

**MINUTES OF REGULAR MEETING OF THE  
AMITE RIVER BASIN DRAINAGE & WATER CONSERVATION DISTRICT**

3535 S. Sherwood Forest Boulevard, Suite 135, Baton Rouge, LA

**January 15, 2013**

MEMBERS PRESENT: Don Thompson, Terry Louque, Al Bargas, Lawrence Callender, Russell Cornette, Joel Louque, Anthony Rouchon, Randolph Saucier, Jerry Thibeau, Larry Thomas, Dale Zuelke  
MEMBERS ABSENT: John Brass, Willie George Lee  
ALSO PRESENT: Dietmar Rietschier, Toni Guitrau, Larry Bankston, Jim Delaune

1. The meeting was called to order at 6:00 p.m. by Don Thompson.
2. Public Comments on Agenda Items: Mr. Shane Rush addressed the Board in regard to the Comite Dirt Pit – Rush property. Mr. Rush has been previously informed that ARBC would not continue with efforts to acquire the property due to existing liens and remediation costs.
3. Minutes
  - The Board unanimously approved a motion by Rouchon second by Louque to approve the December 18, 2012 meeting minutes as presented.
4. Financial Statement Report:
  - Bargas presented to the Board the December 2012 General Fund and CRDC Fund financial statements. As recommended, the Balance Sheet Equity line item was amended as “Investments in Land, Furniture & Equipment.” Reported annual income of \$181,425 from Fill and Borrow material sales. Made note that Beard Construction is continuing to excavate Borrow and Fill material. Reviewed and compared prior year to current year income and expenses. The Board unanimously approved a motion by Bargas, second by Rouchon to approve the December 2012 General Fund and CRDC Fund financial statements.
  - General Administrative Budget 2013-14: To be presented to the Finance Committee in April/May 2013.
  - Capital Budget: Bargas reminded the Board of the Budgetary and Financial obligations of the “Second Amended Cooperative Endeavor Agreement between ARBC and DOTD” in regard to budgeting, quarterly and annual requirements by Amite River Basin Commission and LA DOTD. At the last ARBC meeting, GCR was instructed to begin working on the amounts needed to create the Capital Budget.
  - At the January 11, 2013 Finance Committee meeting, members agreed to meet bi-monthly. The next Finance Committee meeting will be in March 2013.
  - Announced Bargas is hosting a USACE “Credit Presentation” on January 23, 2013 at 10 a.m. to be held at the Associated Builders and Contractors (ABC) office located on Highland Road in Baton Rouge. Members of the USACE, LA DOTD, and ARBC were invited to attend.
5. Report by Executive Director
  - Centerline-baseline surveys are completed. Surveyor will determine the number of trees cut, size, and photos. The USACE has requested additional right-of-entry for soil borings along the centerline of the Canal. Request for right-of-entry from property owners will proceed.
  - Reported on status of Profit Island, Comite Dirt Pit, Irene Road access to Lilly Bayou, and Brooks Lake Closure.
  - Markers to define mitigation area will be installed on the Carmena Property.
  - **Rietschier reported that by the middle of February 2013, GCR may have the Real Estate estimates. Land acquisition priorities are to be determined by LADOTD/ARBC.**
  - Discussed Profit Island (PI) Maintenance: If PI is purchased, someone will need to maintain the property. Thompson mentioned that if the EBRSO were allowed to use it for annual training, they could provide some degree of security for the site.
  - Advanced Acquisitions: Title work has been completed on the 17 Advanced Acquisition properties. The USACE approved 2 HTRW documents and 3 have been forwarded to the USACE with approval expected soon. 14 reports are under preliminary review. Once these are completed the bulk of the HTRW documents will be done for the Advanced Acquisition purchases. There are still approximately 7 that need to be completed over the next month or two. Rietschier mentioned the need to include the western portion of the channel. To begin construction, land will be needed in the area of Brooks Lake Closure. The USACE has to redefine the right-of-way lines in this area to determine the extent of inundation caused by the flood water discharge at the Lilly Bayou structure. The USACE has almost finalized this study and it will establish the boundaries of the right-of-way. Once this is done, ARBC can instruct its consultants to commence real estate activities. Callender asked if the 7 properties mentioned in Mitigation Area 2 are from willing sellers. Bargas asked if the Task Orders for the properties have been issued per Board motion months ago. Rietschier noted that Task Orders for the 7 properties on the eastern side of Mitigation Area 2 have not been issued yet. A motion by Bargas, to issue Task Orders before the end of the week on the remaining 5-7 properties to move the acquisitions forward, failed due to the lack of a second. Rietschier explained the non-

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issuance of Task Orders is not holding up progress as the consultants are busy doing other work. He received the estimate from BKI and will issue Task Orders on the remaining 5 properties tomorrow. It was discussed that to begin construction, the purchase of Profit Island would satisfy approximately 63% of the total project mitigation requirements. Callender stressed the need to expend the LA DOTD funds obligated for the Comite River Diversion Canal Project or risk it being reallocated for other projects. He stated that the ARBC mission for this CRDC Project is to purchase property. Rietschier said that in addition, our goal is also to purchase mitigation lands to reach the threshold for mitigation requirements for previous construction so that construction can continue. This would allow the USACE to put the project back into construction mode, depending on the availability of funds. Thompson ended the discussion and moved to the next ARBC agenda item. Bargas requested the record show that he objects with ending the current discussion.

6. Report by ARBC Legal Counsel and/or Old Business

- Property Maintenance Contract: At the October 16, 2012 ARBC meeting, the Board unanimously approved of a draft Property Maintenance Contract. **Bankston has since requested Rietschier provide him with a determination of the current amount of acreage so that it may be included in the Request for Proposals. Rietschier reported he is working on the request.**
- Profit Island: **The Board unanimously approved a motion by J. Louque second by Rouchon to amend the previous Board motion to approve an appraisal review by Norbert Schexnayder, Jr. to instead be reviewed by Robert Aguilar for \$1500. This review will be available within 30 days.**
- The Board unanimously approved a motion by Rouchon second by Callender to add to the agenda 2 items as follows: Resolution 1099 – Tract 473 and Resolution 1100 – Tract 476. There were no public comments on Resolution 1099 and 1100. Dixon Properties.
- The Board unanimously approved a motion by Rouchon second by Callender to approve Resolution 1099 – Tract 473, as presented.
- The Board unanimously approved a motion by Rouchon second by Callender to approve Resolution 1100 – Tract 476, as presented.
- Bankston reported on the Livingston Parish Sheriff ‘commission’ issue. COA had filed suit against the LPSO. Sheriff’s legal counsel indicated that commissions charged will be refunded to ARBC.
- Status on Campbell case: Discussed that Don Thompson and J. Louque did not receive the “Opt Out Form” through the US Postal Service.
- Monthly Review – Absent Board Members-December 2012 ARBC meeting: The Board unanimously approved a motion by Callender, second by Saucier to excuse the work-related absence of Cornette.
- Rietschier updated the Board on the status of the LCA Blind River Diversion Project. The project has been taken over by the CPRA but will work under the USACE. He contacted the CPRA and will meet to discuss the proposal of ‘plugs’ along the Amite River Diversion Canal to allow access water to be diverted into the swamp. Three plugs would be in the Maurepas area, two are outside the Amite River Basin District and one is within. **Callender requested Rietschier to update Representative Schexnayder.**
- ARBC By-laws, Policy Manual: The Personnel Committee meeting is scheduled for January 18, 2013 at 10:00 a.m.

7. New Business

8. The Board unanimously approved a motion by Rouchon, second by Thibeau to adjourn the meeting.

APPROVED:

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/s/ Don Thompson

Don Thompson, ARBC President

Date: February 19, 2013

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/s/ Toni B. Guitrau

Toni B. Guitrau, Executive Secretary