

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

**June 19, 2012**

**MEMBERS PRESENT:** Lawrence Callender, Terry Louque, Don Thompson, Al Bargas, John Brass, Russell Cornette, Willie George Lee, Joel Louque, Anthony Rouchon, Randolph Saucier, Jerry Thibeau, Larry Thomas, Dale Zuelke

**MEMBERS ABSENT:** None

**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: Larry Ardoin, P.E., LADOTD Deputy Assistant Secretary Public Works, announced he is retiring June 30, 2012. His position has been advertised. He commended the Board on making progress with the CRDC Project recently by working with the congressional delegation in Washington, D.C., contractors and consultants. He stated the Utility Relocation Section of DOTD will be involved in regard to (utilities/pipelines) relocations.
3. Minutes  
The Board unanimously approved a motion by Rouchon second by Lee to approve the May 15, 2012 meeting minutes as presented.
4. Financial Statement Report
  - Thompson presented to the Board the May 2012 General Fund and CRDC Fund financial statements. The Board unanimously approved a motion by Rouchon, second by Thibeau to approve the May 2012 General Fund and CRDC Fund financial statements.
  - Amended Administrative Budget No. 2 of 2011-2012: The Board unanimously approved a motion by Rouchon second by J. Louque to approve the Amended Administrative Budget No. 2 of 2011-12, as presented.
  - Finance Committee Report:
    1. Soil: Thompson asked the Rietschier to present the status. Rietschier has requested from the Corps the amount of yards of dirt sold, and is waiting for their response. Ms. Nosari stated that the Corps responded via email on Friday, June 15, 2012. They did an 'after cross section survey' to determine the amount of CY used. The Corps completed removing the fill that was purchased by PLD. She requested the final numbers yesterday so she could work with DOTD to get ARBC a check in accordance with the Agreement. As soon as the ARBC reviews the final numbers she will work with DOTD to get the check. Rietschier said he will send an invoice to PLD.
    2. Applying for past and future credits: Thompson stated that Task Order procedures and applying for credits was discussed at the Finance Committee Meeting.
    3. Development of a 5-year Financial Estimate for Capital Improvement Expenditures– non-administrative: The Finance Committee recommended to the Board that it be in a 5-year financial format using estimates provided by Rietschier but excluding his estimate cost on the pipeline and instead use an estimate from Florida Gas on moving the gas line, timeline and design.
    4. Survey of Lilly Bayou property: Rietschier said an actual survey will not be done. The consultants will identify the XY coordinates then they will identify the corners and place posts at those locations with signs.
    5. Employee Manual: Bankston said there is an existing Employee Manual that needs to be amended. An Executive Committee needs to review the existing manual and work with Bankston on this matter.
    6. Review of Staff Salary: Referred to an Executive Committee Meeting.
5. Report by Executive Director:

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- Rietschier stated that the Environmental Assessment document is lengthy. He provided and discussed page 10 of the EA with the Board. Discussed Profit Island and other mitigation acres identified in the EA. Also expressed the need to pro-rate AAHU's by tracts identified as a means to prioritize land purchases. Rietschier said that the Board needs to know what the cost per unit will be so they can make an intelligent decision. Saucier suggested beginning with estimates. Delaune said the EA opens the door for options to come up with other amounts needed, and for the project to move forward. Discussed the relocation of the pipeline. The Board unanimously approved a substitute motion by Bargas, second by Rouchon to proceed with a Work Order for Rietschier to work with Ms. Nosari (GCR) to determine the estimated values for lands in the area as discussed.
  - HTRW Investigations: We have sent requests to the USACE to allow us to proceed with HTRW investigations for selected at risk properties (17) along the Comite River Diversion Canal existing right of way and Area 2 of the existing mitigation area. We are waiting for responses from the USACE to proceed.
  - Centerline & Baseline Survey: Property owners along the survey line have been notified. An AFE has been sent to the USACE. The USACE expects to start this survey in approximately 60 days. Once completed, this will allow us to determine additional properties or portion of properties within the right of way for acquisition purposes.
  - Rietschier contacted the Florida Gas/Panhandle Energy representative to obtain an estimate cost to lower the pipelines.
  - Rush Property: An appraisal has been authorized and we are assessing the many encumbrances that this property has before any final acquisition discussions with the property owner can begin.
  - GCR is engaged in doing title searches and pre-acquisition activities on the identified properties along the existing right of way in anticipation of early acquisitions (17). This contract is through the LA. DOTD.
  - Per a request by Bargas at the June 11, 2012 Finance Committee meeting, Rietschier presented a 5-year Financial Estimate (hand-out) of cost for acquiring mitigation and right-of-way properties, and pipeline relocation. There will also be legal issues to consider. Rietschier stressed these are strictly estimates. Callender said that there is a department within the DOTD that does relocations which would hold our cost down. Rietschier said that this needs to be addressed with the pipeline companies. Bankston said the question is a matter of when the pipeline was built and what does the agreement say concerning the obligations in the event the pipeline needs to be moved. It is a matter of a determination of compensability. Bankston is working on this matter. Nosari said at the PDT meeting there were discussions about meeting with Florida Gas.
6. Report by ARBC Legal Counsel/Old Business
- The Board unanimously approved a motion by J. Louque, second by Thibeau to authorize Bankston to file a Writ to the First Circuit Court of Appeals if the judge authorizes the request to sequester funds.
  - The Board unanimously approved a motion by Cornette, second by Thibeau to authorize Bankston to file a Writ application to the Louisiana Supreme Court in regard to the Class Action matter.
  - Bankston is working with GCR on purchase of the Dixon property.
  - Rouchon read the Nominating Committee Report as follows: Callender and Thompson for President, T. Louque for Vice President, Bargas for Finance Chairman – Treasurer, Executive Secretary Guitrau (employee) for Board Secretary. No nominations were made from the floor. The Board unanimously approved a motion of election by acclamation by Thomas, second by Cornette, on the unopposed positions of Vice President T. Louque, Treasurer Bargas, and Secretary Guitrau.
  - Election of ARBC President: Bargas stated with all due respect to Thompson, in his years on the commission to his knowledge the Nominating Committee has only nominated one person for office of President. At this point in time, why would the Board want to change the lead horse when we are leading the race with the EA study and new budget. He believes this has been one of the best years ever. Thompson had set the stage for it in the past and Callender had carried it through. He said we should keep continuity. With the relationship Callender built with Vitter and the Corps it would be smart to keep the same leadership at this time for 2 more years. He thought it would send a good message to the Governor's office, DOTD, and Corps. He asked the Board to consider his comments and observation when they vote. Roll call in favor of Thompson: Thompson,

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Cornette, Lee, J. Louque, Rouchon, Thomas, Zuelke. Roll call in favor of Callender: Callender, T. Louque, Bargas, Brass, Saucier, Thibeau. Thompson was elected as ARBC President by roll call vote 7-6.

- CEA between ARBC and LA DOTD: The Second Amended CEA has been prepared by B&A and has been submitted to DOTD for its review and comments.
  - Hunting Lease: The Board unanimously approved a motion by Rouchon second by Lee to accept the hunting lease as presented, and for it to be advertised for bid with bids being accepted through July 16, 2012, 10 a.m. Bid opening will be July 17, 2012 at 6 p.m.
  - B&A has opened files to proceed with the advanced acquisition of tracts. They have authorized that certain title work begin on the 17 separate properties in the advance acquisition program.
  - Applying for past and future credits: Rietschier will begin working on the spreadsheet provided by GCR for past credits. Nosari said that Rietschier had applied by letter for a approximately \$475,000 in October 2010 (LUC expenditures). The Corps rejected a portion of this and the remainder may be reapplied for using the correct federal procedures. Meals (LUC) totaling approximately \$9500 were excluded for credit. Work for LUC is broken down as follows: Work- \$348,225, Mileage - \$16,089, Meals - \$9,500. Office supplies - \$4,6424. At the request of Bargas, Rietschier will have the information completed and ready to submit the information to the Board on past credits prior to the ARBC August meeting.
  - Procedure of Task Orders: The Board unanimously approved a motion by J. Louque, second by Cornette to refer Task Order procedures to the Finance or Task Order Committee.
  - The Board unanimously approved a motion by Bargas, second by Thibeau to refer the review of the ARBC Bylaws to the Executive Committee.
  - Maintenance of property: Because of the extensive amount of property now owned by ARBC, the board has expressed an interest in developing a ground maintenance program. B&A has been provided with a sealed bid proposal from the New Orleans Levee Board. That agreement is being reviewed and modified for the consideration of the board. The Board unanimously approved a motion by Lee, second by Bargas to refer this matter to the Executive Committee.
  - Rietschier reported the demolition of a structure on 18845 Plank Road is completed. Environmental paperwork is being completed at this time.
7. New Business:
- 2012 Adjusted Millage Rate Discussion: There being no public comments, a motion was made by Rouchon, second by Lee to approve Resolution No. 1092, as presented, to adopt the adjusted millage rate of 2.52 for the tax year 2012. A yea and nay vote was called for and resulted as follows:

YEAS: Lawrence Callender, Terry Louque, Don Thompson, Alvin Bargas, John Brass,  
Russell Cornette, Willie George Lee, Joel Louque, Anthony Rouchon, Randolph  
Saucier, Jerry Thibeau, Larry Thomas, Dale Zuelke

NAYS: None

ABSENT: None

ABSTAIN: None
  - Resolution 1093: Louisiana Compliance Questionnaire: The Board unanimously approved a motion by Rouchon, second by Brass to adopt Resolution 1093, as presented. Bankston contacted the ARBC auditor and technically the ARBC is not under the Local Budgeting Act, State Budget Requirements or Licensing Board. Discussed fixed assets.
  - Resolution 1091: Authorization to execute any and all Right-of-Entry (ROE) and Authorization for Entry (AFE) for the Comite Project involving right-of-way and mitigation areas. The Board unanimously approved a motion by Rouchon, second by Thibeau to adopt Resolution 1091 as presented.
  - Report on all property ownership: Bankston updated the Board on development of a map which shows all the property owned. GCR will provide the map to the Board.
8. The Board unanimously approved a motion by Thomas, second by Cornette to adjourn the meeting at 8:10 p.m.

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APPROVED:

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/s/ Don Thompson  
Don Thompson, ARBC President

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

Date: July 17, 2012