**REGULAR MEETING**

**November 6, 2019**

The Board of Commissioners for the Lafourche Basin Levee District met this day in regular session at its official domicile at 21380 Highway 20 in Vacherie, Louisiana and was called to order by its Vice-President, Eric Matherne, at 6:00 P.M.

The meeting opened with a prayer and the pledge of allegiance to the flag.

Present: Commissioners… Craig Carter, Assumption Parish; Jeffery Henry, Ascension Parish; Whitney Jasmin, Jr., St. John the Baptist Parish; Russell Loupe, St. Charles Parish; Eric Matherne, St. Charles Parish; Michael McKinney, Sr., Ascension Parish; Gary Watson, St. John the Baptist Parish; and Kevin Hebert, St. Charles Parish and Marlin Rogers, St. Charles Parish were present. President James P. Jasmin, St. James Parish was absent.

A quorum was present to conduct business.

Messrs. Larry Buquoi, Attorney; Donald Ray Henry, Executive Director; Ivy Chauvin, Sr., Assistant Executive Director and Ms. Melanie Broden, Accounting Specialist were present. Also present were Ms. Jane Dufour, Mr. Rodney Greenup, Mr. Sreenivasulu Bollu, Mr. Adam Ledet, Mr. Oniel Malbrough, Mr. Michael Chopin, Mr. Kyle Galloway, Mr. Matt Jewell, Mr. Cecil Sumners, and Mr. Sam Scholle.

Vice-President Eric Matherne stated that before audience comments were taken, there was an item sent by Mr. Sreeni Bollu about adding an item to the agenda that was left off of the agenda for some reason. Everyone was given a copy of it. Mr. Matherne stated that he would like to add the item to the agenda. He asked for a motion to add the authorization for Donald Ray Henry to issue Notice To Proceed (NTP) on SUNSET levee improvements for Engineering & Design, Geotechnical Analyses, Supplemental Survey, Permitting, and Construction Management for Year 2020 tasks and authorization for Donald Ray Henry to issue NTP on continuation of Engineering Services on Upper Barataria Risk Reduction project for Year 2020: BKI- for Program Management, Complete Segment 4 Preliminary Design, GIS- for Complete Segment-3 Preliminary Design, and Greenup- for Permitting and Geotech. Commissioner Michael McKinney, Sr. made the motion to add the item to the agenda. Commissioner Craig Carter seconded the motion. It passed by unanimous vote. Vice-President Matherne stated it will be placed on the agenda before the Upper Barataria update.

There were no audience comments in reference to agenda items.

On motion of Commissioner Russell Loupe, seconded by Commissioner Michael McKinney, Sr., no discussion, no public comments and unanimously approved, the minutes of the Regular Meeting of October 2, 2019 be accepted and filed in the minutes of the Board.

On motion of Commissioner Craig Carter, seconded by Commissioner Jeffery Henry, no discussion, no public comments and unanimously approved, the minutes of the Regular Meeting of October 9, 2019 be accepted and filed in the minutes of the Board.

On motion of Commissioner Jeffery Henry, seconded by Commissioner Russell Loupe, no discussion, no public comments and unanimously approved, the following cash available for distribution of the month of September 30, 2019 be accepted and filed in the minutes of the Board.

**FIRST AMERICAN BANK:**

**Checking account balance Sept 2019 373,822.77**

**Deposits/Transfer In – Oct.**

**Revenues/Refund 33,544.03**

**Matured D-Notes 0 .00**

**Interest on Checking 13.51**

**Transferred from LAMP 188,372.98 Total Cash Available $ 597,753.29**

**Cash Disbursements: Operating Expenses 428,979.99**

**Funds Transferred to Lamp 0.00**

**FIRST AMERICAN BANK BALANCE Oct. 31, 2019 $ 166,773.30**

**INVESTMENTS: Discount Notes/Bonds 8,290,630.38**

**TOTAL BOOK BALANCE FOR: Oct. 31, 2019 $ 8,457,403.68**

On motion of the Board of Commissioners, as a whole, the following resolution was proposed and unanimously adopted.

BE IT RESOLVED, that the Board of Commissioners accept the proposed condolence resolution for the former President and Commissioner, Stanley Folse.

WHEREAS, Stanley Folse, who was a former president and commissioner of the Lafourche Basin Levee District serving as Commissioner from 06/05/1980 to 09/04/1996, Commissioner from 08/31/2004 to 09/30/2006, President from 10/01/2006 to 09/30/2007, Commissioner from 09/31/2007 to 06/03/2013 and as

Commissioner from 05/15/2015 to 10/29/2019, was called to his reward by Almighty God on Tuesday, October 29, 2019; and

WHEREAS, we the Commissioners for the Lafourche Basin Levee District are sadden by this loss and are aware of and moved by the grief and sorrow by his family and loved ones.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Lafourche Basin Levee District offer condolences to the family of the late Stanley Folse and wish them strength and comfort.

On motion of Commissioner Stanley Gary Watson, seconded by Commissioner Craig Carter, the following resolution was proposed.

BE IT RESOLVED that the Board of Commissioners approve the recommended 2% cost of living salary increase and a 2% merit performance salary increase for the Executive Director Donald Henry as per his contract for the year 2019.

Commissioner Michael McKinney, Sr. asked to take the 2% Merit Increase off of the #8 agenda item for the Executive Director, Donald Henry and combine agenda items #8 and #9 for the Executive Director and Assistant Executive Director together. Vice-President Matherne said it would have to be voted on. Commissioner McKinney made the motion to change the agenda to take the 2% Merit Increase off of the #8 agenda item for the Executive Director, Donald Henry and combine agenda items #8 and #9 for the Executive Director and Assistant Executive Director together. The motion was seconded by Commissioner Craig Carter. The commissioners voted. It was not unanimous. The motion failed. Commissioner McKinney made the motion to change the agenda for item #8 by removing the 2% merit increase. Commissioner Carter seconded the motion. The commissioners voted. It was not unanimous. The motion failed. Commissioner Gary Watson made the motion to approve the recommended 2% Merit increase and the 2% cost of living increase for Executive Director Henry. Vice-President Matherne called for a roll call vote for the original #8 agenda item. Roll call vote thereon as follows:

YEAS:

* Gary Watson
* Jeffery Henry
* Craig Carter
* Michael McKinney, Sr.

NAYS:

* Russell Loupe
* Eric Matherne
* Whitney Jasmin, Jr.
* Marlin Rogers
* Kevin Hebert

ABSENT: James P. Jasmin, President

ABSTAINED: None

By a roll call vote of 4 yeas, 5 nays, 1 absent and 0 abstained. The motion failed by majority.

On motion of Commissioner Marlin Rogers, seconded by Commissioner Kevin Hebert, the following resolution was proposed.

BE IT RESOLVED that the Board of Commissioners to approve the recommended 2% cost of living salary for the Assistant Executive Director Ivy Chauvin as per his contract for the year 2019.

Vice-President Matherne asked if we should add a price and President Jasmin said yes. Vice-President Matherne motioned that we should add $1.5 million in engineering fees which is the amount discussed in the Committee Meeting. Vice-President Matherne asked Mr. Oneil Malbrough to confirm the amount was correct, in which Mr. Malbrough stated yes. Commissioner Jeffery Henry seconded his motion. Commissioner Kevin Hebert stated that it should specify which project the money is for, which is the Upper Barataria Risk Reduction Project. Mr. Donald Henry asked that the motion be repeated for the composure of the minutes. Vice-President Matherne motioned that we add $1.5 million for the Upper Barataria Risk Reduction Project. Commissioner Jeffery Henry seconded his motion. President Jasmin called for a roll call vote. Roll call vote thereon as follows:

YEAS:

* Gary Watson
* Jeffery Henry
* Whitney Jasmin, Jr.
* Marlin Rogers

NAYS:

* Craig Carter
* Russell Loupe
* Eric Matherne
* Kevin Hebert
* Michael McKinney, Sr.

ABSENT:

* James P. Jasmin, President

ABSTAINED: None

By a roll call vote of 4 yeas, 5 nays, 1 absent and 0 abstained. The motion failed by majority.

On motion of Commissioner Russell Loupe, seconded by Commissioner Marlin Rogers, the following resolution was proposed and unanimously adopted.

BE IT RESOLVED that the Board of Commissioners approve and sign the Flowage Easement Agreement between Jasmine, LLC and Lafourche Basin Levee District pertaining to Parcel 1-3 for the Ellington Pump Station Project.

Ms. Jane Dufour of GCR gave an update on the Ellington Pump Station. She stated the Ellington Pump Station will be coming online once it’s completed within the next few months. Commissioner Russell Loupe made the motion to approve the Easement Agreement. Commissioner Marlin Rogers seconded the motion. It was approved by unanimous vote.

On motion of Commissioner Kevin Hebert, seconded by Commissioner Jeffery Henry, the following resolution was proposed and unanimously adopted.

BE IT RESOLVED that the Board of Commissioners approve the road maintenance language pertaining to the Maintenance Servitude and Right of Way Agreement between Hawthorne Land Company, Inc., Hugh A. Hawthorne Family Class Trust and the Lafourche Basin Levee District, as well as approve the entire Maintenance Servitude and Right of Way Agreement for Maintenance Dredging of Bayou Verret and approve for the Executive Director to sign the Agreement.

Attorney Larry Buquoi explained to the commissioners about the requested changes to the contract. The amount of liability insurance changed and the road maintenance language changed. Both sets of lawyers have finally agreed with the entire contract, so now it is complete. Mr. Buquoi suggested to the Board that it may be a good decision to amend the agenda and add approving the final and getting it signed. Mr. Matherne asked for a motion to amend the agenda. Commissioner Marlin Rogers made the motion to amend the agenda by adding for the Board to approve the agreement and to sign it. Commissioner Craig Carter seconded his motion. It was unanimously approved. Commissioner Kevin Hebert made the motion to approve the road maintenance language pertaining to the Maintenance Servitude and Right of Way Agreement between Hawthorne Land Company, Inc., Hugh A. Hawthorne Family Class Trust and the Lafourche Basin Levee District, as well as approve the entire Maintenance Servitude and Right of Way Agreement for Maintenance Dredging of Bayou Verret and approve for the Executive Director to sign the Agreement. Commissioner Jeffery Henry seconded his motion. It was unanimously approved.

On motion of Commissioner Craig Carter , seconded by Commissioner Michael McKinney, Sr., the following resolution was proposed and unanimously adopted.

BE IT RESOLVED that the Board of Commissioners approve the Christmas Bonfire Program Agreement between Lafourche Basin Levee District and St. James Parish Government.

The Board agreed that as long as all paperwork and liability insurance was in order, they had no problem with moving forward with this contract.

On motion of Commissioner Michael McKinney, Sr., seconded by Commissioner Jeffery Henry, the following resolution was proposed and unanimously adopted.

BE IT RESOLVED that the Board of Commissioners approve to change the dates of the December meetings to the following dates due to the AOLBOL & MVFCA conferences that will be held December 3-7, 2019:

* Regular Meeting – December 11, 2019 at 6:00 PM
* Finance Meeting – December 18, 2019 at 6:00 PM
* Committee Meeting – December 19, 2019 at 11:00 AM

On motion of Commissioner Marlin Rogers, seconded by Commissioner Jeffery Henry, the following resolution was proposed and unanimously adopted.

BE IT RESOLVED that the Board of Commissioners approve to adopt the 2020 Per Diem for the Commissioners for the new standard rate of $96.

On motion of Commissioner Craig Carter , seconded by Commissioner Michael McKinney, Sr., the following resolution was proposed and unanimously adopted.

BE IT RESOLVED that the Board of Commissioners approve the authorization for Executive Director, Donald Ray Henry to issue Notice To Proceed (NTP) on Sunset Levee improvements for Engineering & Design, Geotechnical Analyses, Supplemental Survey, Permitting, and Construction Management for Year 2020 tasks.

On motion of Commissioner Gary Watson, seconded by Commissioner Jeffery Henry, the following resolution was proposed and unanimously adopted.

BE IT RESOLVED that the Board of Commissioners approve the authorization for Executive Director, Donald Ray Henry to issue NTP on continuation of Engineering Services on Upper Barataria Risk Reduction project for Year 2020.

a. BKI- for Program Management, Complete Segment 4 Preliminary Design

b. GIS- for Complete Segment-3 Preliminary Design

c. Greenup- for Permitting and Geotech

Mr. Sreenivasulu Bollu with BKI gave an update on the Upper Barataria Project. The Intergovernmental Agreement has been signed. Greenup Industries will start on the Geotechnical tasks. Waiting on Notice To Proceed to begin the year 2020 tasks from the Lafourche Basin Levee District. The Capital Outlay Application for fiscal year 2020-2021 was submitted.

Mr. Sam Scholl stated that the Magnolia Ridge project has been mobilized and construction has started.

Vice-President Matherne stated that he and Mr. Henry attended a meeting with a few on the diversion project and raising the levee. It was a great meeting with great information being exchanged. Mr. Matherne also stated he requested a meeting with CPRA in the near future on the Sunset Levee. On December 3rd, USACE will release their alignment report, which can be discussed amongst the Board after the release. Vice-President Matherne introduced Mr. Cecil Sumners to the Board. Mr. Sumners would like to sell his dirt for the Sunset Project. Mr. Sumners introduced himself and stated that he plans on going to apply for the permit in order for the dirt to be used. He also explained that he would like to make an alternate access so that the neighbors can be appeased as well from former complaints. He informed the Board that he is trying to get things in action because he was informed by Vice-President Matherne that the Board may begin hauling dirt next year for the project. Mr. Matherne asked Mr. Oneil Malbrough if the engineers would be looking at different pits to see which would be better to use. Mr. Malbrough stated that yes, multiple will be considered. The pit will be chosen on the dirt type, location to the levee and bid price along with other restrictions that are in place.

Commissioner Russell Loupe made a motion to adjourn and Commissioner Jeffery Henry seconded his motion.

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PRESIDENT

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11/13/2019