

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

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

March 20, 2018

MEMBERS PRESENT DURING ROLL CALL: Ben Babin, Jerry Thibeau, David Hoover, Lionel Bailey, Burrell Carter, James Little, Don Thompson, Tamiara Wade, Kenneth "Wade" Welborn

MEMBERS ABSENT: Willie George Lee, Matt Milazzo, Larry Thomas

Vacancy: East Feliciana Parish

ALSO PRESENT: ARBC Executive Director Dietmar Rietschier, ARBC Executive Secretary Toni Guitrau, ARBC Legal Counsel Larry Bankston

1. The meeting was called to order at 6:00 p.m. by Babin.
2. Prayer/Pledge of Allegiance.
3. Public Comments on Agenda Items:
4. Minutes

The Board unanimously approved a motion by Thibeau, second by Hoover to approve the February 2018 regular meeting minutes as presented.

5. Financial Statement Report:

- Hoover presented to the Board the February 2018 General Fund and CRDC Fund financial statements. The Board unanimously approved a motion by Thompson, second by Thibeau to approve the February 2018 General Fund and CRDC Fund financial statements.

6. Executive Director Report

- The USACE is scheduling a meeting on March 26, 2018 with the non-federal partners – LADOTD, ARBC and EBR City Parish to discuss the amendments to the Project Cooperative Agreement "PCA." This will allow for financial arrangements to proceed with utility relocations and construction of a railroad bridge and Hwy. bridge at the future crossing the canal at US Hwy. 61. (Phase 1).
- The Governor and our Washington delegation – Senators Cassidy and Kennedy and Representatives Graves and Richmond are coordinating our efforts to secure funds for the CRDC to be included in Appropriations bills going through Congress at this time.
- Discussed the Capital Outlay funds for the CRDC Project.
- Utility relocations are moving along on Hwy. 61. The Corps contacted ARBC in order to get some of the stockpile of dirt for the construction of bridges.
- Denham Springs Main Street "Exhibit of Waterways" wants ARBC to participate three to four months from now.
- DOTD Susan Douglas: Regarding the CRDC Project, the only active land discussions taking place right now are around acquiring construction servitude associated with the Bypass Road tie ins at US 61 and the permanent servitude needed for the Barnett Road relocation. USACE has determined that no construction servitude is necessary south of existing Barnett Road. Utility relocation designs are ongoing at this time.

7. ARBC Legal Counsel

- Bankston reported that EBR City Parish desires to use some of the material that ARBC has. They contacted him about entering into a Cooperative Endeavor Agreement with ARBC in order to use dirt at \$1.50/cy., as was done in the past for Ponchartrain Levee District. Discussed that as part of this agreement, they will improve the road that comes off of Irene Road so trucks can use it. It crosses two pipelines so the pipelines have to be hardened. This money would be outside of the scope of the taxes. He reminded the Board that ARBC keeps money separate that is not tax-driven money that can be available to do certain projects, studies, etc.
- HB 2 – Capital Outlay Bill: The governor is continuing to show his support for the CRDC Project. There is money in Capital Outlay for this project for the future and cash available in the hands of DOTD.
- It was suggested that on a quarterly basis, ARBC holds a meeting in Ascension, EBR, and Livingston Parishes in order to involve the public. The Board discussed that the meetings be outreach meetings instead of regular session meetings. Bankston mentioned going to Zachary, Central, Denham Springs may be helpful.

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- SB 421: ARBC is a drainage board and falls under Title 38 which allows it the authority to select its own attorney. The levee board association formally opposes this bill as it could eventually affect them and other such boards. (Resolution 1136 under New Business below). This is similar to the Ponchartrain Levee District has done which is to say they want to continue to have this authority to select our own attorney. Bankston said his contract does not come up for renewal until July 2018. In 2010, his hourly fee was \$150/hour. In 2015, it increased to \$175/hour. He did not change to the higher rate as per the AG suggested rates. The vast majority of expenses for legal work were on the class action lawsuit that lasted 4 years. We went eleven times to the First Circuit, three times to the Supreme Court, and it was a two week jury trial. 40% of fees paid to Bankston and Associates were on this one case.
8. Old Business: None
9. New Business:
- Resolution 1136 – concerning pending legislation: The Board of Commissioners of Amite River Basin Drainage and Water Conservation District (the "Governing Authority"), in regular session assembled, formally oppose the enactment of Senate Bill 421 as unnecessary interference with the independent operation of the Board. Further, the Board authorizes the President and other members of the Board to appear at any legislative hearing and oppose the enactment of Senate Bill 421. This resolution having been submitted to a vote, on motion by Thibeau, seconded by Wade, thereon as follows:
YEAS: Ben Babin, Jerry Thibeau, David Hoover, Lionel Bailey, James Little,
Don Thompson, Tamiara Wade, Wade Welborn
NAYS: None
ABSENT: Willie George Lee, Matt Milazzo, Larry Thomas
ABSTAIN: Burrell Carter
Motion carries, and the resolution was declared adopted on this 20th day of March, 2018.
 - Replacement of one office computer and two printers: One office computer crashed. Ink cartridges for the two old printers can no longer be purchased, and refurbished cartridges leave ink marks on all documents printed. The cost of replacement for all three is \$2175.
 - Bankston will research as to whether the trailer owned by ARBC located on Tract 46 can be bid out to be moved since it was previously determined to be non-movable.
10. The meeting was adjourned.

APPROVED:

/s/ Ben Babin, ARBC President
Date: April 17, 2018

/s/ Toni B. Guitrau, Executive Secretary