

IBERIA PARISH LEVEE, HURRICANE, AND CONSERVATION  
DISTRICT MINUTES

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DATE: Thursday, May 9, 2013

TIME: Six (6:00) O'Clock P.M.

ATTENDANCE: James Landry, William Patout, Frank Minvielle,  
Ronald Gonsoulin, Benson Langlinais, James Stein,  
and Scott Saunier.

ABSENT: Ronald Hebert, Jr. and Alfred "Todd" Landry.

OTHERS: Rick Patout - Promotional Images, Patrick  
Broussard, Jacques Cousin - Legal Counsel, Oneil  
Malbrough - Shaw, and Marc Berard - Berard, Habetz,  
and Associates.

I. ROLL CALL

II. APPROVAL OF MINUTES

- April 4, 2013
- April 11, 2013

A motion was made by Mr. Jimmy Landry, seconded by Mr. Scott Saunier, that the minutes of the April 4 and April 11, 2013 Iberia Parish Levee, Hurricane, and Conservation District meetings be approved.

And the motion was therefore passed on this 9th day of May, 2013.

III. PUBLIC HEARING

No comments received.

IV. ACTIONS TO BE DISCUSSED

- A. Report from Mr. Jason Akers, Foley & Judell, LLP regarding the Sales Tax District boundaries.

Mr. Akers was unable to attend due to prior obligations. Chairman stated that this will be discussed at a later date, and that they are seeking information in regards to the Sales Tax boundaries to possibly include the portion of Loreauville area in the Parish of Iberia that is currently a part of the Atchafalaya Levee District.

Chairman Gonsoulin further stated that he would like to set a meeting with Atchafalaya Levee District representatives to discuss such boundaries.

- B. Report on the District's financial status.

Chairman Gonsoulin stated that there is a balance of \$97,170. It was explained that the budget includes \$79,970 of funding which was allocated for election expenses. He further stated that the officials from the Secretary of State's Office have estimated that the entire election would cost approximately \$65,000.

- C. Update on Capital Outlay Funding FY 2012-2013.

Chairman Gonsoulin stated that a meeting was conducted with Mr. James Lee of Facility Planning and Control to discuss Capital

Outlay Funding, for the request of \$250,000. Mr. Gonsoulin explained that as a result of that meeting the District needs matching funds.

Chairman Gonsoulin further explained that while gathering information to submit to Facility Planning to compensate for matching funds, it was discovered that Berard, Habetz, & Associates' contracted with Iberia Parish Government. It was explained that the contract was done prior to the creation of the Levee District during the time of the Hurricane Advisory Committee. He further stated that the contract needs to be with the Iberia Parish Levee District.

Mr. Marc Berard explained that it would be the same contract, but with the Levee Board and signed by the Chairman rather than the Parish President.

Mr. Jaques Cousin, Legal Counsel questioned the funding source for the engineering contract, noting that the fees are being paid by Iberia Parish Government.

Chairman clarified that the fees are paid with approval of the District through funds allocated to the District by the Parish Council.

Mr. Berard stated that the actual checks are cut by Parish Government. It was then stated that Shaw is contracted with the Levee District and Berard, Habetz & Associates is contracted with Iberia Parish Government. Mr. Berard expressed concerns of which contract would be legally correct, being that Parish Government is actually cutting the check.

Mr. Malbrough stated that significant way to collect with Facility Planning is that you have to pay the expenses (engineering fees) and show that you have paid them and then they reimburse you.

Chairman Gonsoulin then referred to a letter received today from Facility Planning stating that the District has an outstanding match balance of \$48,333.

The secretary then stated that it was suggested that a Resolution be adopted requesting the Iberia Parish Council to appropriate \$50,000 to complete matching funds for a Capital Outlay Grant FY 2012-2013 in the amount of \$250,000 for Planning, Permitting, Engineering, and Right of Way Acquisition.

Mr. Stein questioned Mr. Cousin if an Intergovernmental Agreement would be needed between the District and Iberia Parish Government for the use of these funds. Mr. Cousin stated that he would think that Parish Government would have had to agree to pay for such services.

Mr. Stein stated that two things should occur, an Intergovernmental Agreement needs to be created with the Parish Government and the District needs to find a permanent funding source in the \$100,000 range to continue operating without a tax set in place.

Mr. Cousin stated that the District would need to pass a Resolution to enter into an Intergovernmental Agreement with Parish Government. He assumed that this would have to become apart of the budget and would have to have a certain grant amount or unless they would want to enter into an agreement to pay engineering services.

A motion was made by Mr. Jimmy Landry, seconded by Mr. Ben Langlinois authorizing the Chairman to negotiate an

Intergovernmental Agreement with Iberia Parish Government to then report back to the District, with final contingency upon legal review.

And the motion was therefore passed on this 9th day of May, 2013.

Chairman Gonsoulin then requested that a meeting be scheduled to initiate such task.

Upon discussion of seeking matching funds and funds to operate, Mr. Berard suggested that the District approach other entities such as the two Ports and the Cities whom also make appointments to the Board.

- D. Discuss and consider authorizing the Chairman to execute a contract for general engineering services with Berard, Habetz, and Associates.

A motion was mad by Mr. James Stein, seconded by Mr. Jimmy Landry, authorizing the Chairman to execute a contract for general engineering services with Berard, Habetz, and Associates.

And the motion was therefore passed on this 9th day of May, 2013.

- E. Discuss and consider Summary No. 03 which is a Resolution providing for the canvassing of election results for the April 6, 2013 election which included a proposition for a five (5) mills tax on all property subject to taxation in the District.

A motion was made by Mr. Frank Minvielle, seconded by Mr. James Stein, that the Board of Commissioners of the Iberia Parish Levee, Hurricane and Conservation District, State of Louisiana (the "Governing Authority"), canvass the returns and declare the result of the special election held in the Iberia Parish Levee, Hurricane and Conservation District, State of Louisiana:

#### RESOLUTION NO. 2013-03

PROCÈS VERBAL AND PROCLAMATION OF THE CANVASS OF THE VOTES CAST AT THE SPECIAL ELECTION HELD IN THE IBERIA PARISH LEVEE, HURRICANE AND CONSERVATION DISTRICT, STATE OF LOUISIANA, ON SATURDAY, APRIL 6, 2013.

BE IT KNOWN AND REMEMBERED that on Thursday, May 9, 2013, at six o'clock (6:00) p.m., at its regular meeting place, the Council Chambers, New Iberia, Louisiana, the Board of Commissioners of the 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"), and being the authority ordering the special election held therein on Saturday, April 6, 2013, with a quorum being present, did examine the official certified tabulations of votes cast at the said election, and did examine and canvass the returns of said election, there having been submitted at said election 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 2042, for the purpose of construction, acquisition, maintenance, operation and extension and/or improvement of levees, hurricane protection and drainage within the District?

The canvass of the results of the election showed that there was a total of **1,856** votes cast **IN FAVOR OF** the Proposition and a total of **1,868** votes cast **AGAINST** the Proposition, and that there was a majority of **12** votes cast **AGAINST** the Proposition as hereinabove set forth.

Therefore, the Governing Authority did declare and proclaim and does hereby declare and proclaim in open and public session that the Proposition as hereinabove set forth was duly **DEFEATED** by a majority of the votes cast by the qualified electors voting at the said special election.

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

YEAS: Ronald Gonsoulin, William Patout, James Landry, Scott Saunier, Ben Langlinois, James Stein, and Frank Minvielle.

NAYS: None.

ABSENT: Alfred "Todd" Landry and Ronald Hebert, Jr.

And the Resolution was declared adopted this 9th day of May, 2013.

F. Approval of Invoices #213154 and #213181 to Berard, Habetz, and Associates in the total amount of \$2,126.50.

A motion was made by Mr. Scott Saunier, seconded by Mr. Ben Langlinois, approving payment of Invoices #213154 and #213181 to Berard, Habetz, and Associates in the total amount of \$2,126.50.

And the motion was therefore passed on this 9th day of May, 2013.

G. Approval of Invoice #5695 to Promotional Images for printing 3,000 envelope-sized brochures, in the total amount of \$1,707.08.

A motion was made by Mr. Scott Saunier, seconded by Mr. Ben Langlinois, approving payment of Invoice #56895 to Promotional Images for printing 3,000 envelope-sized brochures, in the total amount of \$1,707.08.

And the motion was therefore passed on this 9th day of May, 2013.

H. Approval of Invoice from the Association of Levee Boards of Louisiana in the total amount of \$495 for attendance fees for the May 2-3, 2013 Annual Workshop

A motion was made by Mr. Scott Saunier, seconded by Mr. Ben Langlinois, approving payment of Invoice to the Association of Levee Boards of Louisiana in the total amount of \$495 for attendance fees for the May 2-3, 2013 Annual Workshop.

And the motion was therefore passed on this 9th day of May, 2013.

V. ANNOUNCEMENTS/OTHER BUSINESS

The Chairman referred to several handouts which were provided by the secretary from the 2013 Annual Levee Boards Conference.

Mr. Ben Langlinois stated that he attended a meeting at the Corps of Engineers Office in regards to the Weeks Bay Project. He stated that several individuals pled for them not to de-authorize the project and that they will conduct another meeting with the modelers and task force officials.

Mr. Marc Berard stated that he attended a conference in regards to the forecast for the upcoming hurricane season. He was informed that the season would most likely be twice as bad as normal, and that they project two major storms in the Gulf of Mexico and two major storms in the Atlantic Ocean, etc.

Mr. Malbrough stated that there will be a Task Force meeting on June 4 at the U.S. Wildlife Fisheries Office in Lafayette.

#### VI. PLANS FOR NEXT MEETING

- June 6, 2013

#### VII. ADJOURNMENT

There being no further business, a motion was made by Mr. Jimmy Landry, seconded by Mr. Scott Saunier, 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:

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Ronald Gonsoulin, Chairman

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