

# LOUISIANA RICE RESEARCH BOARD

## Minutes

Crowley, Louisiana  
June 27, 2018

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**MEMBERS PRESENT:** Jackie Loewer, Richard Fontenot, Donald Berken, Clarence Berken, Brian Wild, Fred Zaunbrecher, Damian Bollich, Ronnie Sonnier, Benjy Rayburn for LDAF Commissioner Mike Strain, Michael Fruge, Jude Doise, Sammy Noel, Jason Waller, and Phillip Lamartiniere

**MEMBERS ABSENT:** Dane Hebert

**OTHERS PRESENT:** Steve Linscombe, Kyle McCann, Bruce Schultz, Michael Klein Rogers Leonard, Scott Soileau, Kane Web, Kurt Guidry, Don Growth, Mike Salassi, LJ Hymel, Richard Sherburne, Dennis Blunt, Monica Valevic, Jamison Cruce, Frank Leach and Frankie Gould

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Chairman, Jackie Loewer called the business meeting to order and asked members to review the agenda items. He indicated that the agenda order may change and asked if anyone had any additional items. The EPA Administrator that spoke at the field day may visit with the Board during the meeting.

**ACTION #1** A motion was made by Richard Fontenot, seconded by Ronnie Sonnier and carried, to approve the agenda with the possible addition of the EPA Administrator.

The Board next considered going into a joint executive session with the Louisiana Rice Promotion Board. Since the Boards would be discussing pending litigation, Chairman Loewer stated that if any Board member had a conflict they could leave the meeting.

**ACTION #2** A motion was made by Fred Zaunbrecher, seconded by Ronnie Sonnier and carried, to go into a joint executive session of the Boards.

The attendance included all the La Rice Research Board Members present and listed above. The Louisiana Rice Promotion Board members in attendance were Christian Richard, Tommy Faulk, Ronald Habetz, John Owen, Jimmy Hoppe, Michelle Estay for Commissioner Strain, Kevin Berken, and Kent Brown. The attorneys attending were LJ Hymel, Richard Sherburne, Dennis Blunt, and Scott Privat. Chairman Loewer asked the following individuals to attend the executive session: Kyle McCann, Kurt Guidry, Don Growth and Michael Klein.

The executive session was held.

**ACTION #3** A motion was made by Richard Fontenot, seconded by Ronnie Sonnier and carried, to go out of the joint executive session.

After a short break, Chairman Loewer called the business meeting back to order and resumed with the consideration of agenda items.

The Board next considered the minutes of the previous meeting which had been sent to all members.

**ACTION #4** A motion was made by Sammy Noel, seconded by Damian Bollich and carried, to dispense with the reading of the minutes and approve them as presented.

The LDAF May 2018 assessment collections report was then presented by Kyle McCann. For the month of May assessment collections paid to the Board (net) was \$90,457.43. The year to date net assessment collections were \$1,261,548.70 and year to date refunds were \$79,985.94 or approximately 5.9% of total collections. The year to date collections was above the budget estimates.

Scott Soileau then reviewed the May 31, 2018 financial operating report. He reviewed each of the various fund balances and discussed the current financial position of the Board. The Board discussed their current financial position and the current fund balances.

**ACTION #5** A motion was made by Ronnie Sonnier, seconded by Donald Berken and carried, to receive and file the financial and collections reports.

Chairman Loewer then gave a report on the Col-Rice Board activities. The Board met recently in Miami. The representatives from Columbia and US meet to administer the program. Columbian officials are still opposed to rice imports coming in during their rice harvest. Bids have been lower due to market factors such as lower Columbian rice prices and higher U.S. rice prices. Each state rice research board has to approve and submit a director for the Col-Rice Board.

**ACTION #6** A motion was made by Richard Fontenot, seconded by Clarence Berken and approved that Jackie Loewer serve as Louisiana's director on the Col-Rice Board.

Clarence Berken then gave a brief Col-Rice committee report. He reviewed the infrastructure projects funded to date and their progress. He mention that the committee would be meeting to discuss new ideas and projects for the future. A brief update on the status of the LSU Foundation Chair was provided by Kyle McCann and Rogers Leonard. They reviewed the steps taken to obtain approval. The AG's office is currently considering the matter and will be providing a written opinion.

Richard Fontenot then gave a brief IP committee report. He reviewed the allocations made last year. The committee would be meeting before November to develop recommendations for the coming allocation for next year. Additional royalties will be provided and included in the MOU with LSU from new technologies as they develop.

The pending legal issues were next discussed. The Board was informed that current representation was changing. LJ Hymel was retiring and Richard Sherburne announced that he was withdrawing from the Hymel, Davis and Peterson firm and would not be representing the Board. The executive committee had discussed getting additional legal counsel since LJ Hymel was retiring and had asked Dennis Blunt with the firm Phelps Dunbar if he and his firm would be willing to work on the pending case. The firm of Phelps Dunbar and Mr. Blunt were willing and were highly recommended.

**ACTION #7** A motion was made by Brian Wild, seconded by Donald Berken and carried, that the Board engage the firm of Phelps Dunbar. The vote was unanimous.

The Board discussed legal fees. To date the Board has not paid any legal fees. The USA Rice Federation has paid legal fees. Members discussed allocating funds for potential legal fees in case the Board needs them in the future.

**ACTION #8** A motion was made by Richard Fontenot, seconded by Damian Bollich, and carried to reserve and dedicate \$100,000 in funds for potential legal fees.

Chairman Loewer briefly reported on the activities of the USA Rice Federation's legislative and regulatory efforts. Jamison Cruce, with USA Rice, discussed the ongoing farm bill debate and the focus that USA Rice has placed on this very important issue.

Chairman Loewer asked Steve Linscombe, the Executive Director of the Rice Foundation, to report on the Rice Foundation activities. He briefly gave an overview of the organization and discussed the current funding levels. With declining EU-TRQ funds, the Foundation is in need of addition resources so they can continue to fund research and address issues rapidly such as the arsenic issue. They are in the process of asking each state to increase their contributions. Each state has been providing at least \$5,000 per year and they are asking each to increase that to a total of \$35,000. The need to get some Louisiana applicants to the Leadership Development program was also mentioned.

**ACTION #9** A motion was made by Sammy Noel, seconded by Fred Zaunbrecher and carried to fund an additional \$30,000 from COL-Rice funds to the Rice Foundation and amend the current contract with them to included the new total of \$35,000.

A southwest director's report was provided. Dr. Kurt Guidry discussed the new multi-parish responsibilities of agents and thanked Dr. Growth for his leadership in putting together an excellent rice field day this year.

Frankie Gould then reviewed the Board's annual report. She reviewed the draft list of articles, content and timeline for the publication.

Kyle McCann then briefly reviewed the ethics training and reporting requirements for Board members. Members will receive reminder emails. He also discussed the Board appointment process and the need for nominating organizations to get their respective list in by July 15<sup>th</sup>.

Chairman Loewer brought up the election of officers. With the Board to soon be reappointed he asked if the Board wanted to hold elections or defer until the new Board is appointed.

**ACTION #10** A motion was made by Donald Berken, seconded by Sammy Noel, and carried to defer election of officers until after reappointments are made.

The next meeting date was tentative set for Thursday, November 1<sup>st</sup>. This would be the project review meeting. Jude Doise asked that the presenters include some information about the potential impact of the research they are conducting. Brian Wild encouraged the continuation of conventional public varieties and time to share what producers experience in the production year. Richard Fontenot also asked about the Hybrid rice activities and asked that the Board be emailed about upcoming events.

Under other business, Jude Doise asked how it was determined and who went to a meeting with the attorneys. Chairman Loewer indicated that he made the decision. He included the officers and limited others in responding to a request of the Board's attorney so that attendance was less than a quorum of the Board. The meeting was requested by the Board's attorney to develop responses and information needed to answer discovery questions asked by the plaintiff's attorneys.

The public comment period was then conducted. No public comments were provided.

There being no further business the meeting was adjourned.