

REGULAR MEETING
October 10, 2018

The Board of Commissioners for the Lafourche Basin Levee District met this day in regular session at its official domicile at 21380 Hwy. 20 in Vacherie, Louisiana and was called to order by its President James P. Jasmin, at 6:00 p.m.

Present: COMMISSIONERS... President James P. Jasmin, St. James Parish; Stanley Folse, St. James Parish; Kevin Hebert, St. Charles Parish; Jeffery Henry, Ascension Parish; Whitney Jasmin, Jr., St. John the Baptist Parish; Russell Loupe, St. Charles Parish; Michael McKinney, Sr., Ascension Parish; Eric Matherne, St. Charles Parish; Marlin Rogers, St. Charles Parish were present. Craig Carter, Assumption Parish and Gary Watson, St. John the Baptist Parish was absent.

A quorum was present to conduct business.

Messrs. Larry Buquoi, Attorney; Ivy Chauvin, Sr., Assistant Executive Director and Sara Long, Human Resource Specialist were present. Executive Director Donald Ray Henry was absent.

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

There were no audience comments in reference to agenda items.

On motion of Commissioner Michael McKinney, Sr., seconded by Commissioner Kevin Hebert and unanimously approved, the minutes of the Regular meeting September 5, 2108 be accepted and filed in the minutes of the Board.

Commissioner Rogers asked to deviate from the agenda to move up item #11 - Approval to authorize the Think Pink Bike Ride. Mrs. Constant Carter was present in the audience related to this item.

On motion of Commissioner Marlin Rogers, seconded by Commissioner Jeffery Henry, the following resolution was proposed and unanimously adopted.

BE IT RESOLVED that the request from Mrs. Constance Carter for the 1st Annual Think Pink Bike Cancer Awareness Ride on Saturday, October 20, 2018 held at 5:30 pm starting at the West Bank Bridge Park ride along the levee to Fashion Plantation Subdivision back to levee ending at the West Bank Bridge Park, with signed hold harmless agreement and a valid \$1,000,000 liability insurance policy, be granted.

On motion of Commissioner Jeffery Henry, seconded by Commissioner Kevin Hebert, and unanimously approved, the following report of cash available for distribution of the month of September, 2018 be accepted and filed in the minutes of the Board.

FIRST AMERICAN BANK:		
Checking account balance August 2018		159,146.58
Deposits: Revenues/Refund		544,092.58
Matured D-Notes		.00
Interest on Checking		14.71
Funds Transferred In		.00
Total Cash Available	\$	703,253.87
Cash Disbursements: Operating Expenses		619,698.66
Purchased D-Notes		.00
Funds Transferred Out		.00
FIRST AMERICAN BANK BALANCE Sept. 30, 2018		83,555.21
INVESTMENTS: Discount Notes		9,838,013.42
TOTAL BOOK BALANCE FOR: Sept. 30, 2018	\$	9,921,568.63

Commissioner Stanley Folse, Mr. Chairman this is the same vehicle we spoke at length about in the committee meeting so I move to except the sole bid. Commissioner Michael McKinney, Sr. seconded. Commissioner Marlin Rogers expressed that the board did discuss it at previous committee Meeting, Mr. Folse is correct about that, but vehicle is not needed at this time. Commissioner Kevin Hebert agreed with Commissioner Marlin Rogers, If it does pass I want to clarify for the record this was presented as vehicle for Ivy Chauvin not for anyone else. I want the record to state that. I'm against purchasing a vehicle for Ivy or anyone, it is not needed. I want to know what we are voting on. Commissioner Jeffery Henry stated what they are talking about is moving the vehicles as done in the past. Did not state the vehicle was for Ivy. Put Ivy's vehicle up for auction, Ivy would get Executive Director vehicle and Executive Director get new vehicle. Commissioner Stanley Folse agreed with Commissioner Jeffery Henry. Commissioner Kevin Hebert disagreed was not presented that way on the agenda that way. Commissioner Stanley Folse called for question on the vote. Commissioner Kevin Hebert stated we going to straighten that out in a minute. Commissioner Marlin Rogers stated if we want to follow Robert Rules of Order. Commissioner Stanley Folse interrupted stating that we got to vote on question, it is a privilege motion. Commissioner Marlin Rogers read frequent asked questions about Robert's Rules of Order Newly Revised (RONR)

Question: Must debate on a motion stop immediately as soon as any member calls the question?

Answer: It is fairly common misconception that, after debate has continued for some time, if any member shouts out "Question!" or "I call the questions!" debate must immediately cease and the chair must put the pending question to a vote. This is simply not the case. Any member who wishes to force an end to debate must first obtain the floor by being duly recognized to speak by the chair, and must then move the Previous Question. Such a motion must be seconded, and then adopted by a two-thirds vote, or by unanimous consent. It is not in order to interrupt a speaker with cries of "Question" or "Call the Question, " and even if no one is speaking, it is still necessary to seek recognition.

President James P. Jasmin called on Boards Legal Attorney Larry Buquoi who stated has to have a 2/3 vote reason for that is because no one should be deprived the right to have a debate or have the right to say what they want to say. So if a person calls for a question there must be a second at that time. If it passes by a 2/3 vote then you can go on and vote. If it doesn't pass by a 2/3 vote discussion can continue on the matter.

Commissioner Stanley Folsie made a motion to seize debate and vote, Commissioner Michael McKinney, Sr. seconded the motion. Commissioner Stanley Folsie withdrew his motion and Commissioner Michael McKinney, Sr. withdrew with his second to the motion.

Commissioner Kevin Hebert stated that for over 2 ½ years he has asked the board on clarification of agenda before we vote. I am positive that when this came up it was on the agenda to replace Ivy Chauvin vehicle. We can go back at the agenda and that is what you will find. President James Jasmin said they are following common practice as we always passed it on. Only alternative we have it to table this and take no action. We can back through the records and see how it was stated. That is the only suggestion I have. Commissioner Stanley Folsie stated that is very well right it was to replace Ivy's vehicle, nothing to say what vehicle he would have. Commissioner Jeffery Henry made a motion to table this agenda item, Commissioner Michael McKinney, Sr. seconded the motion.

Assistant Executive Director Ivy Chauvin asked to speak, we advertised for bids and they won the bid. Do we have a certain time we have to purchase vehicle? Do we have to give bond deposit back? Commissioner Michael McKinney, Sr. asked what is our time frame to purchase? Boards Legal Attorney Larry Buquoi offered a suggestion to accept the bid and decide who gets the vehicle at a later time by the Board.

On motion of Commissioner Kevin Hebert, seconded by Commissioner Michael McKinney, Sr., the following resolution was proposed.

BE IT RESOLVED that the Board of Commissioners approve the bid for the 2019 Ford Expedition.

Roll Call Vote thereon as follows:

YEAS: Stanley Folsie, Jeffery Henry, Michael McKinney, Sr., James Jasmin

NAYS: Russell Loupe, Eric Matherne, Whitney Jasmin, Marlin Rogers, Kevin Hebert

ABSTAINED: None

ABSENT: Craig Carter, Gary Watson

By a roll call vote of 4 yeas, 5 nays, 0 abstained and 2 absent the motion failed.

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

BE IT RESOLVED that the Board of Commissioners authorize the proposal for the U.S Army Corps of Engineers to conduct environmental/vegetative surveys in connection with the Mississippi River and Tributaries, Supplemental Environmental Impact Statement, Mississippi River Levees Project, ROE along with ingress and egress in order to conduct surveys, be granted.

On motion of Commissioner Stanley Folsie, seconded by Commissioner Russell Loupe, the following resolution was proposed and unanimously adopted.

BE IT RESOLVED that St. Charles Parish President authorize the Lafourche Basin Levee District to begin operations and maintenance on portion of the West Bank Hurricane Protection Levee - Ellington Levee, St. Charles Parish, Louisiana from Station 70+00 to 93+50, be granted.

On motion of Commissioner Michael McKinney, Sr., seconded by Commissioner Jeffery Henry, the following resolution was proposed and unanimously adopted.

BE IT RESOLVED that the Board of Commissioners authorize the proposal from the U.S. Army Corps of Engineers for the right-of-way to construct the Mississippi River and Tributaries, Atchafalaya Basin Levee District and Lafourche Basin Levee District Seepage Control Project, B/L Station 6170+00 to B/L 50+00, Ascension Parish, Louisiana, ROE to include ingress and egress, be granted.

On motion of Commissioner Kevin Hebert, seconded by Commissioner Marlin Rogers, the following resolution was proposed and unanimously adopted.

BE IT RESOLVED that the Board of Commissioners authorize Anytime Fitness to hold their Bleed Purple 5K run/walk on the levee near the West Bank Bridge Park on Saturday, November 10, 2018 from 8:00 am - 11:00 in Luling, St. Charles Parish, Louisiana, with signed hold harmless agreement and a valid \$1,000,000 liability insurance policy be granted.

Mark Roberts, Burke Kleinpeter and Oneil Malbrough, GIS Engineering explained to the Board of Commissioners the process of submitting the application to the Capital Outlay for 2019-2020 and procedure state distributes monies allocated for projects. Questions were answered.

On motion of Commissioner Stanley Folsie, seconded by Commissioner Eric Matherne, the following resolution was proposed and unanimously adopted.

BE IT RESOLVED that the Board of Commissioners for Lafourche Basin Levee District authorize Burke Kleinpeter, Inc. (BKI), APTIM, and GIS Engineering (GIS) to prepare and submit the Capital Outlay Application to the Louisiana Division of Administration and agree to provide the amount of \$1,000,000 toward the \$4,000,000 Capital outlay Request for 2019-2010 for the Upper Barataria Risk Reduction Project, be granted.

On motion of Commissioner Eric Matherne, seconded by Commissioner Jeffery Henry, the following resolution was proposed and unanimously adopted.

BE IT RESOLVED that the Board of Commissioners authorize to purchase a Kubota ZD 1211-60 Mower on state contract in the amount of \$12,263.94 from Lemann's Farm Supply, Inc., be granted.

Mark Roberts, Burke Kleinpeter, Oneil Malbrough, GIS Engineering, Glenn, APTIM and Robert Greenup, Gulf South Engineering & Testing, Inc. gave an update on the Upper Barataria Risk Reduction Project. Mr. Robert said that the meetings held in Washington, DC last week were very successful. Mr. Roberts informed the Board of Commissioners of an upcoming all day workshop with the US Corp of Engineers and CPRA it will be held at APTIM's office on Thursday, October 18, 2018. A meeting with CPRA was held today to get information to prepare for the workshop on October 18th. Mr. Malbrough added that all parishes included in this study will be invited to the workshop.

Commissioner Eric Matherne informed the Board of Commissioners, that he had a letter from Paul Hogan addressed to President Larry Cochran stating that no work has been done on the Sunset Drainage Levee. He contacted Mark Roberts to draw up a letter to send to state the work the Lafourche Basin Levee District has been doing on the Sunset Drainage Levee.

Commissioner Stanley Folsie stated that the many years he has been on Capitol Hill for multi projects. This has been the most positive recognition from everybody. Every year I say "I'm not going next

year, but it's get better".

Mr. Sam Scholles, St. Charles Parish told the Board of Commissioners that the Board of Commissioners need to inform the public and parish on the work that the Board is doing on the project. Asked President James Jasmin if he would attend the St. Charles Parish Council meeting to give a brief update on the project. Mr. Roberts informed the Commissioners their target on task should be complete next week and would like to attend the next committee meeting to show results.

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

BE IT RESOLVED that the Board of Commissioners authorize Assistant Executive Director, Ivy Chauvin, Jr. authority to do all the services in absence of the Executive Director, except finances and signing checks, be granted.

On motion of Commissioner Russell Loupe, second by Commissioner Kevin Hebert, the following resolution was proposed and unanimously adopted.

BE IT REOSLVED that the Board of Commissioners go into executive session, be granted.

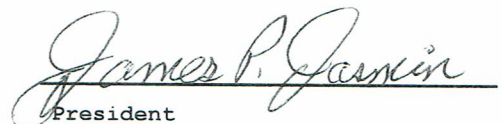
On motion of Commissioner Kevin Hebert, seconded by Commissioners Eric Matherne, the following resolution was proposed and unanimously adopted.

BE IT RESOLVED that the Board of Commissioners return to regular session, be granted.

President James Jasmin asked if any Commissioners had any additional comments. Addressed Commissioner Jeffery Henry, nothing. Addressed Commissioner Kevin Hebert, President Jasmin said I should of called you last, go ahead. Commissioner Eric Matherne asked if everything (keys, cell phone, etc.) needed was received from Executive Director Donald Ray Henry will he is on suspension. Commissioner Kevin Hebert asked What was his suspension? 30 business days, 30 calendar days, does he have his phone, truck? President James Jasmin stated it is my understanding that his phone is here, I have the credit cards, automobile parked in shop. Commissioner Eric Matherne said we have not spoke about it. I know he may get important emails, Does emails go to anybody else? Do we have access to his emails? President James Jasmin

stated his secretary has been checking them. I don't know. Ivy do you have access to his emails, Ivy said I get cc on some of the emails. Commissioner Russell Loupe asked is his office open. President Jasmin stated Yes, I locked it a few minutes ago. Commissioner Eric Matherne said All I am asking is that legally someone check his emails. President Jasmin stated his secretary Mrs. Jupiter has been checking emails. Commissioner Eric Matherne Secretary? Commissioner Marlin Rogers said that is what upset me last week, we voted without a discussion on what we were voting on. Commissioner Michael McKinney, Sr. stated my motion was for 30 days, anger management and counseling with all proper documentation. President Jasmin said the motion is in the Special Meeting minutes and it was seconded by Commissioner Jeffery Henry. Commissioner Marlin Rogers said nothing was spoken in reference to the vehicle and keys, cell phone, calendar or business day, etc. Commissioner Michael McKinney, Sr. it was talked about. Commissioner Marlin Rogers disagreed. As President I requested all credit cards, accessibility to office and vehicle. Don't know anything else I needed to request. Commissioners Jeffery Henry stated 30 days suspension without pay started day he was suspended, return on November 5th. Commissioner Kevin Hebert, need to investigate the quersion of Commissioners of voting that took place, cause I been told by a Commissioner or more than one Commissioner they feared for their safety if they did not vote a certain way. Financial reprisal and other family might be effected or harmed. This is not how this board should be run. Commissioner Marlin Rogers said I have been told this also. President James Jasmin asked any other Commissioner had a comment.

Commissioner Russell Loupe made a motion to adjourn and Commissioner Jeffery Henry seconded his motion.


President