

IBERIA PARISH LEVEE, HURRICANE, AND CONSERVATION
DISTRICT REPORT

DATE: Wednesday, December 12, 2012

TIME: Five (5:00) O'Clock P.M.

ATTENDANCE: Ronnie Gonsoulin, James Stein, Alfred "Todd" Landry, Scott Saunier, William Patout, and Ronald Hebert, Jr.

ABSENT: Ben Langlinois, James Landry, and Frank Minvielle.

OTHERS: Jason Akers, Foley and Judell, LLP.

I. ROLL CALL

II. APPROVAL OF MINUTES

A motion was made by Mr. William Patout, seconded by Mr. James Stein, that the minutes of the November 7, 2012 Iberia Parish Levee, Hurricane, and Conservation District be approved.

And the motion was therefore passed on this 12th day of December, 2012.

II. ACTIONS TO BE DISCUSSED

A. Discuss and consider a Resolution ordering and calling a special election to be held in the Iberia Parish Levee, Hurricane, and Conservation District, State of Louisiana, to authorize the levy of a special tax therein, making application to the State Bond Commission in connection therewith; and providing for other matters in connection therewith.

Mr. Jason Akers, Foley and Judell, LLP stated that a two part process consisting of a 5 mill Ad Valorem Tax and a half mill Sales and Use Tax has been proposed for the District in effort to obtain a revenue source. He noted that the District does not have the authority to call a Sales Tax Election, but does have the authority to call for an Ad Valorem Tax, which is being done before us today. He further explained that at a later time today, the Parish Council will vote to adopt an Ordinance to create a Sales Tax District which will mimic the District's boundaries. The Council will then adopt a Resolution calling a Special Election in the District and will also adopt a Resolution approving the election that the District will vote to call. The Resolution to be voted upon by the District is solely for an Ad Valorem Tax, a total of 5 mills and is expected to produce roughly \$2.2 million. The election is scheduled to be held on April 6, 2013.

The following resolution was offered by Mr. Ronald J. Hebert and seconded by Mr. Alfred "Todd" Landry:

RESOLUTION 2012-01

A RESOLUTION ORDERING AND CALLING A SPECIAL
ELECTION TO BE HELD IN THE IBERIA PARISH LEVEE,
HURRICANE AND CONSERVATION DISTRICT, STATE OF
LOUISIANA, TO AUTHORIZE THE LEVY OF A SPECIAL TAX
THEREIN; MAKING APPLICATION TO THE STATE BOND

COMMISSION IN CONNECTION THEREWITH; AND PROVIDING
FOR OTHER MATTERS IN CONNECTION THEREWITH.

BE IT RESOLVED by the Board of Commissioners of Iberia Parish Levee, Hurricane and Conservation District, State of Louisiana (the "Governing Authority"), acting as the governing authority of the Iberia Parish Levee, Hurricane and Conservation District, State of Louisiana (the "District"), that:

SECTION 1. Election Call. Subject to the approval of the State Bond Commission, and under the authority conferred by Article VI, Sections 30 and 32 of the Constitution of the State of Louisiana of 1974, the applicable provisions of Chapter 5 and Chapter 6-A of the Louisiana Election Code, and other constitutional and statutory authority, a special election is hereby called and ordered to be held in the District on **SATURDAY, APRIL 6, 2013**, between the hours of seven o'clock (7:00) a.m., and eight o'clock (8:00) p.m., in accordance with the provisions of La. R.S. 18:541, and at the said election there shall be submitted to all registered voters qualified and entitled to vote at the said election under the Constitution and laws of this State and the Constitution of the United States, the following proposition, to-wit:

MILLAGE PROPOSITION

Shall the Iberia Parish Levee, Hurricane and Conservation District (the "District"), levy a five (5) mills tax on all the property subject to taxation in the District (an estimated \$2,200,000 reasonably expected at this time to be collected from the levy of the tax for an entire year), for a period of thirty (30) years, beginning with the year 2013 and ending with the year 2043, for the purpose of construction, acquisition, maintenance, operation and extension and/or improvement of levees, hurricane protection and drainage within the District.

SECTION 2. Publication of Notice of Election. A Notice of Special Election shall be published in the *Daily Iberian*, a newspaper of general circulation within the District, published in New Iberia, Louisiana, and being the official journal of the District, once a week for four consecutive weeks, with the first publication to be made not less than forty-five (45) days nor more than ninety (90) days prior to the date of the election, which Notice shall be substantially in the form attached hereto as "Exhibit A" and incorporated herein by reference the same as if it were set forth herein in full.

SECTION 3. Canvass. This Governing Authority shall meet at its regular meeting place, the Council Chambers, New Iberia, Louisiana, on **THURSDAY, MAY 2, 2013**, at **SIX O'CLOCK (6:00) P.M.**, and shall then and there in open and public session proceed to examine and canvass the returns and declare the result of the said special election.

SECTION 4. Polling Places. The polling places set forth in the aforesaid Notice of Special Election are hereby designated as the polling places at which to hold the said election, and the Commissioners-in-Charge and Commissioners, respectively, will be the same persons as those designated in accordance with law.

SECTION 5. Election Commissioners; Voting Machines. The officers designated to serve as Commissioners-in-Charge and Commissioners pursuant to Section 4 hereof, or such substitutes therefor as may be selected and designated in accordance with La. R.S. 18:1287, shall hold the said special election as herein provided, and shall make due returns of said election for the meeting of the Governing Authority to be held on Thursday, May 2, 2013, as provided in Section 3 hereof. All registered voters in the District will be entitled to vote at the special election, and voting machines shall be used.

SECTION 6. Authorization of Officers. The Secretary of the Governing Authority is hereby empowered, authorized and directed to arrange for and to furnish to said election officers in ample time for the holding of said election, the necessary equipment, forms and other paraphernalia essential to the proper holding of said election and the Chairman and/or Secretary of the Governing Authority are further authorized, empowered and directed to take any and all further action required by State and/or Federal law to arrange for the election, including but not limited to, appropriate submission to the Federal Department of Justice under Section 5 of the Federal Voting Rights Act of 1965, as amended.

SECTION 7. Furnishing Election Call to Election Officials. Certified copies of this resolution shall be forwarded to the Secretary of State, the Clerk of Court and *Ex-Officio* Parish Custodian of Voting Machines of Iberia Parish and the Registrar of Voters of Iberia Parish, as notification of the special election, in order that each may prepare for said election and perform their respective functions as required by law.

SECTION 8. Application to State Bond Commission. Application is made to the State Bond Commission for consent and authority to hold the special election as herein provided, and in the event said election carries for further consent and authority to levy and collect the special tax provided for therein. A certified copy of this resolution shall be forwarded to the State Bond Commission on behalf of this Governing Authority, together with a letter requesting the prompt consideration and approval of this application.

SECTION 9. Approval of Governing Authority of the Parish. Application is hereby made to the Parish Council of the Parish of Iberia, State of Louisiana, for consent and authority to hold the special election as herein provided, and in the event the election carries, for its further consent and authority to levy and collect the special tax provided for therein. A certified copy of this resolution shall be forwarded to the Parish Council of the Parish of Iberia on behalf of the District, together with a letter requesting the prompt consideration and approval of this application.

This Resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: Ronnie Gonsoulin, James Stein, Alfred "Todd" Landry, Scott Saunier, William Patout, and Ronald Hebert, Jr.

NAYS: None.

ABSENT: Ben Langlinois, James Landry, and Frank Minvielle.

And the Resolution was declared adopted on this, the 12th day of December, 2012.

Please note that "Exhibit "A" is available for viewing in the Iberia Parish Council Office.

- B. Approval of Invoice #1362557-R8-00511 to Shaw in the total amount of \$5,000 for services rendered by Promotional Images (subcontractor).

A motion was made by Mr. William Patout, seconded by Mr. Scott Saunier approving payment of Invoice #1362557-R8-00511 in the total amount of \$5,000 to Shaw for services rendered by Promotional Images (subcontractor).

And the motion was therefore passed on this 12th day of December, 2012.

- C. Approval of Invoice #212610 to Berard, Habetz, and Associates in the total amount of \$2,277.50.

A motion was made by Mr. William Patout, seconded by Mr. James Stein approving payment of Invoice #212610 in the total amount of \$2,277.50 to Berard, Habetz, and Associates.

And the motion was therefore passed on this 12th day of December, 2012.

III. OTHER BUSINESS

Mr. James Stein stated that he along with Mr. Ronnie Gonsoulin conducted a very informative radio interview with Mr. Jeff Boggs at KANE Radio Station.

Mr. Marc Berard and Mr. James Stein provided an informational overview in regards to the Louisiana's Association of Levee Boards Annual Meeting.

Chairman Gonsoulin stated that the next meeting of the District will be held on Thursday, January 3, 2013 at 6:00 p.m.

IV. ADJOURN

There being no further business, a motion was made by Mr. Ronald Hebert, Jr., seconded by Mr. James Stein, that the District does hereby adjourn.

All members present voted affirmatively and the motion carried unanimously.

I hereby certify the fore going to be exact and true:

Ronnie Gonsoulin, Chairman