

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

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

December 19, 2017

MEMBERS PRESENT DURING ROLL CALL: Ben Babin, Jerry Thibeau, David Hoover, Lionel Bailey, Matt Milazzo, Don Thompson, Kenneth "Wade" Welborn

MEMBERS ABSENT: Burrell Carter, Willie George Lee, James Little, Larry Thomas, Tamiara Wade

Vacancy: East Feliciana Parish

ALSO PRESENT: ARBC Executive Secretary Toni Guitrau, ARBC Legal Counsel Larry Bankston, DOTD Chris Knotts and Susan Douglas

Not Present: Executive Director Dietmar Rietschier

1. The meeting was called to order at 6:05 p.m. by Babin.
2. Prayer/Pledge of Allegiance.
3. Public Comments on Agenda Items: None
4. 2016-17 Audit Report: John McKowen, CPA: The audit reflected no violations of state rules or deficiencies in the financial statements. In the opinion of the auditor the ARBC is in compliance with all applicable state and federal laws and the Legislative Auditors Office, as well as internal controls of financial matters within the district. The Board is in process of preparing the required Policy and Procedures as suggested by Mr. McKowen and required by the Legislative Auditor. This will be placed on the January 2018 ARBC Agenda. The Board unanimously approved a motion by Thompson, second by Hoover to accept the audit report as presented.
5. Minutes
The Board unanimously approved a motion by Hoover, second by Thibeau to approve the November 2017 regular meeting minutes as presented.
6. Financial Statement Report:
 - Hoover presented to the Board the November 2017 General Fund and CRDC Fund financial statements. The Board unanimously approved a motion by Thibeau, second by Thompson to approve the November 2017 General Fund and CRDC Fund financial statements.
7. Executive Director Report: None

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- Thompson said that Waste Management had contacted him about purchasing dirt after the first of 2018.
- Babin said he had a meeting with DOTD, Chris Knotts, and Rep. Hodges in regard to letters written about amending the CEA, or terminating the CEA. This was discussed because 50/50 match to purchase lands, LEERDS etc., is not sustainable by the ARBC. Babin said everything is under control and the CEA will not be terminated.
- Babin said work on the two bridges and utility relocation is getting closer. He mentioned Dr. Wade, ARBC Commissioner, had emailed him about the CEA out of concern for the Project.
- DOTD Susan Douglas: Regarding the CRDC Project, DOTD Real Estate is compiling the documentation for the Beech Grove farms and Bourque invoices. These will be submitted when complete, anticipated shortly. The only active land discussions taking place right now are around acquiring construction servitude associated with the Bypass Road tie ins at US61. There was a meeting with USACE design engineering to discuss updates to the US 61 bridges. These updates are necessary to bring the design, completed pre-2012, up to the current FHWA standards. Scour depths at US61 have been under discussion since late October, and scour will likely be reevaluated soon. Impacts to the relocations will be provided shortly as further details are known.

8. ARBC Legal Counsel

- Beech Grove Farms Hunting Lease: Sealed bids were opened. Being there was found to be a tie bid, following the discovery a submitted bid in the ARBC office that is under repairs, this item will be placed on the January 2018 Agenda for discussion on the process of bids resulting in a tie. Bidders will be notified by the ARBC counsel's office. This will be rebid following the January 2018 meeting.
- Bankston stated a letter has been drafted to the DOTD Secretary Wilson asking for at least a letter stating that Section 2.9, requiring 50/50 contribution, will not be enforced by DOTD. Chris Knotts said the ARBC would not have to put up 50% of the \$15 million that will be contributed by DOTD. Bankston said that it needs to be put in writing because ARBC does not have equal money. It needs to be based on funding availability each year. Knotts did not see a problem with providing a letter stating that Section 2.9 would not be enforced. Knotts said the PCA would need to be amended before the DOTD could contribute \$15 million and the ARBC \$11.5 million. At this point, it is theoretical. Bankston handed out a copy of an original letter sent from ARBC to Secretary Wilson regarding the request to amend the CEA. At present time, ARBC is liable for 50% of LEERDS. ARBC was concerned that going forward ARBC's legal obligation of 50% was unsustainable. ARBC had requested that the language be changed in the CEA. As a result of this letter, a meeting was called as Babin mentioned earlier. Babin said that at that meeting with DOTD, the ARBC agreed they do not want to terminate the CEA and neither does the DOTD. Babin stated ARBC wants confirmation it will not be liable for money it may not have in the future. They discussed a previous attempt had been made in July 2017 to meet with DOTD to discuss the CEA. Sixty days passed with no response. Then a response came from DOTD legal division saying this was being considered further up the line so ARBC sent them a draft CEA amendment to consider. ARBC received a response from DOTD's legal division saying their client, DOTD, had no interest in discussing this matter. This is when the termination letter from ARBC was sent. Babin said that a lack of communication was discussed at their meeting yesterday with DOTD.

9. Old Business: None

10. New Business:

No action was taken on agenda item "Discuss/Approval of Amendment No. 2 – Project Cooperation Agreement." It has to be approved in Washington and that has not happened as of yet.

11. The meeting was adjourned.

APPROVED:

/s/ Ben Babin, ARBC President

Date: January 16, 2018

/s/ Toni B. Guitrau, Executive Secretary