

**ATCHAFALAYA BASIN LEVEE DISTRICT**

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A Regular Board Meeting of the Board of Commissioners for the Atchafalaya Basin Levee District was held at the Office of the Board in Port Allen, Louisiana at 4:00 p.m., Wednesday, February 1, 2012. Vice President Bill Flynn called the meeting to order, in President John Grezaffis absence. Mrs. Janice Jarreau called the roll. The following members were present:

COMMISSIONER PARISH

Glenn Angelle Iberia

Gerald Alexander Ascension

Cory Chustz West Baton Rouge

Bill Flynn West Baton Rouge

Karen Jewell Iberville

 Stephen Juge Pointe Coupee

Moise LeBlanc St. Martin

Harry Marionneaux Iberville

Earl Matherne Assumption

Barry Soileau St. Landry

Absent:

John Grezaffi Pointe Coupee

Daniel Hebert Iberville

Gerald LeGrand St. Martin

Also Present:

INDIVIDUAL REPRESENTING

Rick Dugas CPRA

Lauren Dimattia CPRA

Rhonda Braud CPRA

Carl Juneau Citizen

Steve Marionneaux Levee Board Attorney

Richard Sparks Levee Board Operations Superintendent

Kristy Jewell Human Resources Analyst

Janice Jarreau Administrative Program Manager

Peggy McCutcheon Accounting Technician

Tiffany Weber Administrative Coordinator

Crissi Canezaro Administrative Coordinator

Will Tyson Executive Director

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The commissioners reviewed the minutes of the Board Meeting held January 2, 2012. Mr. Will Tyson advised the commissioners that at the last board meeting, he was authorized to send a letter of acceptance to support the new Levee Permit Automation being developed by CPRA. CPRA has requested we substitute the letter with a resolution from the board. Commissioner Barry Soileau moved, seconded by Commissioner Earl Matherne and unanimously carried to approve the minutes of the January 2, 2012 meeting, and that they be published in the official journal of the Board, with the change noted regarding the CPRA Levee Permit Automation, substituting a resolution for the letter previously approved.

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Mr. Tyson reported that he received an e-mail from Mr. Michael Stwarka with Congressman Landrys office regarding levee repairs. Mr. Stwarka stated that any damages that occurred during the recent flood have been assessed and prioritized for repairs under supplemental funding. He said those listed identified by Mr. Tyson were pre-existing and did not receive additional damage due to the 2011 Flood Event. As a result, they did not meet the criteria for consideration under the emergency supplemental. Mr. Tyson stated that W-52 North of I-10 needs to be repaired, but these areas will be considered as the next tier of items for repair. Commissioner Gerald Alexander asked if the Corps of Engineers takes initiative on these repairs or does the Board have to make a proposal to them. Mr. Tyson advised that we could send a request to our Congressional delegates, but two years ago they set a policy to no longer accept special appropriation requests. The Corps of Engineers submits a proposed budget each year.

Mr. Tyson reported that the current river stage is at 26.4. It is projected to reach 28 on February 6th.

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The Commissioners reviewed the Executive Committee minutes of January 11, 2012. Commissioner Steve Juge pointed out that in reference to the proposed survey work to be performed by Chustz Engineering, the work should not exceed $7500. Commissioner Barry Soileau moved, seconded by Commissioner Steve Juge and unanimously carried to accept the proposal by Chustz Engineering. Commissioner Steve Juge moved, seconded by Commissioner Moise LeBlanc and unanimously carried to approve the minutes of the January 11, 2012 Executive Committee as presented.

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Mr. Carl Juneau addressed the Board relative to a hunting lease. Mr. Juneau requested an extension before signing the lease, as he is attempting to seek access to the property being leased. Mr. Steve Marionneaux, Board Attorney, asked Mr. Juneau if he had made contact with the adjacent landowners. Mr. Marionneaux said he stated at the last Board Meeting that if the high bidder was unable to obtain access to the property, we could assign our rights to pursue a right of way to them, and allow them to go forward at their expense. He said before the board can determine their next step, we must determine what Mr. Lemoine’s position is going to be; whether he is willing to move forward, or whether he intends to walk away from the bid. He said the lease was bid properly, and if Mr. Lemoine walks away from the lease, the Board will need to determine whether we can offer the bid to the next highest bidder, or if we have to rebid the lease. Mr. Marionneaux suggested we give them 30 days to consider their options at this point. In the meantime, he will continue his research to determine how we can legally mitigate our damages. Commissioner Gerald Alexander asked Mr. Juneau how many adjacent property owners were involved. Mr. Juneau stated there are four. Commissioner Steve Juge moved, seconded by Commissioner Harry Marionneaux and unanimously carried to allow a 30 day extension on the lease to Mr. Juneau. Mr. Marionneaux asked that this matter be placed on the agenda for the Executive Committee meeting on February 8, 2012. Mr. Marionneaux will notify the bidder in writing that the lease must be executed 30 days from today. He said all bidders were made aware there was no access to this property when they bid on it.

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Commissioner Bill Flynn requested the Regular Board Meeting be changed from March 7 to March 14 due to the fact that Mr. Tyson and several board members will be returning from Washington, D.C. on March 7. Commissioner Barry Soileau moved, seconded by Commissioner Harry Marionneaux and unanimously carried to change the regular Board meeting to March 14. Commissioner Steve Juge requested the Executive Committee meeting be held immediately after the regular Board meeting on March 14.

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Commissioner Harry Marionneaux moved, seconded by Commissioner Glenn Angelle and unanimously carried to approve the Servitude Usage Agreement between the Atchafalaya Basin Levee District and Mardi Gras Pipeline, LLC. and authorize President John Grezaffi to sign the agreement.

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 RESOLUTION

 SERVITUDE USAGE AGREEMENT

This agreement between the Atchafalaya Basin Levee District and Mardi Gras Pipeline, LLC stipulates that in case of the operation of the floodway and/or potential levee failure and/or need to repair or raise the levee, Mardi Gras Pipeline, LLC will immediately put the lines out of service, abandon the lines in place and grant the Atchafalaya Basin Levee District and the U.S. Corps of Engineers the unrestricted right to remove the pipelines and hold the Atchafalaya Basin Levee District and the Corps free and harmless from any and all action necessary to perform such repairs and/or construction required on the levee. The terms of this agreement are stipulated to include the requirements which Mardi Gras Pipeline, LLC must adhere to under other governmental letters of no objection. It should also be understood that the Atchafalaya Basin Levee District only owns the servitude and that any third party agreements required for the placement of the pipeline on private property are the sole responsibility of Mardi Gras Pipeline, LLC.

This agreement shall be effective until the removal of said pipeline.

 Atchafalaya Basin Levee District

 /s/John Grezaffi, President

 /s/Mardi Gras Pipeline, LLC

Yeas: Commissioners Alexander, Angelle, Chustz, Flynn, Jewell, Juge, LeBlanc, Marionneaux, Matherne and Soileau

Nays: None

Absent and not voting: Commissioners Grezaffi, Hebert and LeGrand

The resolution passed 10 yeas to 0 nays.

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There being no further business to appear before the board, upon motion by Commissioner Harry Marionneaux and unanimously carried the meeting adjourned.

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Janice Jarreau, Secretary John Grezaffi, President

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Linda E. Alwood, Contract Stenographer