

 **ATCHAFALAYA BASIN LEVEE DISTRICT**

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 Port Allen, Louisiana

December 14, 2011

A Regular Board Meeting of the Board of Commissioners for the Atchafalaya Basin Levee District was held at the Office of the Board in Port Allen, Louisiana at 4:00 p.m., Wednesday, December 14, 2011. President John Grezaffi called the meeting to order. Mrs. Janice Jarreau called the roll. The following members were present:

COMMISSIONER PARISH

Glenn Angelle Iberia

Gerald Alexander Ascension

Bill Flynn West Baton Rouge

John Grezaffi Pointe Coupee

Daniel Hebert Iberville

Karen Jewell Iberville

 Stephen Juge Pointe Coupee

Moise LeBlanc St. Martin

Gerald LeGrand St. Martin

Earl Matherne Assumption

Barry Soileau St. Landry

Absent:

Cory Chustz West Baton Rouge

Harry Marionneaux Iberville

Also Present:

INDIVIDUAL REPRESENTING

Rick Dugas CPRA

Cecil Tessier Assistant Executive Director, Levee Board

Richard Sparks Levee Board Operations Superintendent

Mark Saucier Levee Board Maintenance Superintendent

Bruce Guidry Levee Board Police Captain

Kristy Marcantel Human Resources Analyst

Janice Jarreau Administrative Program Manager

Crissi Canezaro Administrative Coordinator

Tiffany Weber Administrative Coordinator

Will Tyson Executive Director

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President John Grezaffi asked that the following items be placed on the agenda: (1) modify building contract to add gutters on office building; and (2) publication of annual meeting notices for next year. Commissioner Barry Soileau so moved, seconded by Commissioner Gerald Alexander and unanimously carried.

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NOTICE

Sealed bids will be received by the Board of Commissioners for the Atchafalaya Basin Levee District up to 2:00 p.m., Wednesday, December 14, 2011, for the leasing for hunting and fishing purposes only on the following described property, to-wit, bid related materials may be obtained and electronic bids may be submitted online at www.centralbidding.com:

All of Section 16, Township 1 South, Range 8 East, less and except the

Southwest Quarter (SW ), containing approximately 480 acres and the

area known as Lake Moreau, Pointe Coupee Parish, Louisiana.

Said bids will be publicly opened at the office of said Board in Port Allen, Louisiana on December 14, 2011, at 4:00 p.m.

The said property will be leased for hunting and fishing purposes only (the taking of alligators excluded), as one tract, for a period of five (5) years. Payments shall be made annually; the first payment due upon execution of the lease by all parties and on the anniversary thereafter. Bid bond in the amount of 10% of the total 5 year lease amount is required with bid when submitted. Upon request, said bond shall be returned at the termination of the lease, provided all terms and conditions of the lease have been met by lessee. The successful bidder is required to submit proof of liability insurance of not less than $1,000,000 on the leased land with the Atchafalaya Basin Levee District being named on the policy as additionally insured.

Prospective bidders are to satisfy themselves as to the validity of the land title prior to submitting their bids, in as much as the land will be leased without warranty of title except as against the Board's own acts. Access to said property is not guaranteed by the Atchafalaya Basin Levee District and is the responsibility of Lessee. Prospective bidders may wish to obtain copy of the lease prior to submitting bid to assure themselves of the terms and conditions to which they are bidding. Said copy may be obtained at 525 Court Street, P. O. Box 170, Port Allen, Louisiana, 70767.

The land will be leased subject to any oil, gas and mineral lease, that may exist now or be entered into in the future, the bonus, rentals and royalties from which shall be reserved to the Board. All mineral rights shall be reserved to the Board in perpetuity in accordance with the Constitution.

The Board will not consider any bids submitted for less than $10.00 per acre per year.

The successful bidder will be responsible for all advertising costs. The Board reserves the right to reject any and all bids.

It is mandatory that all bids are submitted on forms provided by the Atchafalaya Basin Levee District otherwise bid will be considered null and void, bid forms are available at 525 Court Street, P.O. Box 170, Port Allen, Louisiana, 70767. All Bids should be marked in bold print Hunting and Fishing Lease Bid.

John Grezaffi Janice Jarreau

President Secretary

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The Advocate, Plaquemine Post South and Pointe Coupee Banner

November 17and 24, and December 1, 2011.

The following bids were duly opened and read for the hunting lease:

Lemoine Industrial

$15.50/acre

$7,440 per year

$37,200 for 5 years

Belleview Estates

$11.00/acre

$5,280 per year

$26,400 for 5 years

Commissioner Steve Juge moved, seconded by Commissioner Gerald LeGrand and unanimously carried to take the bids under advisement for review by staff and to accept the highest bid that meets the bid requirements.

NOTICE OF PUBLICATION

By virtue of and in conformity with the provisions of Chapter 2, Title 30, of the Louisiana Revised Statutes of 1950, as amended, sealed bids will be received at the office of the Board of Commissioners for the Atchafalaya Basin Levee District at Port Allen, Louisiana, up to 2:00 p.m., Wednesday, December 14, 2011, for lease of the oil, gas and/or liquid or gaseous hydrocarbon mineral rights in and to the following lands situated in the Parish of Pointe Coupee, State of Louisiana, to wit, bid related materials may be obtained and electronic bids may be submitted online at www.centralbidding.com. Said bids will be publicly opened at the office of said Board in Port Allen, Louisiana on December 14, 2011, at 4:00 p.m:

A certain tract of land laying and being in the Parish of Pointe Coupee, Louisiana, and in Section 33, Township 3 South, Range 7 East , and Sections 1, 2, 3, and 4, Township 4 South, Range 7 East, being the right‑of‑way acquired for the Evans Point Levee and was quitclaimed to the Atchafalaya Basin Levee District by quitclaim deed dated 17 September 1957, filed and recorded in COB 45, Entry 251 on 4 October 1957, records of Pointe Coupee Parish, Louisiana, containing 71.48 acres more or less.

All bids to offer a cash payment for a lease having a primary term which shall not exceed three (3) years. The MIMIMUM ROYALTIES required by R.S. 30:127, as amended, are one‑eighth (1/8) of all oil, produced and saved or utilized; one‑eighth (1/8) of all gas produced and saved or utilized; and one‑eighth (1/8) of all other liquid or gaseous minerals in solution and produced with oil or gas and saved or utilized, which are not specifically mentioned herein. Free sulphur, potash, lignite, salt and other solid minerals are to be excluded and any bid thereon will be disregarded to such extent. A bid of a royalty less than the aforesaid statutory minimums will be increased to said statutory minimums by the Board.

Should the lessee fail to begin the actual drilling (spudding in) of a well on the leased premises within one year from the date of the lease, the lease shall terminate as to both parties to the lease, unless on or before such anniversary date lessee shall pay a delay rental (which in no event shall be less than one‑half of the cash payment offered), which shall cover the privilege of deferring drilling operations for a period of one year. Upon like payments annually, drilling operations may be further deferred for successive periods of one year each during the primary term. The primary term of the lease shall be three years. The lease shall provide for the drilling of offset wells where necessary to protect the lessor[s interest and shall contain the provisions against the assignment of sublease of the lease unless approved by the board of Commissioners for the Atchafalaya Basin Levee District.

Certified check, cashier's check or bank money order, payable to the Board of Commissioners for the Atchafalaya Basin Levee District for the full amount of the cash payment shall accompany and be deposited with each bid and no bid or deposit may be thereafter withdrawn or cancelled; and the cash payment thus deposited shall be forfeited to the Board of Commissioners for the Atchafalaya Basin Levee District by the successful bidder in the event said bidder does not enter into written contract within TWENTY (20) DAYS AFTER THE WRITTEN LEASE IS SUBMITTED TO HIM FOR EXECUTION. Additionally, bidder will be required to submit a good faith deposit in the amount of $100.00 with bid when submitted. This deposit shall be either cash, cashier's check, certified check, or bank money order. The deposit shall be forfeited by the successful bidder in the event the contract is not entered into within twenty days after lease is submitted to him for execution.

The lessee shall have the right to enter into pooling or unitization agreements with respect to development of the leased premises subject to the approval of the Board of Commissioners for the Atchafalaya Basin Levee District.

Prospective bidders are put on notice that the lease will be executed without any warranty of title, even as to the return of cash payment, rentals or royalties.

In addition, said lease will contain a provision requiring the lessee to attempt to market any natural gas produced to an intrastate purchaser, provided same can be at a competitive price.

THIS BOARD ADVISES ALL POTENTIAL BIDDERS THAT THE MINIMUM ROYALTIES ARE NOT TO BE CONSTRUED AS ACCEPTABLE VALUES; AND THAT THE BOARD PREFERS ROYALTY BIDS OF 25% (1/4) OR GREATER AND WILL, LESS AND EXCEPT MITIGATING CIRCUMSTANCES, VIEW BIDS OF LESS THAN 25% (1/4) ROAYLY AN INSUFFICIENT ROYALTY CONSIDERATION OF OIL, GAS AND OTHER MINERALS LEASES ON ITS LANDS. THE BOARD WILL PREFER NOT LESS THAN $200.00 PER ACRE BONUS.

Any bid may be for the whole or any particularly described portion of the above described lands and the Board of Commissioners for the Atchafalaya Basin Levee District reserves the right to reject any and all bids, or to grant a lease on any portions of said land and to withdraw the remainder.

In the event that a portion of lands is bid, a surveyed plat shall be submitted showing the portion of the land bid upon.

BOARD OF COMMISSIONERS FOR THE

ATCHAFALAYA BASIN LEVEE DISTRICT

Janice Jarreau John Grezaffi

Secretary President

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The Advocate, Plaquemine Post South and Pointe Coupee Banner

November 17 and 24, and December 1, 2011

The following bids were duly opened and read for an oil, gas and mineral lease on 71.48 acres in Pointe Coupee Parish:

Emy Exploration

$253.00 per acre

Cash Payment of $18,084.44

Annual Rental - $9,042.22

Commissioner Earl Matherne moved, seconded by Commissioner Gerald LeGrand and unanimously carried to take the bid under advisement for review by staff and to accept the bid if it meets the bid requirements.

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The commissioners reviewed the minutes of the Board Meeting held November 2, 2011. Commissioner Karen Jewell moved, seconded by Commissioner Moise LeBlanc and unanimously carried to approve the minutes of November 2, 2011 and that they be published in the official journal of the Board.

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Mr. Tyson advised the commissioners that he has a request for right of entry for surveys at HTRW on the Atchafalaya Basin Flood Way System from the Corps of Engineers. Commissioner Glenn Angelle moved, seconded by Commissioner Earl Matherne and unanimously carried to approve their request.

Mr. Tyson advised the board that the river is on the rise, but should crest at 31 feet on the Baton Rouge gauge next Wednesday.

Commissioner Glenn Angelle moved, seconded by Commissioner Earl Matherne and unanimously carried to contact our Congressional Delegation to make them aware of a situation where there is some problem near a bridge on the Morganza Highway. Several citizens are concerned that they are excavating dirt in this area. The levee board is opposed to this excavation.

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Mr. Rick Dugas of CPRA advised the commissioners that they are prepared to offer assistance on the rights of ingress and egress being requested by the Corps of Engineers. Also, he reported there are new web based regulations and everyone will look at requests simultaneously. The target date for completion is July 1st. This should help provide quicker levels of service.

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Commissioner Earl Matherne moved, seconded by Commissioner Moise LeBlanc and unanimously carried to submit a re-election nomination for Mr. Steve Wilson to the Coastal Protection and Restoration Authority of Louisiana.

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A meeting of the Police Sub Committee of the Board of Commissioners for the Atchafalaya Basin Levee District was held immediately following the Regular Board meeting on Wednesday, November 2, 2011, at the Board Office in Port Allen, Louisiana. The following members were present:

Barry Soileau, Member

Glenn Angelle, Member

Bruce Guidry, Member

Bill Flynn, Member

John Grezaffi, Member

Also Present:

Steve Marionneaux, Levee Board Attorney

Cecil Tessier, Assistant Executive Director, Levee Board

Richard Sparks, Levee Board Operations Superintendent

Mark Saucier, Levee Board Maintenance Superintendent

Janice Jarreau, Administrative Program Manager

Kristy Marcantel, Human Resource Analyst

Tiffany Weber, Administrative Coordinator

Crissi Canezaro, Administrative Coordinator

William Tyson, Executive Director, Levee Board

Captain Bruce Guidry reviewed the materials he presented to the committee which included portions of Title 38 law which created the police district. He said they do not have statewide police powers, but they do have police powers within our district. The committee discussed requirements of hiring through Civil Service. Mrs. Jarreau explained that we will need to post the position on the Civil Service website and the applicant must meet their requirements. She said that at this time we have only Police Officer 2A and 3A positions, and if we want to hire an entry level police officer, we would have to ask Civil Service to create a Police Officer 1A position for us. Commissioner Angelle moved, seconded by Commissioner Flynn and unanimously carried to request Civil Service to approve a Police Officer 1A position.

Commissioner Angelle moved, seconded by Commissioner Flynn and unanimously carried to advertise the Police Officer 1A position once Civil Service has approved the position.

Captain Bruce Guidry asked if we could set a policy to determine the applicants physical fitness. After some discussion Commissioner Soileau asked Captain Guidry to meet with the West Baton Rouge Parish Sheriffs office to find out what type of physical they require when selecting new officers and report back to the committee. He also noted that many times people will go through the training, and then leave to take a job with another entity. He asked if our attorney could write an agreement that would say if they leave within a certain period, they would have to reimburse the cost of training.

Captain Guidry said we will have about $750 cost for training and approximately $1,300 cost in equipment for the new recruit. The starting pay for a Police Officer 1A is between $25,000 to $26,000 per year.

Commissioner Soileau asked our attorney, Mr. Steve Marionneaux, to draft a contract stating that if the officer resigns from the agency prior to two years, the officer shall repay all expenses for training, equipment, uniforms, etc. to the levee district.

There being no further business to come before the committee, upon motion by Commissioner Angelle, and unanimously carried, the meeting adjourned.

Respectfully submitted,

/s/Barry Soileau, Member /s/Glenn Angelle, Member

/s/Bruce Guidry, Member /s/Bill Flynn, Member

/s/John Grezaffi, Ex-Officio Chairman

Mr. Bruce Guidry reviewed the minutes of the November 2nd meeting of the Police Sub Committee. He said we are mandated by Civil Service as to how we can proceed with hiring the new police officer. The person who applied from in house did not make it; however, we have 48 applications to review from our advertisement. There will be a committee meeting next month to narrow the list down to the top 10. Commissioner Moise LeBlanc moved, seconded by Commissioner Steve Juge and unanimously carried to approve the minutes of the Police Sub Committee as presented.

Commissioner Glenn Angelle said we had a safety issue at the levee board office last week with a criminal being apprehended on our property. He asked if we needed to install some security devices to protect the staff. Mr. Tyson said we have a buzzer system in place in the office, and it should allow the staff to determine who should be admitted. Also, he said as soon as the generator is delivered and installed, we will close the rest of the fence in the back of the building.

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Commissioner Karen Jewell moved, seconded by Commissioner Barry Soileau and unanimously carried to approve a detail assignment with pay for Floyd Joel Spragies to Foreman at the

 Stevensville Shop.

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Mr. Tyson asked the board for approval to amend the contract with Comeaux Brothers to increase it by $1,237.50 to install a gutter in the front of the office building. Commissioner Steve Juge so moved, seconded by Commissioner Gerald Alexander and unanimously carried.

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Mr. Tyson presented a list of proposed meeting dates for the boards consideration for 2012. It was noted, the September 2nd date should be changed to September 5th. Commissioner Glenn Angelle moved, seconded by Commissioner Moise LeBlanc and unanimously carried to approve the amended list of board meeting dates so that they could be published.

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Commissioner Glenn Angelle moved, seconded by Commissioner Gerald LeGrand and unanimously carried to prepare a resolution to the Governor to request that the levee board be allowed to provide a wage increase for its employees since we are not a part of the general fund.

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There will be no Executive Committee meeting this month.

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There being no further business to appear before the board, upon motion by Commissioner

Earl Matherne and unanimously carried, the meeting adjourned.

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Janice Jarreau, Secretary John Grezaffi, President

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Linda E. Alwood, Contract Stenographer