DRAFT

**REGULAR MEETING**

**December 2, 2020**

The Board of Commissioners for the Lafourche Basin Levee District met this day in regular session at its official domicile at 21380 Highway 20 in Vacherie, Louisiana. The public was invited to attend via Teleconference and at the LBLD office in accordance with the Louisiana Governor’s Proclamation Number 117-JBE 2020 Renewal of State Emergency for COVID-19, Extension of Emergency Provisions, LBLD office access is limited to 50% of the total occupancy as determined by the State Fire Marshal, which is 44 individuals at one time, including our employees. Every individual SHALL wear a face covering over the nose and mouth when entering the building. You can refer to gov.louisiana.gov for guideline exceptions. The meeting was called to order by its President, James P. Jasmin, at 6:00 P.M.

The meeting was called to order by President James P. Jasmin.

The meeting opened with a prayer and the pledge of allegiance to the flag.

Present: Commissioners… Craig Carter, Assumption Parish; Larry Sorapuru, St. John the Baptist Parish; Russell Loupe, St. Charles Parish; Eric Matherne, St. Charles Parish; Michael McKinney, Sr., Ascension Parish; Arthur Bosworth IV, St. James Parish; Gary Watson, St. John the Baptist Parish; President James P. Jasmin, St. James Parish; Jeffery Henry, Ascension Parish; Marlin Rogers, St. Charles Parish and Kevin Hebert, St. Charles Parish were present.

A quorum was present to conduct business.

Messrs. Larry Buquoi, Attorney; Donald Ray Henry, Executive Director; Ivy Chauvin, Sr., Assistant Executive Director; and Ms. Melanie Broden Accounting Specialist were present.

Adoption of the adjusted agenda was motioned by Vice-President Craig Carter and seconded by Commissioner Michael McKinney, Sr. President Jasmin called for a roll call vote. Roll call vote thereon as follows:

YEAS:

* Michael McKinney, Sr.
* Arthur Bosworth IV
* Larry Sorapuru
* Russell Loupe
* Gary Watson
* Jeffery Henry
* Craig Carter
* Eric Matherne
* Marlin Rogers
* Kevin Hebert
* James P. Jasmin

NAYS: None

ABSENT: None

ABSTAINED: None

By a roll call vote of 11 yeas, 0 nay, 0 absent and 0 abstained. The motion passed by unanimous vote.

There were no public comments on the agenda items.

On motion of Commissioner Michael McKinney, Sr., seconded by Commissioner Arthur Bosworth IV, the minutes of the Regular Meeting of December 2, 2020 be accepted and filed in the minutes of the Board.

President Jasmin called for a roll call vote. Roll call vote thereon as follows:

YEAS:

* Michael McKinney, Sr.
* Arthur Bosworth IV
* Larry Sorapuru
* Russell Loupe
* Gary Watson
* Jeffery Henry
* Craig Carter
* Eric Matherne
* Marlin Rogers
* Kevin Hebert
* James P. Jasmin

NAYS: None

ABSENT: None

ABSTAINED: None

By a roll call vote of 11 yeas, 0 nay, 0 absent and 0 abstained. The motion passed by unanimous vote.

On motion of Commissioner Jeffery Henry, seconded by Commissioner Gary Watson, the following cash available for distribution of the month of November 30, 2020 be accepted and filed in the minutes of the Board.

**FIRST AMERICAN BANK:**

**Checking account balance Oct. 2020 $ 444,704.55**

**Deposits/Transfer In – Nov.**

**Revenues/Refund 21,093.94**

**Interest on Checking 14.93**

**Funds transferred in 308,193.83 Operating Expenses/Other 546,186.54**

**Funds transferred out 0.00**

**TOTAL ACCOUNT BALANCE NOV. 30, 2020 $ 227,820.71**

**LAMP**

**Account balance – Oct. 2,226,178.78**

**Funds transferred in 0.00**

**Funds transferred out 308,193.83**

**Interest Income Earned 178.48**

**TOTAL ENDING BALANCE NOV. 30, 2020 $ 1,918,163.43**

**INVESTMENTS: BNY**

**Discount Notes/T-Bills/Bonds 5,340,610.61**

**TOTAL CASH & INVESTMENTS AS OF NOV. 30, 2020 $ 7,486,594.75**

No public comments were made. President Jasmin called for a roll call vote. Roll call vote thereon as follows:

YEAS:

* Michael McKinney, Sr.
* Arthur Bosworth IV
* Larry Sorapuru
* Russell Loupe
* Gary Watson
* Jeffery Henry
* Craig Carter
* Eric Matherne
* Marlin Rogers
* Kevin Hebert
* James P. Jasmin

NAYS: None

ABSENT: None

ABSTAINED: None

By a roll call vote of 11 yeas, 0 nay, 0 absent and 0 abstained. The motion passed by unanimous vote.

On motion of Commissioner Larry Sorapuru, seconded by Vice-President Craig Carter, the following resolution was proposed and unanimously approved.

BE IT RESOLVED, that the Board of Commissioners approve the invoice from C. J. Savoie Consulting Engineers, Inc. for the amount of $34,650.00.

President Jasmin called for a roll call vote. Roll call vote thereon as follows:

YEAS:

* Michael McKinney, Sr.
* Arthur Bosworth IV
* Larry Sorapuru
* Russell Loupe
* Gary Watson
* Jeffery Henry
* Craig Carter
* Eric Matherne
* Marlin Rogers
* Kevin Hebert
* James P. Jasmin

NAYS: None

ABSENT: None

ABSTAINED: None

By a roll call vote of 11 yeas, 0 nay, 0 absent and 0 abstained. The motion passed by unanimous vote.

On motion of Commissioner Eric Matherne, seconded by Commissioner Marlin Rogers, the following resolution was proposed and unanimously approved.

BE IT RESOLVED, that the Board of Commissioners approve the proposal by the United States Army Corps of Engineers for Right of Entry for construction, maintenance and monitoring purposes in the West Bank and Vicinity, LA, Mitigation Project, Bottomland Hardwood Restoration and Preservation, St. Charles Parish, Louisiana. President Jasmin called for a roll call vote. Roll call vote thereon as follows:

YEAS:

* Michael McKinney, Sr.
* Arthur Bosworth IV
* Larry Sorapuru
* Russell Loupe
* Gary Watson
* Jeffery Henry
* Craig Carter
* Eric Matherne
* Marlin Rogers
* Kevin Hebert
* James P. Jasmin

NAYS: None

ABSENT: None

ABSTAINED: None

By a roll call vote of 11 yeas, 0 nay, 0 absent and 0 abstained. The motion passed by unanimous vote.

On motion of Commissioner Michael McKinney, Sr., seconded by Vice-President Craig Carter, the following resolution was proposed.

BE IT RESOLVED, that the Board of Commissioners approve to make the remainder of the Assistant Executive Director, Ivy Chauvin, 7-year contract enforceable.

Commissioner Eric Matherne asked how Mr. Chauvin’s contract will be enforced. Attorney Larry Buquoi explained that the contract currently in effect does not go beyond the term of the Governor. Mr. Donald Henry’s contract went beyond the term of the Governor so that is why we amended it to the term of Governor. Mr. Buquoi stated he doesn’t know the correct legal terms. He would say the contract is already enforceable because it ends already as it before the end of the term of the Governor. Because of that, you could draw a new contract up today until the end of the term which can make it enforceable. It all depends on what goal you are trying to accomplish. You could draw up a new contract and end it at the original date or you can draw up a new one and end it any date up to the end of the term of the Governor. Commissioner Matherne asked if anything came back on the question to the Attorney General. Mr. Buquoi stated no, they are backed up. President Jasmin asked if the Executive Director, Donald Henry, had any comments. Mr. Henry stated that items 10 and 11 on the agenda are both positive items. Neither are negative. Both are self explanatory. When both contracts were drawn up, they were both for the length of seven years. The Attorney General basically said that the contracts were no good because they went pass the term of the Governor. Both agenda items will help Mr. Chauvin and give him the protection he needs as an employee. Commissioner Michael McKinney, Sr. made the motion to make the remainder of the Assistant Executive Director, Ivy Chauvin, 7-year contract enforceable. Vice-President Craig Carter seconded his motion. President Jasmin called for a roll call vote. Roll call vote thereon as follows:

YEAS:

* Michael McKinney, Sr.
* Arthur Bosworth IV
* Larry Sorapuru
* Russell Loupe
* Gary Watson
* Jeffery Henry
* Craig Carter
* Kevin Hebert
* James P. Jasmin

NAYS:

* Eric Matherne
* Marlin Rogers

ABSENT: None

ABSTAINED: None

By a roll call vote of 9 yeas, 2 nay, 0 absent and 0 abstained. The motion passed.

On motion of Commissioner Marlin Rogers, seconded by Commissioner Eric Matherne, the following resolution was proposed.

BE IT RESOLVED, that the Board of Commissioners approve to amend or not amend the original employment contract of Ivy Chauvin, which was approved by the Board on August 6, 2014 with an effective date of August 6, 2014 and amended on October 8, 2015, February 7, 2018 and September 4, 2019, from a seven-year contract for services to a contract for services that will terminate at the end of the present term of the Governor of the state of Louisiana.

President Jasmin called for a roll call vote. Roll call vote thereon as follows:

YEAS:

* Russell Loupe
* Eric Matherne
* Marlin Rogers
* Kevin Hebert

NAYS:

* Michael McKinney, Sr.
* Arthur Bosworth IV
* Larry Sorapuru
* Gary Watson
* Jeffery Henry
* Craig Carter
* James P. Jasmin

ABSENT: None

ABSTAINED: None

By a roll call vote of 4 yeas, 7 nay, 0 absent and 0 abstained. The motion failed.

Mr. Henry Picard with BKI gave the highlights on the Upper Barataria Project. There is a full report in the folders. Davis Diversion – reimbursement from CPRA is still being continued. Sunset Levee – (Reach 5-B) St. Charles Parish held a stakeholder meeting for the impacted residents. The residents voiced concerns. The design team are addressing the comments, but their recommendations for alternative alignments are not cost effective. Barge Gate – Corps study may effect design elevation for 100 year protection. Highway 90 Tie-In – Surveying and geotechnical field work is complete. Gulf South is working on the analysis to be prevented this week. Permit – Coordinating effort to conduct Wetland Delineation for Comprehensive Permit. Currently reviewing DNR question sheet to work on permit application. BKI and CPRA attended a video meeting with USACE to review the results from the UBRR Study. Anticipated final report release is in Spring 2021.

President James Jasmin informed the Board that there was an item to discuss to be added to the agenda.

On motion of Vice-President Craig Carter, seconded by Commissioner Arthur Bosworth IV, the following resolution was proposed and unanimously adopted.

BE IT RESOLVED, that the Board of Commissioners approve to amend the December 2, 2021 agenda.

President Jasmin called for a roll call vote. Roll call vote thereon as follows:

YEAS:

* Michael McKinney, Sr.
* Arthur Bosworth IV
* Larry Sorapuru
* Russell Loupe
* Gary Watson
* Jeffery Henry
* Craig Carter
* Eric Matherne
* Marlin Rogers
* Kevin Hebert
* James P. Jasmin

NAYS: None

ABSENT: None

ABSTAINED: None

By a roll call vote of 11 yeas, 0 nay, 0 absent and 0 abstained. The motion passed by unanimous vote.

Mr. Donald Henry explained to the Board that there is a tree in St. Charles Parish that can be located on the Board’s Right Of Way that is in immediate need of attention. Mr. Rodney Greenup is researching if it is our land or not. If the tree is on the Board’s land, we will need to get a contractor out immediately to cut the tree down before it falls on someone’s property and cause damage. A discussion took place. Commissioner Larry Sorapuru suggested that the Board informs St. Charles City Council of the tree. Mr. Buquoi stated that if it is our property, it’s our responsibility. If it is not our property, then it is not. But if it can not be determined whose property the tree falls on from the records, then the Board, out of good faith, can speak with the homeowner that is threatened by the tree and see if the costs can be shared to take the tree down. Commissioner Marlin Rogers made the motion to allow the Executive Director to take immediate action on the tree if it is discovered to be on the Board’s property. The motion was seconded by Commissioner Larry Sorapuru.

On motion of Commissioner Marlin Rogers, seconded by Commissioner Larry Sorapuru, the following resolution was proposed and unanimously approved.

BE IT RESOLVED, that the Board of Commissioners allow the Executive Director to take immediate action on the tree if it is discovered to be on the Board’s property. President Jasmin called for a roll call vote. Roll call vote thereon as follows:

YEAS:

* Michael McKinney, Sr.
* Arthur Bosworth IV
* Larry Sorapuru
* Russell Loupe
* Gary Watson
* Jeffery Henry
* Craig Carter
* Eric Matherne
* Marlin Rogers
* Kevin Hebert
* James P. Jasmin

NAYS: None

ABSENT: None

ABSTAINED: None

By a roll call vote of 11 yeas, 0 nay, 0 absent and 0 abstained. The motion passed by unanimous vote.

Commissioner Michael McKinney, Sr. made a motion to adjourn and Commissioner Arthur Bosworth IV seconded his motion.

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PRESIDENT

AJ

12/07/2020