

**MINUTES OF REGULAR MEETING OF THE
AMITE RIVER BASIN DRAINAGE & WATER CONSERVATION DISTRICT**
3535 S. Sherwood Forest Boulevard, Suite 135, Baton Rouge, LA

July 19, 2011

MEMBERS PRESENT: Lawrence Callender, Terry Louque, John Brass, Joel Louque, Anthony Rouchon, Randolph Saucier, Jerry Thibeau, Larry Thomas, Willie George Lee

MEMBERS ABSENT: Alvin Bargas, Russell Cornette, Don Thompson, Dale Zuelke

ALSO PRESENT: Dietmar Rietschier, Executive Director
Toni Guitrau, Executive Secretary
Larry Bankston, Attorney

1. The meeting was called to order at 6:00 p.m. by Callender.
2. Public Comments on Agenda Items: None
3. Minutes
The Board unanimously approved a motion by Thomas second by J. Louque to approve the June 2011 meeting minutes as presented.
4. Financial Statement Report
 - T. Louque presented to the Board the June 2011 General Fund and CRDC Fund financial statements. The Board unanimously approved a motion by J. Louque, second by Rouchon to approve the June 2011 General Fund and CRDC Fund financial statements.
5. Report by Executive Director
 - Reported on the July 11, 2011 meeting at the LA DOTD office with members of the USACE, LA DOTD, ARBC and LA OCPRA in attendance. Currently, LA DOTD remains the lead agency of the CRDC Project.
 - July 18, 2011 Meetings
 - LA DOTD: Discussed the LA DOTD RFQ Mr. Rietschier was invited to work with the LA DOTD to provide input in preparing the RFQ. A meeting will be held mid-August in regard to the LA DOTD RFQ.
 - Rietschier and Thibeau attended the PLD meeting. At the meeting, Rietschier mentioned the possibility of using the docking facility to haul soil surplus.
 - Rietschier informed the Board that he visited the demolition site at 18851 Plank Rd, Zachary, Louisiana and the American Construction & Demolition Company did an excellent job. The ARBC is in receipt of the Contractor's Application for Payment, Certification of Bills Paid, & Waiver of Lien and Bond Claims form.
6. Report by ARBC Legal Counsel
 - Discussed component parts of the upcoming LA DOTD RFQ. We have not been provided a copy of the final document. The USACE has now advised ARBC that it intends to do the majority of the survey work themselves. This will include the centerline and baseline survey of the canal. The proposed LA DOTD RFQ will include minimal engineering work. It will consist of real estate acquisition including setting up an office as a point of contact, appraisal and negotiation with property owners. The selected contractor will be required to follow Chapter 12, Rules and Regulations by the USACE. The ARBC cannot acquire property until it is appraised and negotiated and approved by the real estate section of the USACE.
 - Discussed the status of the CEA between the ARBC and LA DOTD. A draft CEA has been submitted to DOTD but has not yet been approved by the Secretary.

- Status/Discussion of Hunting Lease of Property at Lilly Bayou: This matter was postponed until the next regular monthly meeting of the ARBC.

7. Old Business

- Rietschier: Canary Island/Amite River: Concern over fill being deposited into the inlet on the northern part of the oxbow was brought to the attention of the ARBC. Since it is understood that the USACE has issued a cease and desist order with no results, the ARBC agreed to authorize Mr. Bankston to write a letter of concern to the USACE, and copy said letter to agencies such as DNR and DEQ.
- Status of Demolition and acceptance of work at 18851 Plank Rd., Zachary, LA: The Board unanimously approved a motion by Thibeau, second by Rouchon to accept the work in accordance with the demolition contract and to authorize payment of \$19,000 to American Construction & Demolition Co.
- RFQ for Engineering Services: The previous meeting had approved the award to Burk-Kleinpeter, Inc. Bankston requested the ARBC Secretary provide copies of the draft contract to the Commissioners before discussing.
- The Board unanimously approved a motion by Thomas, second by Lee to announce its intention to adopt rules related to the procedure for expropriation of property. Any rules or regulations for comprehensive drainage, flood control and water resources development, reservoir, and diversion canal systems shall be adopted in accordance with La. R.S. 38:3306. Therefore, prior to the adoption, amendment, or repeal of any rule or regulation by the board, the proposed rule or regulation shall be submitted to the House Committee on Transportation, Highways, and Public Works and the Senate Committee on Transportation, Highways, and Public Works. Oversight review of the rules and regulations shall be conducted by the respective committees. The Board authorized the publication of the Rules in the official publication of the ARBC and the Louisiana State Register.
- Executive Session: The Board unanimously approved a motion by Rouchon, second by Lee to enter Executive Session for no more than 30 minutes to receive report by legal counsel concerning developments in the matters: Campbell v. ARBC and ARBC v. OCPR.
- The Board unanimously approved a motion by Thibeau, second by Brass to exit Executive Session.
- RFQ Contract Continued from above Agenda Item: Copies of the Draft Contract were provided to the ARBC Commissioners after exiting of Executive Session. The Board unanimously approved a motion by Rouchon, second by J. Louque to send the Draft Contract as presented to Burk-Kleinpeter, Inc. for their review. If acceptable by all parties including the ARBC, consultants and sub consultants, the Board grants permission for Callender to sign.

8. New Business:

The Board unanimously approved a motion by Thomas, second by Lee to approve the Louisiana Compliance Questionnaire, as presented.

9. The Board unanimously approved a motion by Thomas, second by Brass to adjourn the meeting.

APPROVED:

/s/ Lawrence Callender
Lawrence Callender, ARBC President

/s/ Toni B. Guitrau
Toni B. Guitrau, Executive Secretary

Date: August 16, 2011