

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

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

October 15, 2013

MEMBERS PRESENT DURING ROLL CALL: Don Thompson, Terry Louque, Ben Babin, John Brass, David Hoover, William “Carey” Jenkins, Willie George Lee, Anthony “Tony” Rouchon, Jerry Thibeau, Kenneth Wade Welborn

MEMBERS ABSENT: Russell Cornette, Larry Thomas

NOTE: Vacant Seat (Livingston Parish)

ALSO PRESENT: Dietmar Rietschier, Toni Guitrau, Larry Bankston, BKI – Matt Weakley

1. The meeting was called to order at 6:00 p.m. by Don Thompson.
2. Public Comments on Agenda Items: None
3. Minutes
 - The Board unanimously approved a motion by Rouchon, second by Thibeau to approve the September 2013, regular meeting minutes as presented.
5. Financial Statement Report:
 - Rouchon presented to the Board the September 2013 General Fund and CRDC Fund financial statements. The Board unanimously approved a motion by Rouchon, second by Lee to approve the September 2013 General Fund and CRDC Fund financial statements.
6. Executive Director Report
 - Profit Island: Rietschier reported on the status of Profit Island. Rietschier stated, for the record, at the last ARBC meeting, Thibeau mentioned an October 2011 ‘Letter of Intent’ from the Profit Island owners, that was not distributed to the Commission. Rietschier said that he researched this matter. He said the 20 page long, Letter of Intent, had one paragraph that referred to “100 acres for drilling” and at that time Profit Island was not in the Mitigation Area; not until mid-2012 when the EA was done. At that point Profit Island became part of the Mitigation Area. Today, ARBC is still trying to work it out with the property owners. On behalf of Profit Island owners, David Ogwyn, with Ogwyn Law Firm, addressed the Commission on the status of the mineral servitude owner, Mr. Johnson, surface rights issue. Mr. Ogwyn met with the mineral servitude owner, Mr. Johnson, and attorney to work together to come up with a joint proposal that would be a transfer of all of the rights but would reserve some of the future drill sites. They are now waiting on the mineral rights owner to identify the drill sites. Rietschier said the surface rights issue first came about when the property owners went to the USACE to discuss it with them shortly after the EA was done. After the USACE said no, ARBC became aware of the problem.
 - KCS RR agreement is still ongoing.
 - Genesis Pipeline: Received final approval from the permit section of the USACE but there is a problem with USACE departments disagreeing with whether to bore 30 or 50 feet under the pilot channel.
7. Report by LADOTD: None
8. Report by ARBC Legal Counsel
 - The Board unanimously approved a motion by Rouchon, second by Lee to enter into Executive Session for no more than 20 minutes to discuss Campbell v. ARBC, et al litigation.
9. Executive Committee Report:
 - Rouchon reported the Executive Committee met on October 4, 2013 and unanimously agreed to bring Request for Proposals (RFP)/Qualifications (Engineering Consultants) to the Board for a full vote. Thompson entertained a motion of the Board as recommended by the Executive Committee. Rouchon motioned that the Commission send out for Request for Proposals/ Qualifications. This was seconded by Jenkins. Thibeau said he wished to make a substitute motion to continue this matter so that new members may be more informed and current Task Orders may be completed. This was seconded by Babin. Rouchon requested that Thompson call for a discussion.
 - Thibeau made a substitute motion, second by Babin to continue this matter so that new members can be more informed and current Task Orders may be completed. Roll call vote was taken and was as follows:
YEAS: Ben Babin, John Brass, David Hoover, Jerry Thibeau, Terry Louque
NAYS: Don Thompson, William “Carey” Jenkins, Willie George Lee, Anthony “Tony” Rouchon, Kenneth Wade Welborn
MEMBERS ABSENT: Russell Cornette, Larry Thomas
NOTE: Vacant Seat (Livingston Parish)
Motion failed.
 - Vote of the original motion: Rouchon made a motion, seconded by Jenkins to put out for Request for Proposals/Qualifications. Roll call vote was taken and was as follows:
YEAS: Don Thompson, William “Carey” Jenkins, Willie George Lee, Anthony “Tony” Rouchon, Kenneth Wade Welborn
NAYS: Ben Babin, John Brass, David Hoover, Jerry Thibeau, Terry Louque

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

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

MEMBERS ABSENT: Russell Cornette, Larry Thomas

NOTE: Vacant Seat (Livingston Parish)

Motion Failed.

- Thompson entertained a motion to table this matter until next month. The Board unanimously agreed to a motion by Rouchon second by Welborn to table this matter until next month's ARBC meeting.

10. Old Business

- ARBC Bylaws: The Executive Committee recommended adopting the amended ARBC Bylaws. Rouchon requested that Article VII, Agenda, be further amended as follows: Any items, not included in the agenda, which have not been previously posted, may be added to the agenda upon unanimous approval of the members present at the meeting. Any such item shall be subject to a period of public comment prior to any formal action. An item not on the agenda or added to the agenda will not be taken up at the meeting.
- The Board unanimously approved a motion by Rouchon, second by Lee to approve the amended ARBC Bylaws.
- ARBC Administrative Manual: The Executive Committee recommended adopting the amended ARBC Administrative Manual. The Board unanimously approved a motion by Lee, second by Rouchon to adopt the amended Administrative Manual.

11. New Business

- Approve bid for sale of dirt at Lilly Bayou: No bids were received.
- Proposed Resolution by Levee Association concerning the pending litigation with various oil companies: No action taken.
- Purchase of laptop computer: The Board unanimously approved a motion by Rouchon second by Thibeau to purchase a Dell laptop computer estimated at approximately \$971.00 for the ARBC through Redshift Consulting Service.
- Authorization of Purchase of ADV-1 property: Bankston stated it is approximately \$22,000/acre and per the CEA between ARBC and DOTD, the DOTD will reimburse half of the cost to the ARBC upon being invoiced. The Board unanimously approved a motion by Rouchon, second by Thibeau. Total purchase price for the property is \$1,448,480.00.
- The Board unanimously approved a motion by Rouchon second by Babin to add to the agenda the item "Servitude Agreement with Genesis Pipeline." There were no Public Comments.
- Servitude Agreement with Genesis Pipeline: The Board unanimously approved a motion by Thibeau second by Lee to authorize Don Thompson to sign the Servitude Agreement with Genesis Pipeline once it has been approved by the USACE. The ARBC will get paid approximately \$100,000 for this right-of-way.

12. The Board unanimously approved a motion by Rouchon, second by Lee to adjourn the meeting at 7:25 pm.

APPROVED:

/s/ Don Thompson

Don Thompson, ARBC President

Date: November 19, 2013

/s/ Toni B. Guitrau

Toni B. Guitrau, Executive Secretary