**REGULAR MEETING**

**March 8, 2012**

 **The Board of Commissioners for the Lafourche Basin Levee**

**District met this day in regular session at its official domicile**

**at 21380 Hwy. 20 in Vacherie, Louisiana and was called to order**

**by its President, Joseph Dantin at 6:00 pm.**

 **Present: COMMISSIONERS… Vice-President Leonce Carmouche,**

**Assumption Parish; Stanley Folse, St. James Parish; Robert LeBlanc,**

**Assumption Parish; Robert Monti, St. Charles Parish; Warner Sylvain,**

**St. John the Baptist Parish; Wayne Waguespack, St. James Parish,**

**Commissioner, President Joseph Dantin, St. Charles Parish, Commission**

**William Sirmon, Jr., St. Charles Parish, John Boughton, St. James**

**Parish, and Russell Loupe,St. Charles Parish were present.**

 **A quorum was present to conduct business.**

 **Messrs. Larry Buquoi, Attorney; Kristi Vicknair, Administrative**

**Assistant 5 and Randy Trosclair, Executive Director were present.**

**Clinton Rouyea, External Accountant was absent.**

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

**the flag.**

 **There were no audience comments in reference to agenda items.**

 **On motion of Commissioner Monti, seconded by Commissioner**

 **Dennis, Sr., unanimously approved, the minutes of the regular meeting**

**February 1, 2012 be accepted and filed in the minutes of the Board.**

 **On motion of Commissioner Folse, seconded by Commissioner**

**Carmouche and unanimously approved, the following report of cash available**

**for distribution of the month of February 29, 2012 be accepted and filed in**

**the minutes of the Board.**

 **FIRST AMERICAN BANK:**

 **Checking account balance January, 2012 3,700,287.12**

 **Deposits/Transfer In – February, 2012**

 **Revenues/Refunds 146,789.71**

 **Matured D-Notes 2,971,112.00**

 **Interest on Checking 88.58**

**Funds Transferred In 63,297.22**

 **Total Cash Available $ 6,881.564.33**

 **Cash Disbursements: Operating Expenses 209,345.78**

 **Purchased D-Notes 4,994,574.97**

 **Funds Transferred Out 63,297.22**

 **FIRST AMERICAN BANK BALANCE February 29, 2012 $ 1,614,356.36**

 **INVESTMENTS: Discount Notes $ 11,771,127.68**

 **TOTAL BOOK BALANCE FOR: February 29, 2012 $ 13,385,484.04**

 **On motion of Commissioner Carmouche, seconded by Commissioner**

**Sirmon, Jr., the following resolution was proposed and unanimously adopted.**

 **BE IT RESOLVED, that the Board of Commissioner hereby authorized the**

 **purchase of one (1) new heavy-duty drop deck trailer for $9,000, be granted.**

 **On motion of Commissioner Sirmon, Jr., seconded by Commissioner Carmouche, the following resolution was proposed and unanimously adopted.**

 **BE IT RESOLVED, that the Board of Commissioners hereby authorized that**

**one (1) new compact rubber track loader with attachments be purchased off of Louisiana State contract, be granted.**

**On motion of Commissioner LeBlanc, seconded by Commissioner Carmouche,**

**the following resolution was proposed and unanimously adopted.**

 **BE IT RESOLVED that any Commissioner or staff attending the 27th Annual Workshop of the Association of Levee Boards of Louisiana Meeting held on May 3-4, 2012 at the Crowne Plaza Hotel, Baton Rouge, Louisiana, are hereby authorized to attend.**

 **FURTHER, the expenses incurred by those attending the meeting be reimbursed.**

**Engineer, Leslie Waguespack with Shaw Group and Mark Roberts from**

**Burke Kleinpeter gave an update on the status and progression of the work**

**on the Donaldsonville to the Gulf of Mexico Flood Control Mississippi River**

**Project. Oneil Malborough with Shaw Coastal was also present to answer any**

**questions.**

**Mr. Jerome Zeringue with CPRA was in attendance to give a presentation on a**

**the projects that are listed on the State’s Master Plan.**

 **The sealed bids for one (1) new 2012 Ford King Cab pick-up truck or equivalent were opened at the pre-bid opening meeting Thursday, March 8, 2012 at 11:00 a.m. and the following are the results:**

**ONE BID WAS RECEIVED:**

**Bid: Cazenave Motor Company, Vacherie, LA 70090**

1. **One New 2012 Ford King Cab pick-up $29,975.00**

**Bid Bond: $1,500.00**

**Warranty: Included**

**Delivery Date: 60 to 90 days**

**On motion of Commissioner Waguespack, seconded by Commissioner Folse**

**the following resolution was proposed and unanimously adopted.**

 **BE IT RESOLVED, that the Board of Commissioners award the bid to**

**Cazenave Motor Company, in the amount of $29,975.00 for one (1) new Ford**

**King Cab pick-up truck, be granted.**

 **The sealed bids for one (1) new 2012 Caterpillar PD5000- Diesel or equivalent were opened at the pre-bid opening meeting Thursday, March 8, 2012 at 11:00 a.m. and the following are the results:**

**ONE BID WAS RECEIVED:**

**Bid: Daily Equipment Company**

1. **new 2012 Caterpillar PD5000- Diesel $31,032.36**

**Bid Bond: None included**

**Warranty: None included**

**Delivery Date: None included**

**On motion of Commissioner Sirmon, Jr., seconded by Commissioner Carmouche**

**the following resolution was proposed and unanimously adopted.**

 **BE IT RESOLVED, that the Board of Commissioners hereby rejects Daily Equipment Company’s bid.**

 **FUTHER BE IT RESOLVED, the Board of Commissioners authorizes the Executive Director to purchase on state contract one (1) new 2012 Caterpillar PD5000-Diesel or equivalent make and model if available. If not available on state contract the Board of Commissioners authorizes the Executive Director to advertise for re-bid.**

 **Lucas Lilly, Planner/Real Estate Specialist with GCR & Associates, Inc and Sam Scholle with St. Charles Parish Public Works were in attendance requesting the Lafourche Basin Levee District expropriate lands necessary for the construction of the West Bank Hurricane Levee – Phase II perimeter of Willowridge Estates from the Blouin Canal to the Davis Pond West Guide Levee, St. Charles Paris, Levee Station 100+00.00 to 212.46.34.**

**On motion of Commissioner Sirmon, Jr., seconded by Commissioner Monti**

**the following resolutions were proposed and unanimously adopted.**

**BOARD OF COMMISSIONERS**

**LAFOURCHE BASIN LEVEE DISTRICT**

**RESOLUTION**

**A resolution authorizing Joseph A. Dantin, President of the Board of Commissioners, to sign any and all documents, agreements, permits, rights-of-entry and any other instruments on behalf of the Lafourche Basin Levee District in furtherance of the delivery of lands, easements, right-of-ways, relocations and disposal area improvements owned by J. B. Levert Land Company, LLC in connection with the West Bank Hurricane Protection Levee - Phase II, Perimeter of Willowridge Estates from the Blouin Canal to the Davis Pond West Guide Levee, St. Charles Parish, Louisiana.**

 **WHEREAS, on August 25, 2009, per Resolution No. 09-7-2, the Lafourche Basin Levee District “District” entered into a Cooperative Endeavor Agreement by and between the Parish of St. Charles and the Lafourche Basin Levee District for the construction of the West Bank Hurricane Protection Levee “Project”;**

 **WHEREAS, the District agrees to provide lands, easements, rights-of-way, relocations, and disposal area improvements required for construction of the Project per the Cooperative Endeavor Agreement.**

 **WHEREAS, J. B. Levert Land Company, L.L.C. owns the described lands attached hereto in Exhibit A and depicted on Sheet 8 of the right of way plans entitled the “West Bank Hurricane Protection Levee – Phase II, Perimeter of Willowridge Estates from the Blouin Canal to the Davis Pond West Guide Levee, St. Charles Parish, Louisiana, Sta. 100+00.00 to 212+46.34” prepared by Riverlands Surveying Company, a Professional Land Surveying Company, and Stephen P. Flynn, P.L.S., dated May 23, 2011 attached hereto as Exhibit B;**

 **NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners for the Lafourche Basin Levee District, in regular session assembled, that Joseph A. Dantin, President, be and is hereby authorized to sign any and all documents, agreements, permits, rights-of-entry and any other instruments on behalf of the Lafourche Basin Levee District in furtherance of the delivery of lands, easements, rights-of-way, relocations and disposal area improvements owned by J. B. Levert Land Company, LLC as described in Exhibit A and depicted in Exhibit B in connection with the West Bank Hurricane Protection Levee - Phase II, Perimeter of Willowridge Estates from the Blouin Canal to the Davis Pond West Guide Levee, St. Charles Parish,**

**Louisiana**

**EXHIBIT A**

**LEGAL DESCRIPTION**

**One (1) certain piece or portion of land, together with all the improvements situated thereon, and all rights, ways, privileges, servitudes and advantages thereunto belonging or in anywise appertaining, situated in Section 40, Township 14 South, Range 21 East, Southeastern Land District, West of the Mississippi River, St. Charles Parish, Louisiana, identified as Parcel No. 8-1 as shown on Sheet 8 of the Right of Way Plans for the WEST BANK HURRICANE PROTECTION LEVEE – PHASE II, PERIMETER OF WILLOWRIDGE ESTATES FROM THE BLOUIN CANAL TO THE DAVIS POND WEST GUIDE LEVEE, ST. CHARLES PARISH, LOUISIANA, STA. 100+00.00 TO 212+46.34 prepared by Riverlands Surveying Company, a Professional Land Surveying Company, and Stephen P. Flynn, P.L.S., dated May 23, 2011, said map being attached hereto and made a part hereof, which property is more particularly described as follows:**

**PARCEL NO. 8-1**

**From a point on the project centerline, at Station 204+02.82, proceed S67°23'55"W a distance of 35.00 feet to the point of beginning; thence proceed N22°36'05"W a distance of 379.48 feet to a point and corner; thence proceed N67°23'55"E a distance of 96.87 feet to a point and corner; thence proceed N56°02'43"E a distance of 39.13 feet to a point and corner; thence proceed S86°32'08"E a distance of 519.25 feet to a point and corner; thence proceed S03°27'04"W a distance of 70.00 feet to a point and corner; thence proceed N86°32'56"W a distance of 364.02 feet to a point and corner; thence proceed S56°02'43"W a distance of 177.38 feet to a point and corner; thence proceed S22°36'05"E a distance of 247.03 feet to a point and corner; thence proceed S87°44'02"W a distance of 74.65 feet to the point of beginning.**

**All of which comprises Parcel 8-1 as shown on Sheet 8 of the Right of Way Plans of the WEST BANK HURRICANE PROTECTION LEVEE – PHASE II, PERIMETER OF WILLOWRIDGE ESTATES FROM THE BLOUIN CANAL TO THE DAVIS POND WEST GUIDE LEVEE, ST. CHARLES PARISH, LOUISIANA, STA. 100+00.00 TO 212+46.34, and contains an area of 76774.7 square feet or 1.763 acres.**

**Being a portion of the same property acquired by J.B. Levert Land Company, Inc. from John B. Levert by Act of Sale dated June 30, 1919 and recorded in COB T, Folio 597, St. Charles Parish, Louisiana. Further being a portion of the same property acquired by J.B. Levert Land Company, L.L.C. from J.B. Levert Land Company, Inc. by Merger dated January 30, 2008, recorded on February 11, 2008 in COB 707, Folio 834, Entry # 339582, St. Charles Parish Louisiana.**

**BOARD OF COMMISSIONERS**

**LAFOURCHE BASIN LEVEE DISTRICT**

**RESOLUTION**

**A resolution authorizing the expropriation of lands necessary for the construction, operation and maintenance of the West Bank Hurricane Protection Levee - Phase II, Perimeter of Willowridge Estates from the Blouin Canal to the Davis Pond West Guide Levee, St. Charles Parish, Louisiana.**

 **WHEREAS, on August 25, 2009, per Resolution No. 09-7-2, the Lafourche Basin Levee District “District” entered into a Cooperative Endeavor Agreement by and between the Parish of St. Charles and the Lafourche Basin Levee District for the construction of the West Bank Hurricane Protection Levee;**

 **WHEREAS, the District must secure certain properties, in fee, described in the attached Exhibit A and depicted in the right of way plans entitled the “West Bank Hurricane Protection Levee – Phase II, Perimeter of Willowridge Estates from the Blouin Canal to the Davis Pond West Guide Levee, St. Charles Parish, Louisiana, Sta. 100+00.00 to 212+46.34” prepared by Riverlands Surveying Company, a Professional Land Surveying Company, and Stephen P. Flynn, P.L.S., dated May 23, 2011 attached hereto as Exhibit B; and,**

 **WHEREAS, the District declares a public need for properties described in Exhibit A and depicted in Exhibit B in order to construct and maintain the West Bank Hurricane Protection Levee – Phase II;**

 **WHEREAS, the District has offered to purchase said property from the owner(s)
thereof for an amount representing a value based upon the higher value of two (2) certified independent appraisals;**

 **WHEREAS, the owners have refused the District’s offer to purchase said property in fee and the District is unable to amicably acquire said property, it is necessary and useful for the District to expropriate said property necessary for the purpose of levee construction and improvements including, but not limited to, flood and hurricane protection purposes; and,**

 **WHEREAS, the Parish of St. Charles has contracted with attorney Charles M. Raymond or Taggart Morton, LLC, at their expense, to assist the District with expropriation.**

 **NOW THEREFORE BE IT RESOLVED that the Lafourche Basin Levee District does hereby exercise its right of expropriation and will proceed to legally expropriate, prior to judgment, the property more fully described in the attached Exhibit A and shown in the attached Exhibit B in accordance with state and federal law.**

 **NOW THEREFORE BE IT FURTHER RESOLVED that attorney Charles M. Raymond or Taggart Morton, LLC is appointed as an Attorney of Record and Co-counsel for all expropriation proceedings initiated by the District for the West Bank Hurricane Protection Levee - Phase II, Perimeter of Willowridge Estates from the Blouin Canal to the Davis Pond West Guide Levee, St. Charles Parish, Louisiana.**

 **Commissioner Sirmon, Jr. made a motion to adjourn and Commissioner**

**Carmouche seconded his motion.**



 **President**

**klv**

**03/13/11**