**REGULAR MEETING**

**October 2, 2019**

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

A quorum was present to conduct business.

Messrs. Larry Buquoi, Attorney; Donald Ray Henry, Executive Director; Ivy Chauvin, Sr., Assistant Executive Director and Melanie Broden, Accounting Specialist were present.

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 Stanley Folse, seconded by Commissioner Michael McKinney, Sr., no discussion, no public comments and unanimously approved, the minutes of the Regular Meeting of September 4, 2019 be accepted and filed in the minutes of the Board.

On motion of Commissioner Jeffery Henry, seconded by Vice-President Matherne, no discussion, no public comments and unanimously approved, the following cash available for distribution of the month of September 30, 2019 be accepted and filed in the minutes of the Board.

**FIRST AMERICAN BANK:**

**Checking account balance Aug 2019 176,049.62**

**Deposits/Transfer In – Sept.**

**Revenues/Refund 8,338.30**

**Matured D-Notes 0 .00**

**Interest on Checking 16.29**

**Transferred from LAMP 44,822.86**

**Total Cash Available $ 629,227.07**

**Cash Disbursements: Operating Expenses 420,178.20**

**Funds Transferred to Lamp 0.00**

**FIRST AMERICAN BANK BALANCE Sept. 30, 2019 $ 209,048.87**

**INVESTMENTS: Discount Notes/Bonds 8,462,517.38**

**TOTAL BOOK BALANCE FOR: Sept. 30, 2019 $ 8,671,566.25**

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

BE IT RESOLVED, that the Board of Commissioners approve the Executive Director, Donald Henry, to sign all documents, after they are reviewed by the attorney, pertaining to the Davis Pond Project and the Sunset Levee Project.

President James P. Jasmin asked Mr. Donald Henry to respond to the agenda item. Mr. Henry stated that he added the item to the agenda because it is always requested to attach the minutes showing proof that the Board granted him power to sign the agreements when the Board approves them, but that is all. By adding this item, he can already have permission from the Board to sign for the actual work so that nothing could be held up. President Jasmin ask the attorney, Larry Buquoi, for his legal stand point. Mr. Buquoi stated there was no problem as long as he reviewed the documents first. Vice-President Eric Matherne asked if we ever received the intergovernmental agreement back yet. President Jasmin said no. Vice-President Matherne made the motion for the approval of Mr. Henry to sign the documents, after they are reviewed by the attorney, pertaining to the Davis Pond Project and the Sunset Levee Project. Commissioner Marlin Rogers seconded this motion. It passed by a unanimous vote.

On motion of Commissioner Stanley Folse, seconded by Vice-President Eric Matherne, the following resolution was proposed and unanimously adopted.

BE IT RESOLVED that the Board of Commissioners approve to pay the deductible of the EEOC Attorney to defend the Lafourche Basin Levee District.

President Jasmin asked Mr. Buquoi if he had a response to this agenda item. Mr. Buquoi stated that to have them represent us, we have to pay the deductible any way it comes. President Jasmin asked if everyone on the Board is aware of what the item is that is being discussed. He reminded them it was discussed at the Committee Meeting. Everyone agreed that they understood. Commissioner Stanley Folse made the motion for the approval to pay the deductible of the EEOC attorney to defend the Lafourche Basin Levee District. It was seconded by Vice-President Eric Matherne. It passed by unanimous vote.

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

BE IT RESOLVED that the Board of Commissioners approve to amend the 2020 Budget pertaining to the engineering fees in which $1,500,000 will be added for the Upper Barataria Risk Reduction Project.

Vice-President Matherne asked if we should add a price and President Jasmin said yes. Vice-President Matherne motioned that we should add $1.5 million in engineering fees which is the amount discussed in the Committee Meeting. Vice-President Matherne asked Mr. Oneil Malbrough to confirm the amount was correct, in which Mr. Malbrough stated yes. Commissioner Jeffery Henry seconded his motion. Commissioner Kevin Hebert stated that it should specify which project the money is for, which is the Upper Barataria Risk Reduction Project. Mr. Donald Henry asked that the motion be repeated for the composure of the minutes. Vice-President Matherne motioned that we add $1.5 million for the Upper Barataria Risk Reduction Project. Commissioner Jeffery Henry seconded his motion. President Jasmin called for a roll call vote. Roll call vote thereon as follows:

YEAS:

* Stanley Folse
* Gary Watson
* Jeffery Henry
* Craig Carter
* Russell Loupe
* Eric Matherne
* Whitney Jasmin, Jr.
* Marlin Rogers
* Kevin Hebert
* Michael McKinney, Sr.
* James P. Jasmin

NAYS: None

ABSENT: None

ABSTAINED: None

By a roll call vote of 11 yeas, 0 nays, 0 absent and 0 abstained. The motion passed by majority.

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

BE IT RESOLVED that the Board of Commissioners approve to pay APTIM the outstanding invoice numbers: 275806, 312726 and 355429 totaling $22,816.00 that was recommended by the Finance Committee.

President Jasmin stated that for public records, he will refer this agenda item over to the Finance Committee Chairman, Kevin Hebert. Commissioner Hebert stated that he supports this because of the time that passed and the contract and that he has all the supporting documents. Commissioner Kevin Hebert made the motion for approval to pay the invoices. Commissioner Russell Loupe seconded his motion. President Jasmin called for a roll call vote. Roll call vote thereon as follows:

YEAS:

* Stanley Folse
* Gary Watson
* Jeffery Henry
* Craig Carter
* Russell Loupe
* Eric Matherne
* Whitney Jasmin, Jr.
* Marlin Rogers
* Kevin Hebert
* Michael McKinney, Sr.
* James P. Jasmin

NAYS: None

ABSENT: None

ABSTAINED: None

By a roll call vote of 11 yeas, 0 nays, 0 absent and 0 abstained. The motion passed by majority.

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

BE IT RESOLVED that the Board of Commissioners authorize the President and/or the Executive Director to sign all pending documents upon the acceptance and agreement of all parties, after the reviewal of attorneys, pertaining to the Hold Harmless Agreement and/or Right of Entry for the Dufrene Estates.

Vice-President Matherne said instead of Hold Harmless, it should be Right of Entry. The documentation is not done yet. Vice-President Matherne spoke with Dwayne Bourgeois of the North Lafourche Levee District and the Board’s attorney, Larry Buquoi about this agenda item. It has been agreed that the North Lafourche Levee District’s attorney will be the lead attorney and will take care of all the paperwork, with the assistance of Mr. Buquoi. Ray Bender with Greenup Industries will help with getting all the documentation. Mr. Buquoi stated that he received some of the paperwork that day already. Vice-President Matherne stated that no action will need to be taken on this agenda item. He asked the engineers how soon will the agreement will need to be signed. Mr. Malbrough suggested someone make a motion to approve it and sign when the agreement was ready. Mr. Buquoi stated that wouldn’t be a good idea because the agreement is not complete and no one knows what will be in it. Commissioner Stanley Folse made the motion to approve the agenda item pending that all parties are in agreement, after the attorneys review it. Discussion took place on how the motion can be tweaked because of the circumstances. A final motion was made by Commissioner Folse to authorize the President and/or the Executive Director to sign all documents pending the agreement between all parties, after being reviewed by the attorneys. Commissioner Russell Loupe seconded his motion. The motion passed by unanimous vote.

Mr. Sreenivasulu Bollu with BKI gave an update on the Upper Barataria Project. BKI and Greenup Industries are coordinating on existing pipeline information for the Davis Diversion West Guide Levee. On the Sunset Levee, Greenup Industries is doing an analysis for the T-wall design. LBLD is finalizing Right of Entry documents on the Dufrene Estate for the Highway 90 Tie-In. Mr. Oneil Malbrough of GIS gave an update on the Watershed Initiative. He stated meetings are being set up to discuss Phase I of the Initiative. He also suggested that some of the Board members attend the Region 6 meetings. The deadline to submit the Capital Outlay application is on November 1, 2019. Because of this deadline, the Board will not meet again for a Regular Board Meeting in order to approve the application. The Board decided to hold a Special Meeting after the Finance Meeting on Wednesday, October 9, 2019 in order to approve the Capital Outlay application. Vice-President Matherne asked the engineers on the steps for a land owner to be able to allow the levee board to retrieve dirt from his land to build up the levees. Mr. Malbrough said they can review the paperwork but tests and other things would need to be done before his dirt can be used.

Pictures were passed around of one of the levee board’s tractors that caught on fire. A discussion took place on its replacement or if it can get fixed. Mr. Ivy Chauvin, Assistant Executive Director, gave an update on the equipment and stated the worker was fine.

Commissioner Russell Loupe made a motion to adjourn and Commissioner Michael McKinney, Sr. seconded his motion.

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

PRESIDENT

AJ

10/08/2019