DRAFT

**REGULAR MEETING**

**May 5, 2021**

 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 79- JBE 2021 Renewal of State Emergency for COVID-19, Extension of Emergency Provisions, LBLD office access is limited to 75% of the total occupancy as determined by the State Fire Marshal, 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. and Ms. Melanie Broden, Accounting Specialist, were present.

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

YEAS:

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

NAYS:

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

ABSENT: None

ABSTAINED: None

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

 There were no public comments on the agenda items.

 On motion of Commissioner Eric Matherne, seconded by Commissioner Michael McKinney Sr., the minutes of the Regular Meeting of April 7, 2021 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 Vice-President Craig Carter, seconded by Commissioner Jeffery Henry, the minutes of the Special Meeting of February 10, 2021 and the minutes of the Special Meeting of March 31, 2021 be accepted and filed in the minutes of the Board.

Commissioner Marlin Rogers informed the Board of a mistake on the March 31, 2021 Special Meeting minutes. He was present on the phone line and for the adoption of the agenda vote, 3 people are listed as saying nay, but should be marked absent. Once the corrections are made, the minutes will be considered approved to be posted.

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 Marlin Rogers, seconded by Commissioner Arthur Bosworth IV, the following cash available for distribution of the month of April 30, 2021 be accepted and filed in the minutes of the Board.

**FIRST AMERICAN BANK:**

 **Checking account balance Mar. 2021 $ 526,088.01**

 **Deposits/Transfer In – Apr.**

**Revenues/Refund 19,713.58**

 **Interest on Checking 15.09**

 **Funds transferred in 0.00 Operating Expenses/Other 379,724.88**

 **Funds transferred out 0.00**

 **TOTAL ACCOUNT BALANCE APR. 30, 2021 $ 166,091.80**

**LAMP**

 **Account balance – Mar. 5,078,107.71**

 **Funds transferred in 0.00**

 **Funds transferred out 0.00**

 **Interest Income Earned 231.62**

 **TOTAL ENDING BALANCE APR. 30, 2021 $ 5,078,339.33**

**INVESTMENTS: BNY**

 **Discount Notes/T-Bills/Bonds 5,346,987.53**

**TOTAL CASH & INVESTMENTS AS OF APR. 30, 2021 $ 10,551,418.66**

 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 Commissioner Gary Watson, the following resolution was proposed and approved.

BE IT RESOLVED, that the Board of Commissioners approve to hire a lobbyist or attorney at the rate not to exceed $300.00/hour per hour, to represent the Lafourche Basin Levee District and make appearances on its behalf in hearings, committee meetings and all other meetings/sessions of the 2021 Legislative Session, to represent the Lafourche Basin Levee District concerning any proposed new laws and/or statutes and/or any proposed changes to the present law and statutes that will be or have been presented for consideration during the Louisiana 2021 Legislative Session that could affect the present structure of the Lafourche Basin Levee District. If passed, the President and the Director are authorized to select the said lobbyist or attorney and sign a Professional Services Agreement with said person.

Commissioner Larry Sorapuru made a submotion to agenda item #9 that stated the Board of Commissioners approve to hire or not to hire a lobbyist or attorney at the rate not to exceed $300.00/hour per hour, to represent the Lafourche Basin Levee District and make appearances on its behalf in hearings, committee meetings and all other meetings/sessions of the 2021 Legislative Session, to represent the Lafourche Basin Levee District concerning any proposed new laws and/or statutes and/or any proposed changes to the present law and statutes that will be or have been presented for consideration during the Louisiana 2021 Legislative Session that could affect the present structure of the Lafourche Basin Levee District. If passed, the President and the Director are authorized to select the said lobbyist or attorney and sign a Professional Services Agreement with said person. It was seconded by Commissioner Gary Watson. Commissioner Rogers stated there isn’t a lot of transparency when the email with the agenda goes out close to 6pm the night before. He believes his Senator and Representative can represent him perfectly fine. What is the intention of hiring a lawyer? What will the cost be? Commissioner Kevin Hebert asked why the Board attorney, Mr. Larry Buquoi, wasn’t representing them? Mr. Buquoi stated that because of the bill in the legislature is for separating the levee district, he can’t defend just one side. He represents and defends the whole. Commissioner Rogers asked Mr. Buquoi when did he first hear anything about hiring an outside lawyer when they just heard about it last night. Mr. Buquoi stated that about a month ago he was contacted about it. Commissioner Rogers asked Mr. Donald Henry why they didn’t know about it. Mr. Henry informed Commissioner Rogers that it wasn’t transparent when St. Charles Parish decided to take steps to separate, and he wasn’t informed. Once he did find out, he went to seek legal advice from the Board’s attorney as well as gathered other information in preparation. He contacted Mr. Buquoi to ask what would happen if the bill was filed. The bill wasn’t filed until after 5 late yesterday which was why the agenda changed so late. The Board needs legal representation to understand the bill and to defend them. For St. Charles Parish to leave Lafourche Basin Levee District is very serious business. We would lose 25 workers and 65% of the budget. Commissioner Rogers asked why he was yelling at him. Mr. Henry stated that he was hollering. His secretary that does the minutes asked him to speak louder so that she can hear him more clearly. This is not a personal matter to himself but a serious business problem that he, as the Executive Director, need to take seriously to be able to apprise the President of what is going on and to be effective in his leadership.

President Jasmin called for a roll call vote on substituting the motion to add to the agenda. Roll call vote thereon as follows:

YEAS:

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

NAYS:

* Eric Matherne
* Marlin Rogers
* Kevin Hebert

ABSENT: None

ABSTAINED: None

By a roll call vote of 8 yeas, 3 nay, 0 absent and 0 abstained. The motion passed.

President Jasmin called for a roll call vote to accept the motion. Roll call vote thereon as follows:

YEAS:

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

NAYS:

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

ABSENT: None

ABSTAINED: None

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

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

BE IT RESOLVED, that the Board of Commissioners approve for the Executive Director to attend the Association of Levee Boards of Louisiana Workshop on May 6-7, 2021.

Commissioner Matherne informed the Board that they would be able to listen virtually from their computers to the meetings. 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 Gary Watson, seconded by Commissioner Larry Sorapuru, the following resolution was proposed and tabled.

BE IT RESOLVED, that the Board of Commissioners approve a certain Professional Services Agreement for Land Rights Acquisition Services between Lafourche Basin Levee District and MB3, Inc. d/b/a Civix to provide professional services for the acquisitions of various land rights for the Sunset Levee Lift Project, including, but not limited to securing temporary right-of-way agreements from affected landowners and letters of no objection from relevant pipeline companies necessary for construction of the proposed Sunset Levee Lift and authorize the President of the Board to execute said contract with MB3, Inc. d/b/a Civix.

Commissioner Gary Watson made the motion to table and defer this item to the Committee Meeting. He still has questions he would like answered before they vote on the item. Commissioner Larry Sorapuru 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
* Gary Watson
* Jeffery Henry
* Craig Carter
* Eric Matherne
* Marlin Rogers
* Kevin Hebert
* James P. Jasmin

NAYS:

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

ABSENT: None

ABSTAINED: None

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

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

BE IT RESOLVED, that the Board of Commissioners approve to renew insurance with Tommy Landry and Luke Landry with Arthur J. Gallagher.

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 Larry Sorapuru, the following resolution was proposed and unanimously approved.

BE IT RESOLVED, that the Board of Commissioners approve f the renewal of Wayne Theall’s, External Accountant, contract; contract terminates on May 31, 2021.

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 Arthur Bosworth IV, the following resolution was proposed and tabled.

BE IT RESOLVED, that the Board of Commissioners approve the purchase of a John Deere 5125R Tractor with loader for $89,377.80, a John Deere 5125R Tractor for $79,479.20, and a R15 John Deere Mower for $23,041.98, all on state contract.

Commissioner Jeffery Henry made the motion to table and defer this item to the Committee Meeting so that there can be further consideration of the cost. Commissioner Arthur Bosworth IV 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
* 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. Nicholas Matherne with BKI gave the highlights on the Upper Barataria Project. There is a full report in the folders. Davis Diversion – 30% Design and Permitting have been signed by Ignacio Harrouch for payment. The checks are being processed by CPRA’s accounting department. Geotech monitoring error was submitted. A corrected and signed document has been submitted to CPRA for signature and reimbursement processing. Sunset Levee – DNR Permit Analyst has submitted permit to Administrator for signature/issuance. Gulf South submitted the report on April 30th to CPRA for review. CPRA has submitted draft IGA for LBLD to review. A conference call with Chevron will take place on May 4th to discuss Construction Access Routes. Barge Gate –Held WebEx meeting on April 14, 2021 to discuss hydraulics needs for cross-section of Barge Floodgate. Hydraulic and Hydrologic Modeling scope being finalized with CPRA this week for review by LBLD. Final Design Tasks to be proposed in June after H & H model completion. Capital Outlay – $3 million request not included in initial Capital Outlay bill. Delegation looking into putting it back on the bill or adding Watershed Funding.

Commissioner Jeffery Henry made a motion to adjourn and Commissioner Michael McKinney, Sr. seconded his motion.

 **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 PRESIDENT

AJ

05/12/2021