

IBERIA PARISH LEVEE, HURRICANE AND CONSERVATION DISTRICT BY-LAWS

The **Iberia Parish Levee, Hurricane and Conservation District (Iberia Levee District)** is a political subdivision and levee district created by the State of Louisiana under Act La. R. S. 38:291 of the Louisiana Legislature. The primary duty of the board shall be to establish, construct, operate and maintain flood control works as they relate to hurricane protection, tidewater / run-off flooding, saltwater intrusion and conservation of coastline. Works may include but not limited to: channels, reservoirs, gravity/ pump drainage systems and erosion control/ marsh management measures.

ARTICLE I – DISTRICT BOARD

I. Definitions

- **District Board (Board)**

The political subdivision of the State of Louisiana organized for the purpose and charged with the duties of hurricane levee protection, coastal conservation and all other things incidental thereto within its jurisdiction. Also, the use Board herein to mean the board members as a group.

- **Board Member**

A person qualified and appointed by the Governor of the State of Louisiana pursuant to the R.S. 38:304.

- **Election of Officers**

Officers are elected at the first meeting of each calendar year. Nominations are taken for each office and the candidate that receiving **5 votes** from board members is elected. The term is for the current calendar year. If an Officer is removed from the board for any reason, their standing as an officer is also revoked. A new election at the next board meeting will be used to name a replacement for the balance of the current term.

ARTICLE II – POWER AND DUTIES

I. CHAIRMAN

- The chairman shall have all such executive powers customary and appropriate for a chairman of a levee district.
- The chairman shall preside over all meetings of the board. He shall vote to break ties and to amend or alter the by-laws, and may vote at any time his vote will change the outcome of the action on the floor.
- The chairman shall see that the laws of the state pertaining to the purposes and functions of the board and the resolutions and ordinances of the board are faithfully observed and executed.
- The chairman shall act for the board in emergency matters.
- The chairman shall appoint Committee and Team chairperson for standing and ad hoc committees and teams.
- The chairman shall define the goals and purpose of ad hoc teams.
- The chairman shall serve as administrator of the authority and shall prudently execute the policies and decisions of the board.
- The chairman, or his designee, shall be the exclusive spokesperson for the Levee District in all matters before legislative committees and other governmental bodies, public gatherings, organizations and the media, and in communications with governmental agencies and the media during emergencies.
- Member of the executive committee.

- By a vote of not less than five members of the total membership of the board, any decision, action, or policy made by the chairman can be modified or annulled, provided that contractual obligations shall not be affected.

II. VICE-CHAIRMAN

- The vice-chairman shall perform those duties as are usually incumbent upon such officer.
- In case of the absence, inability or failure to act of the chairman, the vice-chairman shall perform the duties of the chairman and shall act in the chairman's place and stead. The vice-chairman shall perform such additional duties as may be directed by the chairman.
- Member of the executive committee.

III. SECRETARY/TREASURER

- The secretary/treasurer shall perform those duties concerning the financial and legal matters of the Levee District as are usually incumbent upon such officer.
- The secretary/treasurer shall attest to official documents of the board with his signature.
- The secretary/treasurer shall give or cause to be given notice of all meetings of the board and its committees and all other notices required by law or these bylaws.
- The secretary/treasurer shall record or cause to be recorded all of the proceedings of the meetings of the board and shall publish in the board's official journal the minutes of all regular and special meetings of the board.
- The secretary/treasurer shall perform such additional duties as may be directed by the chairman.
- Member of the executive committee.

ARTICLE III - SPOKESMAN/COMMITTEES

I. SPOKESMAN

- If the chairman deems it necessary and appropriate he may, or if directed by a simple majority of the board, he shall, designate a spokesman to investigate, report and advise the board on a particular matter or matters.

II. COMMITTEES

Committees are sub-groups of the Levee Board that are required to have formal meetings to the same standards as the meetings of the Levee Board. Standing and Ad-hoc committees are allowed.

- Committee members, except the executive committee, will be chosen by each committee's chairman from members of the board.
- Committees shall be composed of not less than two or more than four members of the board. A committee's chairman may include members of the public as non-voting members of the committee.
- The chairperson and members of all committees shall perform such committee duties and functions in accordance with:
 - these by-laws,
 - the chairman charge to the committee,
 - the directions of a majority of the board.
- Committees shall act in an advisory capacity to the board and shall make such recommendations as deemed appropriate in those areas for which the committee is organized. The chairperson of the committee shall report its recommendations to the board. If the recommendation of the committee is not unanimous, the opinions of the dissenting member(s) of the committee shall also be reported to the board.

- No recommendation or action of any committee shall be binding upon the board until such action is approved at a meeting of the board; however, nothing herein shall prohibit the Levee Board from giving advance authority to a committee to act on routine matters.
- Standing Committees
 - Executive committee (Standing committee)
 - Members include the chairman, vice-chairman and secretary/treasurer. This standing committee acts as the business office of the Levee District Board. The Executive Director shall be a non-voting member of the Executive Committee.
 - Duties of the executive committee are:
 - All legal issues and decisions.
 - All financial duties including: budgets, payables, payroll, etc.
 - All personnel issues including: hiring, terminations, employee manual, etc.
 - Procuring funding for the Levee District's general operation and projects.

III. TEAMS

Teams are sub-groups of the Levee Board with informal status for the purpose of researching for and reporting to the Levee Board. Standing and Ad-hoc teams are allowed.

- Protection and Conservation are designed as standing teams.
- If the chairman deems it necessary and appropriate he may, or if directed by a simple majority of the board, he shall designate such ad hoc teams and appoint the chairperson.
- Team members will be chosen by each team's chairman from members of the board.
- Teams shall be composed of not less than two or more than four members of the board. A team's chairman may include members of the public as non-voting members of the team.
- The members and chairperson of all teams shall perform such team duties and functions in accordance with:
 - these by-laws,
 - the chairman charge to the team,
 - the directions of a majority of the board.
- Teams shall act in an advisory capacity to the board and shall make such recommendations as deemed appropriate in those areas for which the team is organized. The chairperson of the team shall report its recommendations to the Levee Board. If the recommendation of the team is not unanimous, the opinions of the dissenting member(s) of the team shall also be reported to the Levee Board.
- No recommendation or action of any team shall be binding upon the board until such action is approved at a meeting of the board.
- Standing Teams
 - Protection Team
 - Duties of the Protection Team are:
 - The marketing of the need for levee protection in Iberia Parish.
 - Technical input on the design and layout of the levee system.
 - Evaluate and consider freshwater drainage in design.
 - Submit protection project documentation to the executive committee for legal and financial review and approval.
 - Establish and maintain legal standing with the State to review and approve commercial construction projects that may affect the district's protection efforts.

- Conservation Team
 - Duties of the conservation team are:
 - The marketing of the need for conservation project to build and protect coastlines in the District.
 - Technical input on the design and layout of conservation projects.
 - Submit protection project documentation to the executive committee for legal and financial review and approval.
 - Establish and maintain legal standing with the State to review and approve commercial construction projects that may affect the coastal environment efforts of the District.
 - Represent Iberia Levee District to and as part of conservation organizations.

ARTICLE IV – BOARD MEETINGS

I. DEFINITIONS

- **Meeting** as used herein means the attendance of board members at any gathering wherein a quorum is present and business of the authority is discussed.
- **Quorum** as used herein means the presence in person of a majority of board members at a board meeting called and organized for the transaction of business.

II. REGULAR BOARD MEETING

- Not less than once each month, the board shall hold a regular meeting, said meetings to be held at such time and place as may be designated by a simple majority of the board. Notice(s) of the time and place of the regular meetings may be made, in accordance with the Louisiana Revised Statutes, at the beginning of each year for the following twelve months but the location of the regular meeting may be changed to another convenient location as long as notice of the location change is provided to all board members at least 7 days in advance of such meeting.
- Board members desiring any matter to be placed on the agenda should so advise the secretary not later than seven days, exclusive of legal holidays and weekends, prior to the regular meeting and the secretary shall cause such matters to be placed on the agenda. Requests for matters to be placed on the agenda within a week of the regular meeting may be placed upon the agenda, at the chairman's discretion.
- A draft or written notice of the time, date, place and agenda of regular meetings shall be sent via U. S. Mail or electronically by email or fax to each commissioner not later than two days, exclusive of legal holidays and weekends, prior to each such meeting. Notice shall be deemed to have been given to or waived by any member present at any such meeting.
- The presence in person of a simple majority of the board shall constitute a quorum. If a meeting cannot be organized because a quorum has not attended, those present may adjourn the meeting to such time and place, as they may determine, until a quorum is present with no further notice required other than announcement at the meeting.
- Proxy voting and voting by telephone or other electronic means are specifically prohibited. Unless a higher percentage is required by law or these bylaws, a majority of votes actually cast shall decide any matter properly brought before the board at a properly called meeting organized for the transaction of business.
- Executive sessions may be held in accordance with the provisions of R.S. 42.17, et. seq., as amended from time to time.

- After the business noted on the agenda or on the call of the meeting has been disposed of by the board, a member may move the board to consider other such matters as may be properly brought before it, which said motion shall require the affirmative vote of the number required by the State Open Meetings requirements, now found in R.S. 42:11 et seq.
- Minutes of regular meetings shall be kept in accordance with the provisions of R.S. 42:20 and these bylaws.
- The public shall be notified as to the time, date, place, and agenda of regular meetings in accordance with the provisions of R.S. 42:19.

ARTICLE V – ADMINISTRATION

I. EXECUTIVE DIRECTOR

The board may employ an executive director who shall serve at the pleasure of the board. The board shall fix the qualifications, duties, and salary of the director. The Director will be responsible for the day to day business of the Levee Board including supervisory authority over operations and maintenances including personnel. Additional rules, guidelines authority for the executive director are contained in the District's written employment manual, as approved, amended and modified from time-to-time by the board.

II. EMPLOYEES

The board may employ such employees as it deems necessary for its proper functioning. Rules and guidelines for the District's employees are contained in the District's written employment manual, as approved, amended and modified from time-to-time by the board.

III. LEGAL COUNSEL

Pursuant to R.S. 38:305, the board may employ one or more attorneys to perform legal services at a rate of compensation to be determined by the board. Such employment shall be by written contract.

IV. RULES OF ORDER

Roberts' Rules of Order shall be the authority for all matters of parliamentary procedure not otherwise **provided** for by these bylaws or prohibited by law.

V. AMENDMENT OF BY LAWS

- These bylaws may be amended at any regular meeting of the board by a vote of **six members** of the total membership of the Board.
- No such amendment shall be considered unless a notice of intention to amend the bylaws and the proposed amendment shall have been given in writing to each commissioner and legal counsel not less than thirty days prior to the regular meeting at which such amendment is to be voted upon.

VI. EFFECTIVE DATE OF BY LAWS AND AMENDMENTS

- These bylaws shall become effective on the date voted and approved by the board and shall not affect, in any way, any actions, contracts, appointments, or other matters previously taken, made, had, or entered into by the board prior to the effective date thereof.
- In the event that any provision of these bylaws is contrary to law, such provision shall be considered null and void and considered as not written, and the matters so provided for shall be controlled by applicable law; provided, however, that the validity of all other provisions herein shall not be affected.

ARTICLE VI – FINANCES

I. FISCAL YEAR

The fiscal year of the authority shall be from January 1st through December 31st.

II. AUDITORS

The auditor of the board shall be the Louisiana State Legislative Auditor, his designee, or a certified public accountant, as may be approved by the board at least every three years.

III. ANUAL BUDGET

The board shall adopt and submit to an annual budget for the following fiscal year in accordance with the provisions of R.S. 38:318. The board may amend such budgets from time to time as is necessary.

IV. INVESTMENTS

Idle funds of authority and levee districts within its jurisdiction shall be invested in accordance with state law. Deposits in banks and savings and loans shall not exceed the amounts insured by the FDIC unless properly collateralized.

V. REVENUE

Revenue as used herein shall mean income derived from taxes, appropriations received from outside sources or income received from other operations of the district. Any revenue collected by the district shall be deposited into an account or accounts and expended for purposes of the district.

VI. DISBURSEMENTS

Disbursements as used herein shall mean the payment of funds for the retirement of debt, operations, maintenance, the construction of conservation or flood protection projects and any other legal purposes as may be determined valid by the board. The treasurer shall review all disbursements of the district and monthly submit its recommendation to the board for review and approval to disbursing funds. All Levee District obligations, regardless of the amount, must be paid by official District check. Disbursement checks shall be co-signed by any two members of the Executive Committee.

VII. REIMBURSEMENTS TO BOARD MEMBERS

- A. Board members shall receive no compensation other than per diem, mileage and travel reimbursement, as provided in Subsections B, C, and E of this section with approval of the Board.
- B. **Per diem**, Board members may receive a per diem equal to the rate allowed under R.S. 38:308 for their attendance at regular, special and committee meetings.
- C. **Mileage**, In addition to per diem, each board member may be paid a mileage allowance for travel going to and from their residence or customary place of business at the mileage reimbursement rate used by the Louisiana Legislature (the standard mileage rate used to calculate the deductible costs of operating an automobile for business as provided by Internal Revenue Service, from time to time) to attend to official business of the board within the State of Louisiana.
- D. **Expense reports** may be submitted to the Treasurer or his designee detailing expenses incurred, including receipts for other travel expenses and purpose of the incurred expenses.
- E. **Travel expenses** shall be paid in accordance with Louisiana Office of State Purchasing and Travel Guidelines, as modified by the Board from time to time.

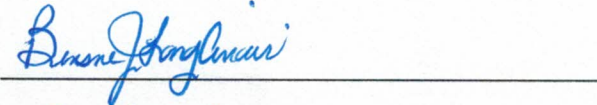
VIII. PURCHASING

Purchasing guidelines for the District shall be contained in the District's written employment manual or other written document, as may be approved, amended and modified from time-to-time by the board.


We the undersigned members of the Iberia Parish Levee, Protection and Conservation District approve and empower these by-laws on February 5, 2015.



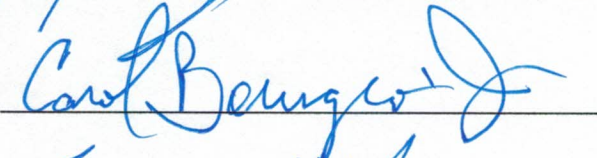
Ronald Gonsoulin
Appointed by Iberia Parish Council



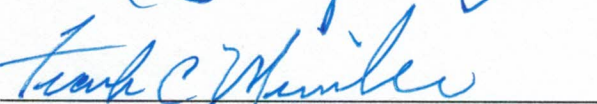
Ben Langlinais
Appointed by Twin Parish Port



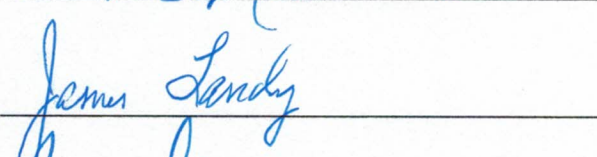
Todd Landry
Appointed by Village of Loreauville



Carol Bourgeois
Appointed by City of Jeanerette



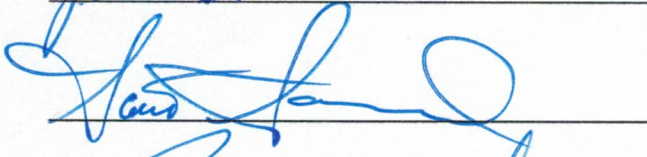
Frank Minvielle
Appointed by Port of Iberia



James Landry
Appointed by City of New Iberia



James Stein
Appointed by Iberia Parish Council



Scott Saunier
Town of Delcambre



Patrick Broussard
Appointed by Iberia Parish Council

*Iberia Parish Levee, Hurricane,
and Conservation District*

*James Stein
Chairman*

*Benson Langlinais
Vice-Chairman*

AN EXTRACT OF THE MINUTES OF THE IBERIA PARISH LEVEE, HURRICANE, AND CONSERVATION DISTRICT, TAKEN AT A REGULAR MEETING HELD ON THURSDAY, JULY 9, 2015.

A motion was made by Mr. Patrick Broussard, seconded by Mr. Jimmy Landry, that the following be adopted:

RESOLUTION NO. 2015-29

A RESOLUTION AMENDING ARTICLE IV OF THE BY-LAWS OF THE DISTRICT TO CHANGE THE FOLLOWING... "THE FISCAL YEAR OF THE AUTHORITY SHALL BE FROM THE FISCAL YEAR FROM JANUARY 1ST THROUGH DECEMBER 31ST TO READ AS "THE FISCAL YEAR OF THE AUTHORITY SHALL BE FROM JULY 1ST TO JUNE 30TH" ALL AS RECOMMENDED BY THE ACCOUNTANT.


This Resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: James Stein, Patrick Broussard, Benson Langlinais, Scott Saunier, Alfred "Todd" Landry, and James Landry.
NAYS: None.
ABSENT: Frank Minvielle and Ronald Gonsoulin.

And the Resolution was therefore passed on this 9th day of July, 2015.

ATTEST: A true and correct copy of a Resolution adopted by the Iberia Parish Levee, Hurricane, and Conservation District taken at a Regular Meeting held on Thursday, July 9, 2015.

IN FAITH WHEREOF, I have hereunto set my hand and the official seal of the District on this 17th day of July, 2015.



Ray Fremin, Jr., Executive Director

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www.iberiaparishlevee.com

