr. Slone; second from Mr. Moss.
 12 Any question or comments from the Board?
 13 (No response.)

14 MR. JONES: Any questions or comments from
 15 the public?

16 (No response.)

17 MR. JONES: There being none, all in favor,
 18 say "aye."

19 (Several members respond "aye.")

20 MR. JONES: Any opposition?

21 (No response.)

22 MR. JONES: That motion carries.

23 We now move to Industrial Tax Exemption
 24 renewals.

25 MR. USIE: We have 308 renewals. We have



1 five that requested deferral and one requesting
2 withdrawal.

3 MR. JONES: Okay. Let's first handle the
4 withdrawal.

5 MR. USIE: The withdrawal is 20180896,
6 Sterlington Power, LLC in Ouachita Parish.

7 MR. JONES: Entertain a motion to approve
8 the withdrawal of the Sterlingten Power renewal
9 application.

10 Motion from Mayor Toups; second from Mr.
11 Johns.

12 Any questions or comments from the Board?
13 (No response.)

14 MR. JONES: Any questions or comments from
15 the public?

16 (No response.)

17 MR. JONES: All in favor, say "aye."
18 (Several members respond "aye.")

19 MR. JONES: Any opposed?
20 (No response.)

21 MR. JONES: There is no opposition. The
22 motion carries.

23 Who wishes to defer?

24 MR. USIE: We have five deferrals. The
25 first 20150982, Flight Safety International, Inc. in



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1 Bossier Parish.

2 MR. JONES: Move slow, Mr. Usie, so I can
3 mark these down.

4 Flight Safety.

5 MR. USIE: Flight Safety on Page 20.

6 MR. JONES: Okay. Go ahead.

7 MR. USIE: The next one is on Page 24,
8 20141575, Procter & Gamble Manufacturing in Rapides
9 Parish.

10 MR. JONES: Procter & Gambel Manufacturing.
11 Okay.

12 MR. USIE: And the last ones are three or
13 Westlake Petrochemicals LP. All three are in Calcasieu
14 Parish. The numbers are 20161336, 20161337 and
15 20161338.

16 MR. JONES: Okay. So I would have a motion
17 for the -- I would entertain a motion to approve the
18 deferral of the three Westlake Chemical Projects, 1346,
19 1347 and 1348.

20 MS. CHENG: Sorry, Chairman. It's 1336,
21 1337 and 1338.

22 MR. JONES: That's not what it says.

23 MS. CHENG: Westlake Petrochemical LP.

24 MR. JONES: Thank you. Forgive me. Good
25 catch. Thank you.



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1 So let's make sure the record's clear, we're
2 moving to defer 20161336, 1137 and 1338 for Westlake
3 Petrochemicals. Thank you.

4 MR. USIE: Correct.

5 MR. JONES: Keep me straight guys.

6 20180896, Sterlington Power in Ouachita
7 Parish and 201415 --

8 MR. USIE: Sterlington was the withdrawal
9 that we handled first.

10 MR. JONES: Thank you.

11 And so what --

12 MR. USIE: One is Procter & Gamble. There
13 are three of the Westlakes, and the other one is Flight
14 Safety on Page 20.

15 MR. JONES: Flight Safety. Thank you very
16 much. Chair can't read his own writing.

17 Great. I would entertain a motion to defer.

18 From Mr. -- I'm getting tired. Mr. Fajardo.
19 I want to call you Mr. Fabra and I say you're not Mr.
20 Fabra. Mr. Fajardo. Thank you very much.

21 I'm going to get Mr. Fabra to second that.

22 All right. We have a motion, we have a
23 second to defer these four projects.

24 Any questions or comments from the Board?

25 (No response.)



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1 MR. JONES: Any questions or comments from
2 the public?

3 (No response.)

4 MR. JONES: There being none, those are --
5 are you for or against it?

6 All in favor, say "aye."

7 (Several members respond "aye.")

8 MR. JONES: Any opposed?

9 (No response.)

10 MR. JONES: There is none. The motion for
11 deferral carries.

12 Now, we have a number -- we have
13 300-and-some-odd of these renewals, and I'm speaking to
14 the Board now, so be sure you understand where I'm
15 coming from. My instinct is to, instead of having
16 Mr. Usie read all 300-and-some-odd out loud, is to
17 handle these in globo. However, if there are specific
18 renewals that you want to consider on their own, now is
19 the time to the raise those. And if you have ones you
20 want to discuss or you have questions about, let's raise
21 those now. Otherwise, I would entertain a motion to
22 handle in globo. And if the Board wants to handle them
23 one-by-one, we can do that too. I'm not -- I'm just
24 trying to move things along.

25 Mr. Moller, you have a motion?



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1 MR. MOLLER: I just want to clarify. I
2 think I know the answer, but these are all pre-Executive
3 Order; right?

4 MR. USIE: Correct.

5 MR. MOLLER: If they're coming up because,
6 yeah, because it was less than five years ago.

7 MR. MOSS: So moved in globo.

8 MR. JONES: Okay. We have a motion and a
9 second to handle in globo.

10 Again, are there any Board member want to
11 handle any specific of the applications for renewal
12 independently or individually? We have a motion and a
13 second.

14 As a point of personal order from the Chair,
15 I need to recuse myself from some of these. Turning to
16 Exxon Mobil Corp, 20141495, 20141498, 20141499,
17 20141496, 20141497, and 20141494, and then skipping down
18 to Georgia Pacific, 20141573 and 20161078. Let me be
19 sure that's all. And then skipping to Page 21, the
20 Hexion renewals, 20140859, 20161244, 20181245, 20161246,
21 20161247, and I believe that's all.

22 All right. I'll be recusing myself. I'll
23 still facilitate the vote but will not be speaking for
24 or against and will not be voting on those.

25 All right. We have a motion and second to



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1 handle all of these in globo.

2 Any questions or comments from the Board?

3 (No response.)

4 MR. JONES: Any questions or comments from
5 the public?

6 Lady Carlson.

7 MS. CARLSON: I do want to speak, but just
8 for --

9 MR. JONES: Sorry. I can't hear you.

10 MS. CARLSON: So there's a company I want to
11 speak to, but I want to speak to this about in globo.

12 MR. JONES: Sure.

13 MS. CARLSON: My name is Lady Carlson. I'm
14 with Together Louisiana. I understand there are a lot
15 of applications, but I also think -- I also know you're
16 giving away a lot of money, a lot of local tax dollars,
17 and I think doing these in globo does disservice to the
18 local taxing entities because, again, you're giving away
19 a lot of money. And when you give away the exemptions,
20 somebody else has to pay for them, and so I think
21 expediency when it's this amount of money is not wise.

22 MR. JONES: Thank you Ms. Carlson. Thank
23 you.

24 Did you say you wanted to speak on one of
25 these?



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1 MS. CARLSON: Yes.

2 MR. JONES: Okay. Would you like to come
3 back and do that now since we are --

4 MS. CARLSON: Yes. Again, my name is Lady
5 Carlson. I'd like to speak on Genesis. It's 20160991,
6 and I think they have three applications. And these,
7 we've raised this before, they're not manufacturing and
8 they're not adding any jobs, and if the purpose of the
9 incentive is to get companies to add new, permanent,
10 high-paying jobs, that these do not meet that
11 requirement. And I think that we need to follow what
12 the Constitution says if you really want to be giving
13 these exemptions away.

14 MR. JONES: To the staff, since we did have
15 an issue with Genesis before, have you reviewed these to
16 determine that these fall into the manufacturing process
17 as we did with the others?

18 MR. USIE: That's correct. They've been
19 reviewed.

20 MR. JONES: You have confirmed that they are
21 part of the manufacturing process?

22 MR. USIE: We have confirmed. They were
23 part of the site inspection from the previous renewals.

24 MR. JONES: Okay. Great. Thank you.

25 So we have a motion to approve all in globo.



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1 Any other questions or comments from the
2 Board or from the public?

3 (No response.)

4 MR. JONES: Seeing none, all in favor, say
5 "aye."

6 (Several members respond "aye.")

7 MR. JONES: Any opposition?

8 (No response.)

9 MR. JONES: I see no opposition. That
10 motion carries.

11 All right. We now have reached the
12 Industrial Tax Exemption late renewals.

13 MR. USIE: We have seven late renewal
14 applications. One is requesting deferral.

15 MR. JONES: Who is that?

16 MR. USIE: 20131036, Metro Aviation, Inc. in
17 Bossier Parish.

18 MR. JONES: Entertain a motion to defer the
19 Metro Aviation renewal.

20 Mr. Slone; second from Mayor Toups.

21 Any questions or comments from the Board?

22 (No response.)

23 MR. JONES: Any questions or comments from
24 the public?

25 (No response.)



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1 MR. JONES: All in favor, say "aye."

2 (Several members respond "aye.")

3 MR. JONES: Any opposition?

4 (No response.)

5 MR. JONES: There is no opposition. The
6 motion carries.

7 MR. USIE: 20160879, Inferno Manufacturing
8 in Caddo Parish. The initial contract expiration date
9 12/31 of 2020, late renewal request date February 3rd,
10 2021.

11 MR. JONES: Do we have anybody here from
12 Inferno Manufacturing? Please come forward.

13 Please state your name an your position with
14 the company for the record, please.

15 MR. ORGANICK: My name is Allen Organick,
16 President, Inferno Manufacturing, Shreveport.

17 MR. JONES: All right. Obviously we have a
18 situation here where the renewal was filed late. It has
19 become the custom of this Board to look into that a
20 little bit more closely to find out what the reason for
21 the renewal --the late renewal was. Can you explain to
22 us what happened there?

23 MR. ORGANICK: We forgot to calendar the
24 renewal.

25 MR. JONES: Okay. You understand that it is



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1 also the custom of the Board to penalize the late
2 renewals?

3 MR. ORGANICK: Yes, I do.

4 MR. JONES: All right. Okay. All right.

5 And just for those, I know we have some members of the
6 Board, and especially members of the legislature who are
7 not here at every meeting, but it has become the custom
8 of this Board that when there is a late application --
9 excuse me -- a late renewal, that those late renewals
10 are penalized usually 20 percent per year for late
11 renewals. So in this situation, Inferno Manufacturing,
12 the contract expiration date was late December 2020, with
13 the renewal being two months late, so that would be a 20
14 percent reduction in the benefit.

15 So I would entertain a motion to that
16 effect, that the renewal be approved with a 20 percent
17 penalty.

18 Motion from Ms. Malone.

19 Second?

20 Second from Mr. Briggs.

21 Any question or comments from the Board?

22 (No response.)

23 MR. JONES: Any questions or comments from
24 the public?

25 (No response.)



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1 MR. JONES: Thank you. It's good to see you
2 again.

3 MR. USIE: Next we have 20140507,
4 International Paper Company in Webster Parish, initial
5 contract expiration date 12/31 of 2018, late renewal
6 request date September 26, 2019.

7 MR. JONES: Do we have anybody here from
8 International Paper?

9 Yes, sir. State your name and --

10 MR. BRODERICK: Yes. Can you hear me okay?

11 MR. JONES: Yes, sir.

12 MR. BRODERICK: Jesse Broderick with Sumit
13 Credits. Our office is in Denham Springs, Louisiana.

14 The company, International Paper, would love
15 to have been here today and apologizes for not being
16 here in person. They are under travel restrictions, and
17 they were not allowed to travel down here today. They
18 asked me to step in in their stead, and I can be happy
19 to give you the reason for the late filing.

20 MR. JONES: What happened?

21 MR. BRODERICK: In the transition of
22 information, as we began to assist them and take over
23 some of these projects, this one project just kind of
24 fell through the cracks in that transition, and it
25 wasn't realized until after the renewal date that this



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1 site assets were still in place, it was not closed. We
2 thought it was closed, but that was not the case. And
3 we have gotten confirmation that taxes have not been
4 paid on these assets. And we're asking for your
5 consideration, and the company is understanding of your
6 process and accepting of your, you know, whatever the
7 ramifications of the late renewal may be.

8 MR. JONES: So we're sure there are no
9 others that have fallen between the cracks?

10 MR. BRODERICK: Yes, sir. There are no
11 others.

12 MR. JONES: Okay. Good deal.

13 Entertain a motion to approve the renewal
14 with a 20 percent penalty.

15 MR. NASSAR: So moved.

16 MR. JONES: We have a second -- excuse me --
17 a motion from Mr. Nassar; second from Mr. Moller.

18 Any questions or comments from the Board?

19 (No response.)

20 MR. JONES: Seeing none, any questions or
21 comments from the public?

22 (No response.)

23 MR. JONES: There being none, all in favor,
24 say "aye."

25 (Several members respond "aye.")



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1 MR. JONES: Any opposition?

2 (No response.)

3 MR. JONES: There is none. The motion
4 carries.

5 Thank you, sir.

6 MR. USIE: Next we have 20150339, Mezco
7 Properties, LLC, Lafayette Parish, initial contract
8 expiration 12/31 of 2019, late renewal request date
9 August 31st of 2020.

10 MR. JONES: Do we have someone here from
11 Mezco Properties?

12 Thank you. Would you state your name and
13 your position with the company?

14 MS. HEINEN: Hi. Monique Heinen. I'm the
15 office manager.

16 MR. JONES: Okay. And tell us what happened
17 here.

18 MS. HEINEN: We had a consulting firm that
19 failed to file that one, and we have since let them go
20 and hired a new firm that will keep track of everything
21 for us.

22 MR. JONES: Okay. And the necessary notices
23 have been filed within the record?

24 Ms. Boatner, I see -- I presume it's your
25 company that's now representing them; is that correct.



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1 MS. BOATNER: That's correct, yes.

2 MR. JONES: Okay.

3 MS. BOATNER: And, for the record, Rhonda
4 Boatner with Didier Consultants.

5 MR. JONES: Thank you, Ms. Boatner.

6 All right. You understand that there will
7 be a penalty for the failure to -- all right.

8 Entertain a motion to approve the renewal
9 with a 20 percent penalty.

10 Motion from Mr. Moss; second from Mr. Slone.

11 Any questions or comments from the Board?

12 (No response.)

13 MR. JONES: Seeing none, any questions or
14 comments from the public?

15 (No response.)

16 MR. JONES: Seeing none, all in favor say
17 "aye."

18 (Several members respond "aye.")

19 MR. JONES: Any opposition?

20 (No response.)

21 MR. JONES: There being none, the motion
22 carries.

23 Next. Thank you, ma'am.

24 MR. USIE: 20160621, Morton Salt, Iberia
25 Parish, initial contract expiration 12/31 of 2020,



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1 renewal request date January 28th of 2021.

2 MR. JONES: Do we have anyone here from
3 Morton Salt?

4 Yes, ma'am. If you would, state your name
5 and your position with the company for the record.

6 MS. SIMON: My name is Clara Simon,
7 controller at Morton Salt.

8 MR. JONES: Okay.

9 MS. SIMON: It was not listed in my computer
10 files, and I thought the 2015 was the last year that we
11 were doing our renewals. And it was discovered just a
12 month late that -- or less than a month late that the
13 problem was discovered. We've been displaced with
14 hurricanes from our office and several things. This
15 year has been a crazy year too.

16 MR. JONES: I understand, and I'm
17 sympathetic, but we also have a policy in place, so I
18 hope you understand.

19 MS. SIMON: I understand.

20 MR. JONES: Okay. We have a motion -- I
21 would entertain a motion to approve the renewal with a
22 20 percent penalty.

23 From Ms. Malone; second from Mr. Moss.

24 Any questions or comments from the Board?

25 (No response.)



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1 MR. JONES: Seeing none, any questions or
2 comments from the public?

3 (No response.)

4 MR. JONES: All in favor, say "aye."

5 (Several members respond "aye.")

6 MR. JONES: Any opposition?

7 (No response.)

8 MR. JONES: There being none, the motion
9 carries.

10 Thank you, ma'am. Appreciate you being
11 here.

12 Next.

13 MR. USIE: 20141045, Sommer Brothers
14 Enterprises, Lafayette Parish, initial contract
15 expiration 12/31 of 2019, late renewal request date
16 October 26, 2020.

17 MR. JONES: All right. Do we have somebody
18 here from Sommer Brothers Enterprises?

19 Staff is checking to see if there's someone.

20 (No response.)

21 MR. JONES: All right. It has also been the
22 custom of this Board that if a representative is not
23 here to explain the reason for the late renewal, that
24 the renewal is denied, but that does not have to be.
25 That's not written in a regulation. That has simply



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1 been this Board's custom. So I will recognize a motion
2 however you wish to make it.

3 MR. MOLLER: Motion to deny.

4 MR. JONES: I'm sorry?

5 MR. MOLLER: Motion to deny.

6 MR. JONES: We have a motion to deny from
7 Mr. Moller; second from Ms. Malone.

8 Any questions or comments from the Board?

9 (No response.)

10 MR. JONES: Any questions or comments from
11 the public?

12 (No response.)

13 MR. JONES: Seeing none, all in favor of the
14 motion to deny the renewal for Sommer Brothers
15 Enterprises, say "aye."

16 (Several members respond "aye.")

17 MR. JONES: Any opposition?

18 (No response.)

19 MR. JONES: There is no opposition. The
20 motion carries.

21 MR. USIE: Last we have 20121170, UPS
22 Midstream Services, Inc, La Salle Parish, initial
23 contract expiration 12/31 of 2019, late renewal request
24 date October 30th of 2020.

25 MR. JONES: Anyone here from UPS Midstream?



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1 Yes, sir. If you could state your name and
2 your position with the company for the record please.

3 MR. FRANCIS: I am Russ Francis, the
4 Financial Accounting Manager for Midstream.

5 MR. JONES: And tell us what happened on the
6 late renewal.

7 MR. FRANCIS: We had contracted a firm to
8 kind of manage this process for us, and they failed to
9 notify us timely that we are going -- we missed our
10 renewal date. So we have since hired Ms. Boatner and
11 her firm to handle that going forward.

12 MR. JONES: Okay. Now, we have everything
13 properly diaried, I presume?

14 Okay. All right. Then I would entertain a
15 motion to approve the renewal at a 20 percent penalty.

16 Motion by Mr. Slone; second from Mr. Moss.

17 Any questions or comments from the Board?

18 (No response.)

19 MR. JONES: Any questions or comments from
20 the public?

21 (No response.)

22 MR. JONES: There being none, all in favor,
23 say "aye."

24 (Several members respond "aye.")

25 MR. JONES: Any opposition?



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1 (No response.)

2 MR. JONES: Seeing none, motion carries.

3 Thank you.

4 Mayor Toups.

5 MR. TOUPS: I would just like to ask, did we
6 actually have a vote on the Inferno, the very first one?
7 I know we had a motion and a second, but I'm not sure
8 that we -- can you check the --

9 MR. JONES: It's entirely possible I missed
10 it.

11 Yes, we did. Did we vote on your -- yes, we
12 did. So you were asleep, not I, Mr. Toups. Thank you
13 for keeping me straight, though. I appreciate it very
14 much.

15 All right. Change in name.

16 MR. USIE: We have one change in name
17 request, Evonik Cyro, LLC, 20160799 in Jefferson Parish
18 requesting to change their name to Roehm America, LLC.

19 MR. JONES: All right. Recognize a motion
20 to approve this change in name.

21 MR. NASSAR: So moved.

22 MR. JONES: From Mr. Nassar; second from
23 Mr. Slone.

24 Any questions or comments from the Board?

25 (No response.)



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1 MR. JONES: Hearing none, any questions or
2 comments from the public?

3 (No response.)

4 MR. JONES: All in favor, say "aye."

5 (Several members respond "aye.")

6 MR. JONES: Any opposition?

7 (No response.)

8 MR. JONES: Hearing none, the motion
9 carries.

10 MR. USIE: Next we have six change in
11 location requests, all six are for LAD Salvage, LLC,
12 Contracts 20120656, 20130559, 20150636, 20150637,
13 20161271, and 20140708, previous location 1046 River
14 Road, Berwick, Louisiana 70342 in St. Mary Parish, new
15 location 2575 Highway 662, Amelia, Louisiana 70380 in
16 St. Mary Parish.

17 MR. JONES: Okay. I would entertain --
18 excuse me. Entertain a motion to approve the change in
19 location.

20 I have a motion from Mr. Johns; second from
21 Ms. Malone.

22 Any questions or comments from the Board?

23 (No response.)

24 MR. JONES: There being none, any questions
25 or comments from the public?



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1 (No response.)

2 MR. JONES: Seeing none, all in favor, say
3 "aye."

4 (Several members respond "aye.")

5 MR. JONES: Any opposition?

6 (No response.)

7 MR. JONES: No opposition. The motion
8 carries.

9 MR. USIE: Next we have 16 full transfer
10 requests. DDP Specialty Electronic Materials US, Inc.,
11 Contracts 20130255-PT, 20062293-A, 20110228, 20111182,
12 20111182-A, 20120472-PT2, 20150363-PT, 20150364-PT2,
13 20130252-PT2, and 20160842-PT, new owner Nutrition &
14 Biosciences USA 1, LLC in Iberville Parish.

15 Next we have Nalco Company, Contracts
16 20110939 and 20161839 transferring to Nalco Production,
17 LLC on St. John the Baptist Parish. Nalco Company
18 Contracts 20130481, 20140492, and 20160661, transferring
19 to Nalco Production, LLC in West Baton Rouge Parish.

20 Next we have Sasol USA Corporation,
21 20150156-A transferring to new owner, Louisiana
22 Integrated Polyethylene JV, LLC. And we do have a
23 correction. It should be Calcasieu Parish instead of
24 St. John the Baptist.

25 MR. JONES: St. John the Baptist may argue



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1 with you on that, but...

2 All right. Thank you.

3 Entertain a motion to transfer these
4 contracts as noted in your agenda.

5 Motion from Mr. Favaloro (sic). I don't
6 know why I have a mental block on you two guys. I don't
7 know.

8 All right. I have a motion. And do I have
9 a second?

10 Second from Mr. Nassar.

11 Any questions or comments concerning the
12 transfer of the contracts?

13 (No response.)

14 MR. JONES: No questions.

15 Any questions or comments from the Board?

16 (No response.)

17 MR. JONES: All in favor, say "aye."

18 (Several members respond "aye.")

19 MR. JONES: Any opposition?

20 (No response.)

21 MR. JONES: There is no opposition. The
22 motion carries.

23 MR. USIE: Next we have five partial
24 transfer requests. ChampionX, LLC, 20110112, ChampionX,
25 LLC is retaining \$471,841 in assets, and Nalco



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1 Productions, LLC is receiving \$1,429,977 in assets, and
2 this is in St. John the Baptist Parish; ChampionX, LLC,
3 20120462, ChampionX, LLC is retaining \$150,020 in
4 assets, Nalco Production, LLC is receiving \$2,509,913 in
5 assets. This is in St. John the Baptist Parish;
6 ChampionX, LLC, 20140461, ChampionX, LLC is retaining
7 \$613,066 in assets, Nalco Production, LLC is receiving
8 \$3,762,854 in assets, and this is in St. John the
9 Baptist Parish; Sasol USA Corporation, 20150156, Sasol
10 USA is retaining \$37,787,143 in assets, and Louisiana
11 Integrated Polyethylene JV, LLC is receiving
12 \$775,978,936, and this is in Calcasieu Parish; next we
13 have Sasol USA Corporation, 20150156-C, and we also have
14 two corrections on this item. It should read Sasol USA
15 Corporation is retaining \$1,650,996,139 in Calcasieu
16 Parish, and the other correction should be that
17 Louisiana Integrated Polyethylene JV, LLC is receiving
18 \$5,924,709,776 in Calcasieu Parish.

19 MR. JONES: And please let the record note
20 that correction.

21 With that, I would entertain a motion to
22 approve these partial transfers of tax exemption
23 contracts.

24 I have a motion from Mr. Johns; second from
25 Ms. Malone.



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1 Any questions or comments from the Board?

2 (No response.)

3 MR. JONES: Hearing none, any questions or
4 comments from the public?

5 (No response.)

6 MR. JONES: Hearing none, all in favor, say
7 "aye."

8 (Several members respond "aye.")

9 MR. JONES: Any opposition?

10 (No response.)

11 MR. JONES: Hearing none, the motion
12 carries.

13 MR. USIE: Last we have seven cancelation of
14 contract requests. The first is Georgia-Pacific Wood
15 Products South, LLC, 20120368, 20130719, 20140920,
16 20150703, and 20161077, all in Beauregard Parish. LED
17 was notified by the company of the facility being idled
18 since July 2020. No manufacturing is currently taking
19 place. We did receive a company request to defer these
20 items till the next agenda, and I believe someone is
21 here to speak to that.

22 MR. JONES: Okay. All right. Do we --

23 MR. JOHNS: I make that motion,
24 Mr. Chairman.

25 MR. JONES: We have a motion to defer. We



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1 have a second from Mr. Moss.

2 For the record, I will be recusing myself
3 from any discussion or vote on the Georgia-Pacific
4 matter.

5 Any questions or comments from the Board on
6 the deferral?

7 (No response.)

8 MR. JONES: Any questions or comments from
9 the public?

10 (No response.)

11 MR. JONES: There being none, all in favor,
12 say "aye."

13 (Several members respond "aye.")

14 MR. JONES: Any opposition?

15 (No response.)

16 MR. JONES: There is no opposition. The
17 motion carries.

18 MR. USIE: Next is Monsanto Company &
19 Subsidiaries, Contract 20151094 in St. Charles Parish.
20 LED was notified by the St. Charles Parish assessor that
21 the project was canceled and would not be completed.
22 Company has been notified.

23 Last we have Wanhua Chemical US Operations,
24 LLC, 20151188, in St. James Parish. And company
25 requested the cancelation.



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1 MR. JONES: Okay. Entertain a motion to
2 approve the Monsanto and Wanhua cancelations.

3 Motion from Mr. Slone; second from Mr.
4 Johns.

5 Any questions or comments from the Board?
6 (No response.)

7 MR. JONES: Any questions or comments from
8 the public?

9 (No response.)

10 MR. JONES: There being none, all in favor,
11 say "aye."

12 (Several members respond "aye.")

13 MR. JONES: Any opposition?

14 (No response.)

15 MR. JONES: Hearing none, the motion
16 carries.

17 We are through the substance of our meeting.
18 We are down to "Other Business."

19 Ms. Mitchell, do you have something for us?

20 MS. MITCHELL: Yes, sir. I'll be very
21 brief. Just because the issue regarding the public
22 comments is of concern to the department, our IT is the
23 researching the issue, and we'll report that to OTS if
24 it in turn comes out to be a statewide system e-mail
25 issue. But we have run several tests just between when



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1 the issue came up and now, and what's happening is
2 e-mails coming from staff at la.gov are going straight
3 through, and there are issues with e-mails coming from
4 gmail or hotmail accounts, from personal accounts from
5 staff. So there could be some sort of issue, stamp
6 issue, but we are testing that. We just wanted it to be
7 clear there was nothing intentional on the part of
8 staff. We're researching that issue, and we'll make
9 sure to get it clarified.

10 Last thing I wanted to point out is
11 Mr. Waltzer, counsel for Together, has sent direct
12 communication to at least to some of the Board, which we
13 believe you-all have, and we didn't presume that to be
14 public comment and our responsibility to read it into
15 record since it was sent directly to all of you.

16 MR. JONES: Thank you.

17 All right. Next item on the agenda are
18 board elections. First position is the position of
19 Chair.

20 Entertain nominations for that position.

21 Mr. Nassar.

22 MR. NASSAR: I nominate Mr. Jerry Jones.

23 SECRETARY PIERSON: I second.

24 MR. JONES: We have a motion and a second.

25 Any other --



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1 MR. FIELDS: I nominate Johnny Johns. No.
2 I'm just teasing.

3 MR. IVEY: I'd like to nominate my chairman,
4 Stuart Bishop, since he's not here.

5 I withdraw that motion.

6 MR. JONES: All right. We have a motion to
7 close the nominations and we have a second to the
8 motion.

9 All in favor of closing the nominations, say
10 "aye."

11 (Several members respond "aye.")

12 MR. JONES: Any opposition?

13 (No response.)

14 MR. JONES: There is no opposition.

15 So I guess we need to vote between Me and
16 Mr. Bishop.

17 All right. Let's see. All in favor of
18 Mr. Jones.

19 MR. IVEY: I withdrew. Mine was a joke. I
20 did withdraw the motion.

21 MR. JONES: I think the joke would be much
22 better played if we elected him.

23 MR. IVEY: I got you.

24 MR. FAJARDO: I might need to make a
25 recommendation on name pronunciation.



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1 MR. JONES: I would go to the chairman
2 remedial school for knowing board members' names. My
3 apologies always. Thank you.

4 So all in favor of Mr. Jones, say "aye."
5 (Several members respond "aye.")

6 MR. JONES: Any opposition?

7 (No response.)

8 MR. JONES: Motion carries. Thank you for
9 your trust and faith in me. I hope I've earned that and
10 will continue to try to pronounce your name correctly.

11 Now we have the position for vice chair.

12 Mr. Slone.

13 MR. SLONE: I'd like to nominate my
14 colleague, Heather Malone. This is her actual second
15 term. She's one of the best economic developmenters in
16 the state, so I'd really like to put that on the floor
17 for consideration.

18 MR. FAJARDO: I second.

19 MR. JONES: We have a motion and a second
20 for Ms. Malone as vice chair.

21 Any other nominations?

22 Mr. Fabra.

23 MR. FABRA: I'm just seconding.

24 MR. JONES: We have a third from Mr. Fabra.

25 MR. FABRA: You're getting close to



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1 pronouncing my last name right.

2 MR. JONES: If y'all would just have a name
3 like Jones we won't have this problem.

4 All right. And I'm a redneck at that, so
5 you got to deal with it.

6 All right. Any other nominations for the
7 position of vice chair?

8 (No response.)

9 MR. JONES: Hearing none, all in favor of
10 Ms. Malone, say "aye."

11 (Several members respond "aye.")

12 MR. JONES: Any opposition?

13 (No response.)

14 MR. JONES: There being none,
15 congratulations, Ms. Malone, and I'll be taking some
16 days off.

17 All right.

18 MS. MALONE: Thank you.

19 MR. JONES: Thank you, ma'am. Look forward
20 to working with you.

21 And now Mr. Pierson, look forward to your
22 comments.

23 SECRETARY PIERSON: I'll be brief, and then
24 I know the hour grows late, but I would reiterate my
25 statement earlier that while this Board meets every



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1 other month, LED is in this building every working day.
2 And we're very open to meeting and dealing with the
3 public and with companies and would hope that Together
4 Louisiana uses that opportunity to interface with us to
5 get the answers that they are seeking, and certainly I
6 just see a great alignment there.

7 We are about accountability, transparency.
8 We fully integrate the local voice into our matters, as
9 directed by the Governor's Executive Order. The
10 inclusion of the Annex A, which is now a CEA, that
11 accompanies everything.

12 You heard previously that we had identified
13 those orphans out there, those advance notifications
14 that are associated with pre-Executive Order, and have
15 had an ongoing effort to have those either move forward
16 or fall off as appropriate, and so we hope that that's
17 recognized as our endeavor to embrace this.

18 As far as to further demonstrate this
19 transparency and willingness to make our records readily
20 available, it should be noted that just as the state has
21 implemented the checkbook program, LED has, over recent
22 years, put together the Fastlane NextGeneration program,
23 which provides statewide interoperability where all
24 these documents are housed at LED. So for parish
25 assessors, for the Louisiana Workforce Commission, for



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1 the Department of Revenue and for local governing
2 authorities, there's full access to this, as well as
3 what is the outward-facing elements for the public, for
4 applicants to the programs, to those that want to be
5 involved in external review and managers. So we feel
6 like we've built a very vibrant and transparent support
7 system out there and encourage fully engaging in it.

8 It sounds to me like Mr. Bagert downloaded
9 2,000 documents and poured over them and came back with
10 really one objection here today that we're batting
11 somewhere near 99.9 percent. So I'm just going to take
12 as a complement against the great work that's performed
13 by the department. We recognize that we perform
14 essentially ministerial acts, taking the rules, the laws
15 that are provided to us, and when there's some gray
16 area, it's brought to the Board for that definition.
17 And most of what you see is the certainty that moves
18 through in globo, but when there's the opportunity to
19 say "Hey, wait a minute. Let's look deeper at this,"
20 we're fully engaged and happy to do so out of our
21 responsibility back to the public and back to the
22 elected officials that we serve.

23 So that concludes my remarks for today, sir.

24 MR. JONES: Thank you, Mr. Pierson, and
25 thanks to staff. I know that all of y'all are working



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1 every day trying to this make process work, and what we
2 see at these Board meetings, it looks, I know to some
3 rather perfunctory. I know it's not because of the work
4 you-all have put in, and I think I speak for all of the
5 Board members when I say thank you for the work that you
6 do.

7 Anything else for the good of the order?
8 (No response.)

9 MR. JONES: With that, I would entertain a
10 motion to adjourn.

11 I have a motion and a second.

12 All in favor, say "aye."

13 (Several members respond "aye.")

14 MR. JONES: We are adjourned.

15 (Meeting concludes at 12:16 p.m.)
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11 That the transcript has been prepared in
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17 That I am not related to counsel or to the
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20 Dated this 21st day of March, 2021.

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