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STATE OF LOUISIANA
BOARD OF COMMERCE & INDUSTRY
BEING HELD ON WEDNESDAY, APRIL 24, 2024
AT THE LASALLE BUILDING
617 North Third Street, FLOOR 1, LABELLE ROOM
Baton Rouge, Louisiana

REPORTED BY: KELLY S. PERRIN, C.C.R.

COURT REPORTERS OF LOUISIANA - A VERITEXT COMPANY
9522 BROOKLINE AVENUE, SUITE 217
BATON ROUGE, LOUISIANA 70809
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1	I N D E X	1	WESLEY BLAKE WHEELIS (ABSENT)
2	PAGE	2	STAFF MEMBERS PRESENT:
3	CAPTION	1	ROBIN PORTER
4	APPEARANCES	3-5	ANNE G. VILLA
5	PROCEEDINGS	6	DEBORAH SIMMONS
6	REPORTER'S CERTIFICATE	146	FRANK FAVALORO
7			KRISTIN CHENG JOHNSON
8			HUD USIE
9			TRAVIS ROSENBERG
10			JOYCE METOYER
11			STEPHANIE LE GRANGE
12			TEDRA CHEATHAM
13			MICHAELA ADEGBE
14			BRENDA GUESS
15			LIZ MCCAIN
16			SHAWN WELCOME
17			LETICIA JOHNSON
18			JOLEASIA CAMPBELL
19			PERRY JOHNSON
20			GABE NECULA
21			MARK LORANDO
22			
23			
24			
25			
		Page 2	Page 4
1	APPEARANCES:	1	APPEARANCES CONTINUED:
2	BOARD MEMBERS PRESENT:	2	SPEAKERS FROM THE PUBLIC:
3	CHAIRMAN JERALD JONES	3	MATTHEW SACKS, PRESIDENT/OWNER, AMPIRICAL
4	RONNIE SLONE	4	SOLUTIONS, LLC
5	REPRESENTATIVE DARYL A. DESHOTEL (ABSENT)	5	PAM FLUCKE, CEO OF FINANCE, AMPIRICAL SOLUTIONS,
6	STUART A. MOSS	6	LLC
7	KYLE D. RUCKERT, DESIGNEE FOR GOVERNOR	7	RODNEY BRAXTON, SOUTHERN STRATEGY GROUP LOUISIANA
8	SECRETARY SUSAN BONNETT BOURGEOIS	8	PAUL SCOTT HALE, DIRECTOR OF ADMINISTRATION,
9	MICHAEL J. TANNER	9	FORMOSA PLASTICS CORPORATION, LOUISIANA
10	LETICIA A. "LETTI" LOWE-ARDOIN	10	ROGER BAGWELL, CEO, BAGWELL ENERGY SERVICES, INC.
11	MAYOR DAVID H. TOUPS	11	KYLE BUCKLEY, INCENTIVE SPECIALIST, ST. TAMMANY
12	NAHEEM "GEORGE" NASSAR, JR.	12	CORPORATION
13	MARSHALL J. SIMIEN, JR.	13	DAVID HEXT, SITE MANAGER, INDORAMA VENTURES
14	JOHN D. AUSTIN	14	OLEFINS, LLC
15	BARRY M. MELE	15	ASHLEY CHAPMAN, INDORAMA VENTURES OLEFINS, LLC
16	CHARLES "ROBBY" MILLER, JR.	16	
17	REPRESENTATIVE JULIE EMERSON	17	
18	DAVID B. DOSS	18	
19	SENATOR FRANKLIN FOIL	19	
20	RONALD W. REMEDIES	20	
21	KYLE P. POLOZOLA	21	
22	DAVID M. AMOSS	22	
23	SCOTT A. NIEMEYER (ABSENT)	23	
24	SENATOR BETH MIZELL (ABSENT)	24	REPORTED BY:
25	ERWIN G. THOMPSON, III (ABSENT)	25	KELLY S. PERRIN, CERTIFIED COURT REPORTER
		Page 3	Page 5

1 PROCEEDINGS
2 CHAIRMAN JONES:
3 Good morning. It's good to see everyone
4 this morning at the first meeting of 2024 for
5 the Board of Commerce and Industry. For those
6 of you who attend these meetings, the people
7 up here, there's a lot of new faces and that's
8 exciting for all of us because we all get to
9 figure out how to dance this dance together.
10 And so it's good to have you here this morning
11 and I'm going to call the meeting to order.
12 I want to especially recognize the new
13 members of the Board. I'm going to apologize
14 in advance, because as I try to work through
15 the agenda, over the course of the next few
16 months, I'll learn each of your names and
17 faces. Today, I'm going to be real bad at it.
18 So I'm going to apologize in advance, but
19 please be patient with me.
20 If you have any questions or if you have
21 a point you want to make, just raise your
22 hand, let me know, and we'll get that done. I
23 know a couple of you have talked to me about
24 needing to recuse yourself from certain items.
25 When we get to that item, just raise your hand

1 and let me know and we'll make sure that goes
2 on the record.
3 So I also want to introduce, if everybody
4 hasn't met her, our new Secretary of LED,
5 Susan Bourgeois. We're excited to have her
6 sitting on the Board with us; and the
7 Governor's Representative, Mr. Kyle Ruckert,
8 it's great to have him here as well. They're
9 not any more important than the rest of the
10 Board Members, but they -- well, they kind of
11 are. So but it's -- we've got a lot of work
12 to do. The February meeting was postponed or
13 actually did not happen due to lack of quorum,
14 and we've made up for it in space today, so
15 I'm excited to have everybody here today.
16 With that, the meeting is called to
17 order. Let's call the roll so we make sure we
18 have a quorum.
19 MS. SIMMONS:
20 Good morning, everyone.
21 Stuart Moss?
22 MR. MOSS:
23 Here.
24 MS. SIMMONS:
25 Mayor David Toups?

1 MAYOR TOUPS:
2 Present.
3 MS. SIMMONS:
4 David Amoss?
5 MR. AMOSS:
6 Here.
7 MS. SIMMONS:
8 John Austin.
9 MR. AUSTIN:
10 Here.
11 MS. SIMMONS:
12 David Doss?
13 MR. DOSS:
14 Here.
15 MS. SIMMONS:
16 Barry Mele?
17 MR. MELE:
18 Present.
19 MS. SIMMONS:
20 Scott Niemeyer?
21 (No response.)
22 MS. SIMMONS:
23 Representative Daryl Deshotel?
24 (No response.)
25 MS. SIMMONS:

1 Senator Franklin Foil?
2 SENATOR FOIL:
3 Here.
4 MS. SIMMONS:
5 Kyle Polozola?
6 MR. POLOZOLA:
7 Here.
8 MS. SIMMONS:
9 I'm sorry if I mispronounce your names.
10 Gerald Jones?
11 CHAIRMAN JONES:
12 Present.
13 MS. SIMMONS:
14 Ronald Remedies?
15 MR. REMEDIES:
16 Here.
17 MS. SIMMONS:
18 Senator Beth Mizell?
19 (No response.)
20 MS. SIMMONS:
21 Representative Julie Emerson?
22 (No response.)
23 MS. SIMMONS:
24 Michael Tanner?
25 MR. TANNER:

1 Here.
2 MS. SIMMONS:
3 Secretary Susan Bourgeois?
4 SECRETARY BOURGEOIS:
5 Here.
6 MS. SIMMONS:
7 George Nassar?
8 MR. NASSAR:
9 Present.
10 MS. SIMMONS:
11 Erwin Thompson, III?
12 (No response.)
13 MS. SIMMONS:
14 Marshall Simien?
15 MR. SIMIEN:
16 Here.
17 MS. SIMMONS:
18 Ronnie Slone?
19 MR. SLONE:
20 Present.
21 MS. SIMMONS:
22 Wesley Blake Wheelis?
23 (No response.)
24 MS. SIMMONS:
25 Letti Ardoin?

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1 Program. Ms. Adegbe, would you walk us
2 through that, please, ma'am?
3 MS. ADEGBE:
4 Good morning.
5 CHAIRMAN JONES:
6 Good morning.
7 MS. ARDOIN:
8 There are nine new applications:
9 20210454 1,4 Group, Inc., Ascension Parish;
10 20210507 Alliance Compressors, LLC,
11 Natchitoches Parish; 20220090 C-Dive, LLC,
12 Terrebonne Parish; 20210633, Goex Industries,
13 LLC, Webster Parish; 20210388 Haynes
14 International Inc., Bienville Parish; 20210573
15 Louisiana Spirits, LLC, Jefferson Davis
16 Parish; 20220181 NuStar Equipment, LLC,
17 Lafayette Parish; 20210458 PCS Nitrogen
18 Fertilizer, LP, Ascension Parish; 20210612
19 Southland Steel Fabricators, Inc., St. Helena
20 Parish.
21 CHAIRMAN JONES:
22 Thank you, ma'am. Again, for the benefit
23 of the Board, our practice is to handle these
24 in globo and that will actually have one
25 motion to approve or disapprove all. If there

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1 MS. ARDOIN:
2 Here.
3 MS. SIMMONS:
4 Charles "Robby" Miller?
5 MR. MILLER:
6 Here.
7 MS. SIMMONS:
8 Kyle Ruckert?
9 MR. RUCKERT:
10 Here.
11 MS. SIMMONS:
12 We have a quorum.
13 CHAIRMAN JONES:
14 Thank you, ma'am. Board Members, you
15 have received a copy of the minutes from the
16 December 6th, 2024 (sic) meeting. Are there
17 any objections to adopting those minutes?
18 Hearing no objections, all in favor, say
19 aye.
20 ALL:
21 Aye.
22 CHAIRMAN JONES:
23 Any opposed?
24 There being none, the motion carries.
25 That will move us to the Quality Jobs

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1 are any that you want to pull out and handle
2 individually, we can certainly do that. Just
3 let me know that you want to do that.
4 With that, I'll entertain a motion on
5 these.
6 MR. POLOZOLA:
7 Mr. Chairman?
8 CHAIRMAN JONES:
9 Yes, sir?
10 MR. POLOZOLA:
11 Let me note my recusal in the matter
12 20210633, 20210458, and 20210612.
13 CHAIRMAN JONES:
14 Do you -- were you able to pick that up?
15 STENOGRAPHER:
16 (Nods.)
17 CHAIRMAN JONES:
18 Mr. Polozola, I'm just making sure that
19 our stenographer was able to --
20 MR. POLOZOLA:
21 I'll grab the mic.
22 CHAIRMAN JONES:
23 Yeah, that's Mr. Polozola will be
24 recusing himself from three matters. Go
25 ahead, Kyle.

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1 MR. POLOZOLA:
2 20210633, 20210458, and 20210612.
3 CHAIRMAN JONES:
4 Okay. He will be recusing himself,
5 meaning he will participate in any
6 deliberations or the votes on those matters.
7 Anything else before we entertain a motion?
8 Is there a motion on these matters?
9 Motion from Mr. Simien. Second from
10 Mr. Moss to approve.
11 Any questions or comments from the Board?
12 Hearing none, any comments from the
13 public?
14 There being none, all in favor, say aye.
15 ALL:
16 Aye.
17 CHAIRMAN JONES:
18 Any opposed?
19 There is none. The motion carries.
20 Next?
21 MS. ADEGBE:
22 There are four Renewal Applications:
23 20180061 Align Technologies, Corp, Orleans
24 Parish; 20170421 American Sugar Refining,
25 Inc., St. Bernard Parish; 20190024 RedGuard,

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1 LLC, Iberia Parish; 20180261, Shintech
2 Louisiana, LLC, Iberville Parish.
3 CHAIRMAN JONES:
4 Do we have any motions on this? Motion
5 from Mr. Nassar to approve. Second from
6 Mr. Moss.
7 Any questions or comments from the Board?
8 Hearing none, any comments?
9 I'm sorry. Mr. Polozola? Y'all, we will
10 learn that we all will envy Mr. Polozola's
11 client list as we work through the agenda
12 today. Mr. Polozola, you have a recusal.
13 MR. POLOZOLA:
14 2020 -- I'm sorry, 20180261.
15 CHAIRMAN JONES:
16 Align Technologies, Corp?
17 MR. POLOZOLA:
18 It's Shintech Louisiana.
19 CHAIRMAN JONES:
20 Oh, Shintech, I'm sorry. Forgive me.
21 20180261 Shintech. All right. We've got a
22 recusal. Do we have -- we have a motion and
23 a second to approve. Any comments from the
24 Board or questions from the Board?
25 There being none, any comments from the

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1 public?
2 There being none, all in favor, say aye.
3 ALL:
4 Aye.
5 CHAIRMAN JONES:
6 Any opposition?
7 There is none. The motion carries.
8 Yes, ma'am?
9 MS. ADEGBE:
10 There is one Late Renewal, 20170637,
11 Ampirical Solutions, LLC, St. Tammany Parish,
12 Contract effective date, 1/6/2018; initial
13 contract expiration, 1/5/23; late renewal
14 request date, 12/15/2023.
15 CHAIRMAN JONES:
16 For the benefit of the Board and the
17 public, any time we have late renewals, there
18 are penalty opportunities for the Board to
19 impose; the idea being that these are
20 important benefits, the company should be --
21 should value these benefits, and when the
22 renewal time comes, they should be submitting
23 them in a timely fashion. In some of these
24 programs, those penalties are set forth by the
25 rules. In some, they are not.

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1 The Quality Jobs Program, they are not
2 set by rule. They are purely optional for the
3 Board. You will see in your agenda under
4 options of the Board, you can approve the
5 five-year renewal without penalty, you can
6 approve with a penalty, or you can deny the
7 request for renewal altogether. Not that it
8 matters necessarily, but the custom of the
9 Board has been that for every year or portion
10 of the year that the renewal application is
11 late, there is a one-year penalty for the
12 benefit, but that is entirely up to this Board
13 if you want to move forward.
14 Do I have a motion?
15 Mr. Simien?
16 MR. SIMIEN:
17 Given the date that they actually renew,
18 I move for renewal without penalty.
19 CHAIRMAN JONES:
20 We have a motion to approve without
21 penalty.
22 MR. MOSS:
23 Second.
24 CHAIRMAN JONES:
25 I have a second from Mr. Moss.

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1 Yes, sir, Mr. Mele?
 2 MR. MELE:
 3 Was there a reason stated for the late
 4 renewal and why they filed so late?
 5 CHAIRMAN JONES:
 6 That's a fair question. Do we have a
 7 representative here from Ampirical Solutions?
 8 Have a seat right here, please. If
 9 you'll pull the microphone to you so that the
 10 stenographer can pick up. State your name and
 11 your position with the company.
 12 MR. SACKS:
 13 Good morning. Matthew Sacks, President
 14 and owner of Ampirical Solutions and Pam
 15 Flucke here, our CEO of Finance.
 16 CHAIRMAN JONES:
 17 Great. Thank you. So, obviously, we
 18 have a late renewal, almost a year late, but
 19 what is the basis -- what was the reason for
 20 it?
 21 MR. SACKS:
 22 No good reason. Simply didn't see in the
 23 contract any kind of renewal terms. Had our
 24 head down. We have been blessed by the
 25 Quality Jobs Program and with great hiring

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1 results, and there was no trigger or an alert.
 2 It also comes at a time of year when we're in
 3 tax audit and all that in the first quarter of
 4 the year, and it simply flew under the radar
 5 and we missed it.
 6 CHAIRMAN JONES:
 7 Got it.
 8 Yes, sir?
 9 MR. MILLER:
 10 So you said it was a real success to your
 11 business. Can you talk more about the jobs
 12 you created?
 13 MR. SACKS:
 14 Certainly can. So 2017 was a baseline
 15 year. So in 2018, first year, we started
 16 counting the net new hires. We had -- from
 17 that baseline of over \$10 million in payroll,
 18 we've added another \$13.6 million in payroll
 19 of net jobs that qualify. So from 2018
 20 through '22, 18, 27, 32, 47, and 85 net new
 21 hires each of those successive years, so 209
 22 total new hires.
 23 MR. MILLER:
 24 And that payroll amount was what?
 25 MR. SACKS:

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1 The additional payroll, \$13 million, over
 2 \$13 million. And that doesn't include another
 3 \$4 million in additional baseline payroll.
 4 That's not a part of the net new as we
 5 replaced people that fell off the baseline
 6 with higher wages.
 7 CHAIRMAN JONES:
 8 Any other comments or questions from the
 9 Board?
 10 Ms. Secretary?
 11 SECRETARY BOURGEOIS:
 12 Yeah, I would just like to address,
 13 moving forward, our Department is going to pay
 14 much closer attention to that on your behalf
 15 as well. Ultimately, it is your
 16 responsibility clearly.
 17 MR. SACKS:
 18 So are we.
 19 SECRETARY BOURGEOIS:
 20 Not sure what the process for the last
 21 eight years has been. But moving forward, we
 22 will make sure that at least an email or some
 23 type of trigger goes out so oversights will be
 24 less likely.
 25 MR. SACKS:

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1 We're tracking better too.
 2 CHAIRMAN JONES:
 3 Generally, that's one -- and just to be
 4 full transparency, one reason that the Board
 5 adopted, started adopting penalties is because
 6 it was at least the Board's impression that
 7 the companies didn't see any real need to meet
 8 because there were no penalties for late
 9 renewals, so it became a bookkeeping
 10 difficulty for us. And we were -- and so the
 11 logic of the Board at the time was, why are we
 12 putting more work on the staff when, in fact,
 13 these programs are valuable and y'all need to
 14 be valuing them as much as we do.
 15 So I appreciate it. I think you guys
 16 have got a great story to tell. Obviously,
 17 the company has been successful and I
 18 congratulate you for that.
 19 MR. SACKS:
 20 Thank you.
 21 MS. FLUCKE:
 22 Thank you.
 23 CHAIRMAN JONES:
 24 Right now, we have a motion and a second
 25 to approve the renewal without penalty. Is

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1 there any further discussion or questions?
 2 Any other comments from the public?
 3 There being none, all in favor, say aye.
 4 ALL:
 5 Aye.
 6 CHAIRMAN JONES:
 7 Is there any opposition?
 8 Hearing none, the motion carries.
 9 MR. SACKS:
 10 Thank you.
 11 MS. FLUCKE:
 12 Thank you.
 13 CHAIRMAN JONES:
 14 Thank you for your contributions to the
 15 State.
 16 MR. SACKS:
 17 Of course.
 18 MS. ADEGBE:
 19 There are two Change of Project Physical
 20 Locations: 20200423, Aqueos Corporation,
 21 previous address, 231 Highway 96, Broussard,
 22 Louisiana 70518, previous parish, Lafayette;
 23 new address, 1186 Petroleum Parkway,
 24 Broussard, Louisiana 70518, Lafayette Parish;
 25 20140927, Centene Management Company,

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1 LLC, 2000 Covington Center, Covington,
 2 Louisiana 70433, St. Tammany Paris; new
 3 address, 144 New Camellia Boulevard,
 4 Covington, Louisiana 70433, St. Tammany
 5 Parish.
 6 CHAIRMAN JONES:
 7 Ms. Adegbe, correct me if I overly
 8 simplify this, but for the Board's
 9 edification, this is simply an attempt to
 10 change the mailing address and notice address
 11 for the company. It's for all intents and
 12 purposes of bookkeeping and administrative
 13 issues, is that reasonably correct,
 14 Ms. Adegbe?
 15 MS. ADEGBE:
 16 This is their project site, so they move
 17 their operations from one location to another
 18 location.
 19 CHAIRMAN JONES:
 20 Obviously, there's more than a simple
 21 address change then.
 22 MS. ADEGBE:
 23 Yes, sir.
 24 CHAIRMAN JONES:
 25 See, it takes a village to raise -- and

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1 I've been doing this a few times, but thank
 2 you. Thank you for the correction, but thank
 3 you for the explanation as well, Ms. Adegbe.
 4 All right. Do we have a motion to
 5 approve these changes?
 6 We have a motion from Mr. Nassar. Second
 7 from Mr. Moss.
 8 Any questions or comments from the Board?
 9 There being none, any comments from the
 10 public?
 11 Hearing none, all in favor, say aye.
 12 ALL:
 13 Aye.
 14 CHAIRMAN JONES:
 15 Any opposition?
 16 There being none, the motion carries.
 17 MS. ADEGBE:
 18 There are four Full Transfer of Ownership
 19 to New Company: 20190206, current company,
 20 Calcasieu Pass Operations, LLC, formerly
 21 Venture Global LNG, Inc.; new company,
 22 Calcasieu Pass Operations, LLC, Cameron
 23 Parish; 20200246, JM Test Systems, Inc.; new
 24 company name, JM Test Systems, LLC, East Baton
 25 Rouge Parish; 20200068 REG Geismar, LLC; new

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1 company name, Chevron USA, Inc., Ascension
 2 Parish; 20200253 Venture Global LNG, Inc.; new
 3 company name, Plaquemines LNG Operations, LLC,
 4 Plaquemines Parish.
 5 CHAIRMAN JONES:
 6 I'm going to ask for a motion to defer
 7 two of these matters, that being 20190206,
 8 Calcasieu Pass Operations, LLC, formerly
 9 Venture Global LNG, Inc. as well as numbers
 10 2020253, Venture Global LNG, Inc. I'm going
 11 to ask to defer those to the next meeting.
 12 I have a motion from Mr. Nassar. Second
 13 from Mr. Slone.
 14 Any questions or comments from the Board?
 15 Hearing none, any comments from the
 16 public?
 17 Hearing none, all in favor, say aye.
 18 ALL:
 19 Aye.
 20 CHAIRMAN JONES:
 21 Any opposition?
 22 There being none, that motion carries.
 23 Those items will be considered at the next
 24 meeting.
 25 Now we have the two remaining projects.

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1 Do we have a motion to approve these transfer
 2 of ownership?
 3 Motion from Mayor Toups. Second from
 4 Secretary Bourgeois.
 5 Any questions or comments from the Board?
 6 Hearing none, any comments from the
 7 public?
 8 There being none, all in favor, say aye.
 9 ALL:
 10 Aye.
 11 CHAIRMAN JONES:
 12 Any opposition?
 13 There being none, the motion carries.
 14 MS. ADEGBE:
 15 One Change of Affiliates/Owners:
 16 20200068 REG Geismar, LLC, Ascension Parish;
 17 old affiliates and LLC members, Renewable
 18 Energy Group, Inc.; new affiliates and LLC
 19 members, Renewable Energy Group, Inc. and REG
 20 Geismar, LLC.
 21 CHAIRMAN JONES:
 22 Okay. Do we have a motion to change?
 23 Motion from Mr. Moss. Second from Mr. Nassar.
 24 Any questions or comments from the Board?
 25 Any comments from the public?

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1 There being none, all in favor, say aye.
 2 ALL:
 3 Aye.
 4 CHAIRMAN JONES:
 5 Any opposition?
 6 There is none, the motion carries.
 7 MS. ADEGBE:
 8 This concludes Quality Jobs.
 9 CHAIRMAN JONES:
 10 Thank you, Ms. Adegbe. Appreciate your
 11 help.
 12 MS. ADEGBE:
 13 Thank you.
 14 CHAIRMAN JONES:
 15 As Mr. Rosenberg comes to the table, I
 16 just want to make a comment. I know for,
 17 whenever I first started serving on this
 18 Board, we would go through these and it
 19 appeared as though there's nothing but a
 20 rubber stamp going on. I want to disabuse you
 21 of that notion in as much as what this really
 22 represents, that behind the scenes, both the
 23 applicants and the staff have been doing their
 24 jobs. If they are doing their jobs, our Board
 25 meetings ought to be fairly straightforward

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1 and clean.
 2 It is, we are here to step in when one or
 3 both of those people are not doing their jobs,
 4 and we don't want to break ties or make
 5 decisions that clarify what's going on. And
 6 so I don't want anybody to think that this is
 7 simply nobody's paying attention. The reality
 8 is, these applications are coming to us and
 9 the staff has already done their homework and
 10 are recommending approval because they have
 11 dotted the I's and crossed the T's. Is that
 12 fair?
 13 Great. Thank you.
 14 Mr. Rosenberg, walk us through
 15 Restoration Tax Abatement, please.
 16 MR. ROSENBERG:
 17 Good morning.
 18 CHAIRMAN JONES:
 19 Good morning.
 20 MR. ROSENBERG:
 21 There are three new applications:
 22 20210560, 1015 Canal, LLC in Orleans Parish;
 23 20230350, Layton Properties, LLC, Ouachita
 24 Parish; and 20230315 for Robert Farris in St.
 25 Tammany Parish.

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1 CHAIRMAN JONES:
 2 Great. Thank you, sir. And, again,
 3 further explanation, the Restoration Tax
 4 Abatement Program is, constitutionally, the
 5 locals already have said grace over these
 6 matters as set forth in the constitution and
 7 they have approved these before they ever come
 8 to LED.
 9 So with that, I would entertain a motion
 10 to approve. Motion from Mr. Nassar. Second
 11 from Mr. Mele.
 12 Any questions or comments from the Board?
 13 There being none, any comments from the
 14 public?
 15 Hearing none, all in favor, say aye.
 16 ALL:
 17 Aye.
 18 CHAIRMAN JONES:
 19 Any opposition?
 20 There being none, the motion carries.
 21 MR. ROSENBERG:
 22 There are three Renewal Applications:
 23 20170018 for Georgia Tucker, LLC in Ouachita
 24 Parish; 20141093 for Hall Downtown, LLC in
 25 Ouachita Parish; and 20161898 for Third Floor

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1 Properties in Ouachita Parish.
2 CHAIRMAN JONES:
3 Do we have a motion to approve? Motion
4 from Mayor Toups. Second from Mr. Moss.
5 Any questions or comments from the Board?
6 Hearing none, any comments from the
7 public?
8 There being none, the motion -- all in
9 favor, say aye.
10 ALL:
11 Aye.
12 CHAIRMAN JONES:
13 Any opposition?
14 There being none, the motion carries.
15 MR. ROSENBERG:
16 There is one Full Transfer of Ownership
17 to new company request for Contract Number
18 20151972. Former owner is Gibraltar
19 Management Company, LLC, and the new owner is
20 Ardendale Oaks Apartments, LLC in East Baton
21 Rouge Parish.
22 CHAIRMAN JONES:
23 Do we have a motion on this Transfer of
24 Ownership? We have a motion from Secretary
25 Bourgeois, a second from Mr. Slone.

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1 Any questions or comments from the Board?
2 Hearing none, any comments from the
3 public?
4 There being none, all in favor, say aye.
5 ALL:
6 Aye.
7 CHAIRMAN JONES:
8 Any opposition?
9 There is none. The motion carries.
10 MR. ROSENBERG:
11 That concludes the RTA agenda.
12 CHAIRMAN JONES:
13 Thank you, Mr. Rosenberg.
14 Good morning, Ms. Metoyer.
15 MS. METOYER:
16 Good morning. There are 16 new EZ
17 Applications: 20230307, Acadiana Waste
18 Services, Lafayette Parish; 20151318 Cajun
19 Industries, LLC, East Baton Rouge Parish;
20 20190166, Community Care Center of Covington,
21 LLC, St. Tammany Parish; 20210025, Good Job,
22 Incorporated, Lafourche Parish; 20200057,
23 Landmark Heritage, LLC, East Baton Rouge
24 Parish; 20190330 NMC Operating Company, LLC,
25 East Baton Rouge Parish; 20210100, Noble

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1 Plastics, LLC, St. Landry Parish; 20210101,
2 Noble Plastics, LLC, St. Landry Parish;
3 20200296 Ochsner Clinic Foundation, Ascension
4 Parish; 20210318, Ochsner Clinic Foundation,
5 Jefferson Parish; 20210320, Ochsner Clinic
6 Foundation, East Baton Rouge Parish; 20210274,
7 Phillips 66 Company, Calcasieu Parish;
8 20200167, Southwest Louisiana Hospital
9 Association, Calcasieu Parish; 20210496,
10 Sterling Place, LLC, East Baton Rouge Parish;
11 20190133, Willis Knighton Medical Center,
12 Incorporated, Caddo Parish; and 20200447,
13 Willis Knighton Medical Center, Incorporated,
14 Bossier Parish.
15 CHAIRMAN JONES:
16 Okay. Again, we will handle these in
17 globo, unless anyone wants to carry any one
18 individually?
19 MR. POLOZOLA:
20 Mr. Chairman?
21 CHAIRMAN JONES:
22 We have, Mr. Polozola?
23 MR. POLOZOLA:
24 I just want a recusal for 20151318, Cajun
25 Industries; and 20210274, Phillips 66.

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1 CHAIRMAN JONES:
2 Mr. Polozola will be recusing himself
3 from Cajun Industries, LLC and Phillips 66
4 applications. All right. Any motion? We
5 have a motion from Mr. Moss to approve. We
6 have a second?
7 MR. NASSAR:
8 Second.
9 CHAIRMAN JONES:
10 Second from Mr. Nassar. Any questions or
11 comments from the Board?
12 Hearing none, any comments from the
13 public?
14 There being none, all in favor, say aye.
15 ALL:
16 Aye.
17 CHAIRMAN JONES:
18 Any opposition?
19 There is none. The motion carries.
20 Go right ahead.
21 MS. METOYER:
22 There are six Terminations:
23 20190101, Baton Rouge Dental Associates,
24 LLC, East Baton Rouge Parish, the existing
25 contract is 5/16/19 to 5/15/2024. The

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1 requested term date is 5/15/2022. The program
 2 requirements have been met. No additional
 3 jobs are anticipated.
 4 20200137, E. Drew Clement DDS, LLC,
 5 Lafourche Parish, the existing contract is
 6 4/10/20 to 4/9/2025. The requested term date
 7 is 4/9/2023. The program requirements have
 8 been met. No additional jobs anticipated.
 9 20190152, Kenner Dental Associates, LLC,
 10 Jefferson Parish. Existing contract, 5/16/19
 11 to 5/15/2024. The requested term date is
 12 5/15/2022. The program requirements have been
 13 met. No additional jobs are anticipated.
 14 202000 -- no, 20200109, Metaplate
 15 Galvanizing, LP, Jefferson Davis Parish, the
 16 existing contract is 3/12/20 to 3/11/2025. The
 17 requested term date is 9/12/2022. The program
 18 requirements have been met. No additional
 19 jobs are anticipated.
 20 20190093, Neighbors, LLC, Ouachita
 21 Parish, existing contract is 4/26/19 to
 22 4/25/2024. The requested term date is
 23 10/31/21. The program requirements have been
 24 met. No additional jobs are anticipated.
 25 And 20180327, Ochsner Clinic Foundation,

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1 Jefferson Parish, the existing contract is
 2 8/30 of '18 to 8/29 of 2023. The requested
 3 term date is 8/29 of '22. And the program
 4 requirements have been met. No additional
 5 jobs are anticipated.
 6 CHAIRMAN JONES:
 7 All right. Do we have a motion to
 8 approve these Terminations? I have a motion
 9 from Ms. Ardoin. A second from Mayor Toups.
 10 Any questions or comments from the Board?
 11 Hearing none, any comments from the
 12 public?
 13 There being none, all in favor, say aye.
 14 ALL:
 15 Aye.
 16 CHAIRMAN JONES:
 17 Any opposition?
 18 There being none, the motion carries.
 19 MS. METOYER:
 20 And I have one Special.
 21 CHAIRMAN JONES:
 22 Go right ahead.
 23 MS. METOYER:
 24 Okay. The U.S. Census Bureau recently
 25 released the 2020 Census appointment results

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1 in accordance with La. R.S. 51:1784.
 2 Louisiana Economic Development uses federal
 3 denial census data in qualifying the bottom 40
 4 percent of block groups in the State as
 5 Enterprise Zones, based on per capita income,
 6 unemployment, and percentage of residents
 7 receiving public assistance.
 8 In accordance with La. R.S. 51:1785, LED
 9 designates the updated qualified block group
 10 within the State every 10 years using the
 11 federal census data. An update to the list of
 12 eligible tracts in each jurisdiction for the
 13 Enterprise Zone Incentive Program administered
 14 by LED is required. As a part of this update,
 15 local governments are invited to approve the
 16 Enterprise Zones in their jurisdiction. After
 17 an initial outreach and several followup with
 18 the local governments, LED now seeks Board
 19 approval of the 2020 EZ Enterprise Zone
 20 designation for the following parishes listed
 21 below.
 22 CHAIRMAN JONES:
 23 Okay. Stop right there. I don't want
 24 you to read the next --
 25 MS. METOYER:

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1 No, I don't want to.
 2 CHAIRMAN JONES:
 3 Okay. Board members, you have in your
 4 packets pages 12 to 59 represent these
 5 Enterprise Zone blocks. Again, the local
 6 governments have had opportunity for input and
 7 this is the recommendations from the staff
 8 based on the census information. We only have
 9 to do this once every 10 years. You're lucky
 10 enough to deal with it today.
 11 So I would entertain a motion to approve.
 12 Motion from Mr. Simien. Second from Mr. Moss.
 13 Any questions or comments from the
 14 public -- excuse me, from the Board?
 15 There being none, any comments from the
 16 public?
 17 Hearing none, all in favor, say aye.
 18 ALL:
 19 Aye.
 20 CHAIRMAN JONES:
 21 Any opposition?
 22 There being none, the motion carries.
 23 MS. METOYER:
 24 That concludes EZ.
 25 CHAIRMAN JONES:

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1 Thank you so much.
 2 MS. METOYER:
 3 Thank you.
 4 CHAIRMAN JONES:
 5 All right. Let's move into the
 6 Industrial Tax Exemption Programs.
 7 MS. CHENG:
 8 Good morning.
 9 MR. USIE:
 10 Good morning.
 11 CHAIRMAN JONES:
 12 Good morning. Who is up first?
 13 MS. CHENG:
 14 We have 13 Post Executive Order 2018
 15 Rules and New Applications.
 16 CHAIRMAN JONES:
 17 Okay. Let's stop there and make sure
 18 we're level set. Over the course of the last
 19 eight years, this Board had to learn to work
 20 through about three different sets of ITEP
 21 Rules because we had ITEP contracts that were
 22 in place prior to the Executive Order that
 23 Governor Edwards implemented in 2016. Then,
 24 the Board tried to implement that EO by rule
 25 in adopting rules in 2017. Unfortunately,

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1 those rules were not as crisp as they needed
 2 to be, and we did a reboot in 2018.
 3 So we had Pre EO Applications, we had
 4 2017 Rule Applications, and we had 2018 Rule
 5 Applications. And, oh, by the way, we're
 6 about to go through another rule making. But
 7 what that does is, is that we divide the
 8 agenda based upon which set of rules these
 9 applications are under. And that means the
 10 staff and the applicants, they have to
 11 understand three different sets of rules based
 12 on where the program fits.
 13 So it seems a little complex. I think
 14 we've gotten it down to where it moves
 15 relatively smoothly. But by all means, if you
 16 have any questions or you don't understand
 17 where we are, and when we get into ITEP,
 18 there's no such thing as a stupid question
 19 unless you ask it twice. Okay. Fair enough?
 20 So we can move forward now. So these are --
 21 MS. CHENG:
 22 2018.
 23 CHAIRMAN JONES:
 24 -- 2018 Rules, meaning we have no
 25 applications right now for anything Pre EO.

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1 MS. CHENG:
 2 No, sir.
 3 CHAIRMAN JONES:
 4 Is that correct?
 5 MS. CHENG:
 6 That's correct.
 7 CHAIRMAN JONES:
 8 Okay. Great. Or 2017 for that matter.
 9 MS. CHENG:
 10 No, not on this agenda.
 11 CHAIRMAN JONES:
 12 Perfect. Excellent. Move forward.
 13 MS. CHENG:
 14 And, sorry, this is for the record, I'm
 15 Kristen Cheng.
 16 CHAIRMAN JONES:
 17 Thank you, Kristen Cheng. I didn't call
 18 you by name. Forgive me.
 19 MS. CHENG:
 20 We have 20200450, Allen's Electric Motor
 21 Service, Inc., Caddo Parish; 20220056-A, Ash
 22 Industries, Inc., Lafayette Parish;
 23 20200094-B, Aurorium Denham Springs, LLC,
 24 Livingston Parish; 20220302, Bienville Lumber
 25 Company, LLC, Bienville Parish; 20230434,

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1 Boise Cascade Wood Products, LLC, Allen
 2 Parish; 20230410, CORTEC, LLC, West Baton
 3 Rouge Parish; 20230414 CORTEC Properties, LLC,
 4 West Baton Rouge Parish; 20190394, Honeywell
 5 International, Inc., East Baton Rouge Parish;
 6 20230205, Howell Foundry, LLC, West Feliciana
 7 Parish; 20210121-A, LACC, LLC, U.S., Calcasieu
 8 Parish; 20220394, McIlhenny Company, Iberia
 9 Parish; 20200049-C, Supreme Rice, LLC, Acadia
 10 Parish; and 20220512, TSRC Specialty
 11 Materials, LLC, Iberville Parish.
 12 CHAIRMAN JONES:
 13 Okay. Mr. Polozola?
 14 MR. POLOZOLA:
 15 Just recusal of 20190394, Honeywell.
 16 CHAIRMAN JONES:
 17 20190394, Honeywell, Mr. Polozola will be
 18 recusing himself from consideration of that
 19 matter.
 20 Do we have a motion? A motion to approve
 21 from Mr. Moss. Second from Mr. Slone.
 22 Any questions or comments from the Board?
 23 Note, just one thing I want everybody to
 24 note, especially on 2022394 McIlhenny Company,
 25 I want to note the double asterisks, there was

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1 a late application here. And under our rules
 2 presently, if the application is submitted
 3 after the following deadline, the term
 4 exemption available under an additional
 5 contract renewal shall be reduced by one year
 6 for each year or portion thereof that the
 7 application is late. So as I said earlier,
 8 this is one of those situations where the
 9 penalty is baked into the regulations.
 10 So if we approve the McIlhenny Company
 11 application, there will be a -- is it a
 12 one-year?
 13 MS. CHENG:
 14 Yes, sir, it's one year off of the
 15 initial contract.
 16 CHAIRMAN JONES:
 17 So instead of having a five-year initial
 18 contract, they would have a four-year initial
 19 contract. Okay. But carrying forward with
 20 that logic, Ms. Cheng, if they get to the
 21 renewal, they will be considered after four
 22 years?
 23 MS. CHENG:
 24 That's correct.
 25 CHAIRMAN JONES:

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1 Company, LP, St. Charles Parish; 20150910-A,
 2 Shintech Louisiana, LLC, Iberville Parish;
 3 20161478-A, Shintech Louisiana, LLC, West
 4 Baton Rouge Parish; and 20131233, Zatarain's,
 5 Jefferson Parish.
 6 CHAIRMAN JONES:
 7 Mr. Polozola?
 8 MR. POLOZOLA:
 9 Mr. Chairman, basically everything on
 10 this docket except Cabot Corporation and
 11 Zatarain's.
 12 CHAIRMAN JONES:
 13 Except which one?
 14 MR. POLOZOLA:
 15 Cabot Corporation and Zatarain's.
 16 CHAIRMAN JONES:
 17 All right. So Mr. Polozola is going to
 18 recuse himself from all matters with the
 19 exception of Cabot Corporation and Zatarain's.
 20 Maybe next year, you -- I'm sorry. Just
 21 jealousy, just pure jealousy is all it is.
 22 All right. Do we have a motion?
 23 Mr. Miller?
 24 MR. MILLER:
 25 Question.

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1 Okay. Very good. Any other questions or
 2 comments from the Board?
 3 There being none, any comments from the
 4 public?
 5 Hearing none, all in favor, say aye.
 6 ALL:
 7 Aye.
 8 CHAIRMAN JONES:
 9 Any opposition?
 10 There being none, the motion carries.
 11 MS. CHENG:
 12 We have 11 Pre EO Timely Renewals.
 13 CHAIRMAN JONES:
 14 What are they?
 15 MS. CHENG:
 16 20161534-A, Cabot Corporation, St. Mary
 17 Parish; 20130429-B-PT, Cameron LNG, LLC,
 18 Calcasieu Parish; 20130429-C, Cameron LNG,
 19 LLC, Cameron Parish; 20140816, Equilon
 20 Enterprises, LLC, St. Charles Parish;
 21 20141601, Marathon Petroleum Company, LP, St.
 22 John the Baptist Parish; 20152030-A Marathon
 23 Petroleum Company, LP, St. John the Baptist
 24 Parish; 20150945-A, Shell Chemical Company,
 25 LP, Ascension Parish; 20161458, Shell Chemical

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1 CHAIRMAN JONES:
 2 Okay.
 3 MR. MILLER:
 4 Wait on a motion?
 5 CHAIRMAN JONES:
 6 Let's have a motion and then we'll ask
 7 the question.
 8 Yes, sir?
 9 MR. RUCKERT:
 10 Approve in globo.
 11 CHAIRMAN JONES:
 12 Okay. We have a motion from Mr. Ruckert
 13 to approve in globo. Do we have a second?
 14 Second from Mayor Toups.
 15 Yes, sir, Mr. Miller?
 16 MR. MILLER:
 17 I just want to get some clarity just to
 18 make sure I remember this properly. Even
 19 though those applications are 2013, '16, '14,
 20 the actual exemption doesn't start 'til the
 21 project goes on the rolls. So some of these
 22 projects could have been started in '13, but
 23 not actually go on the rolls 'til '17, '18,
 24 '19. And, therefore, the five years starts
 25 then and their renewal starts five years after

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1 that.
2 CHAIRMAN JONES:
3 The --
4 MR. MILLER:
5 There's more than ten years after some of
6 these applications began.
7 CHAIRMAN JONES:
8 Right. The advance, they file the
9 advance and then the projects proceed through
10 engineering, construction, that sort of thing.
11 And once the 10-year or the 5-year does not
12 start running until they're actually --
13 MR. MILLER:
14 Could be on the books.
15 CHAIRMAN JONES:
16 -- on the books.
17 MR. MILLER:
18 Could be on the books.
19 CHAIRMAN JONES:
20 Actually, the assets are placed in
21 service, I think is the appropriate term.
22 MS. CHENG:
23 Operational use.
24 MR. MILLER:
25 Operational use.

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1 CHAIRMAN JONES:
2 Thank you.
3 MR. MILLER:
4 Okay. Thank you. I just wanted to make
5 sure.
6 CHAIRMAN JONES:
7 So that's the reason that it looks like
8 it's more than 10 years. Good question.
9 Any other questions or comments from the
10 Board?
11 Hearing none, any comments from the
12 public?
13 There being none, all in favor, say aye.
14 ALL:
15 Aye.
16 CHAIRMAN JONES:
17 Any opposition?
18 There being none, the motion carries.
19 MS. CHENG:
20 We have one Pre EO Late Renewal and
21 that's 20161409, Linde, Inc. in Ascension
22 Parish. Their initial contract expired 12/31
23 of 2022 and they filed their late renewal on
24 9/28/2023.
25 CHAIRMAN JONES:

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1 Great. And we have, we've had two people
2 that have signed to speak on the matter of
3 Linde. Mr. Braxton, you want to come forward,
4 and Mr. -- or Ms. Hardy.
5 MR. AUSTIN:
6 Mr. Chairman, I need to recuse myself.
7 CHAIRMAN JONES:
8 Yes, Mr. Austin will be recusing himself
9 from consideration of this Linde late renewal.
10 All right. Mr. Braxton, state your name
11 and your position with the company, please.
12 MR. BRAXTON:
13 Sure. My name is Rodney Braxton, I am
14 with Southern Strategy Group Louisiana and we
15 represent Linde. Appreciate the opportunity
16 to be here today. And, you know, rather than
17 get into our issue, if somebody was going to
18 make a motion, I don't want to cloud it up.
19 But I know earlier, we had a little similar
20 situation and they asked what was the problem.
21 And so in late 2022, Linde was going
22 through a transition, someone who was over
23 this particular, had this responsibility, left
24 the company, and it was at the same time we
25 were consolidating some of the partners that

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1 would take this over. And this simply slipped
2 through the cracks, and that's legitimately
3 what happened.
4 We have complied with every aspect of the
5 contract. We have done forms exactly as we
6 promised to do, promised when the contract was
7 signed. And so we would just ask forgiveness,
8 quite frankly, because it certainly wasn't
9 intentional. It was an oversight.
10 And I know, Mr. Chairman, you probably
11 remember we had a similar issue in October
12 because we've only -- there were two involved
13 in this, and so we want to be transparent.
14 This is the other one, I think I mentioned in
15 October there was another one. This is it.
16 And we were fortunate to get that one approved
17 and renewed and, hopefully, we get the same
18 results here today.
19 CHAIRMAN JONES:
20 Yeah. Just a question, before -- I
21 didn't realize it was October, but we approved
22 you without penalty at that time?
23 MR. BRAXTON:
24 That is correct.
25 CHAIRMAN JONES:

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1 And I guess that's what you are asking
 2 for?
 3 MR. BRAXTON:
 4 That's exactly what I'm asking for again.
 5 CHAIRMAN JONES:
 6 Okay. With that explanation, is there a
 7 motion?
 8 MR. MOSS:
 9 I move approval.
 10 CHAIRMAN JONES:
 11 We have a motion from Mr. Moss to approve
 12 the late renewal without penalty and a second
 13 from Mr. Slone.
 14 Any questions or comments from the Board?
 15 Any questions for Mr. Braxton or Ms. Hardy?
 16 Hearing none, any comments from the
 17 public?
 18 There being none, all in favor of
 19 approving the renewal without penalty, say
 20 aye.
 21 ALL:
 22 Aye.
 23 CHAIRMAN JONES:
 24 Any opposition?
 25 There being none, the motion carries.

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1 MR. BRAXTON:
 2 Thank you very much.
 3 MS. CHENG:
 4 We have one Timely Post EO 2017 Rules
 5 Renewal. It's 20161576-B, Louisiana Sugar
 6 Refining, LLC in St. James Parish.
 7 CHAIRMAN JONES:
 8 All right. They are simply up for a
 9 renewal. Do we have a motion? We have a
 10 motion from Mr. Nassar to approve. Second
 11 from Mr. Slone.
 12 Any questions or comments from the Board?
 13 There being none, any comments from the
 14 public?
 15 Hearing none, all in favor, say aye.
 16 ALL:
 17 Aye.
 18 CHAIRMAN JONES:
 19 Any opposition?
 20 There is none. The motion carries.
 21 MS. CHENG:
 22 We have 11 Timely Post EO 2018 Rules
 23 Renewals: 20180001, C&C Marine and Repair,
 24 LLC, Plaquemines Parish; 20180045, Hunt Forest
 25 Products, LLC, Grant Parish; 20180123,

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1 International Mezzo Technologies, Inc., East
 2 Baton Rouge Parish; 20180087-A, LaSalle Lumber
 3 Company, LLC, LaSalle Parish; 20190093,
 4 Neighbors, LLC, Ouachita Parish; 20161850,
 5 Packing Corporation of America, Beauregard
 6 Parish; 20170296 Packaging Corporation of
 7 America, Beauregard Parish; 20170297,
 8 Packaging Corporation of America, Beauregard
 9 Parish; 20180226, Sterling Sugars, LLC, St.
 10 Mary Parish; 20170587, Stuller, Inc.,
 11 Lafayette Parish; and 20170205, Westlake
 12 Vinyls Company, LP in Ascension Parish.
 13 CHAIRMAN JONES:
 14 Do we have a motion to approve these
 15 Renewals? Mr. Doss, motion from Mr. Doss.
 16 Second by Mr. Moss.
 17 Any questions or comments from the Board?
 18 There being none, any comments from the
 19 public?
 20 Hearing none, all in favor, say aye.
 21 ALL:
 22 Aye.
 23 CHAIRMAN JONES:
 24 Any opposition?
 25 There being none, the motion carries.

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1 MR. USIE:
 2 Next, we have two Change In Name Only:
 3 Bercen, Inc., a division of Cranston
 4 Printworks Corporate Company, 20150240,
 5 changing their name to Aurorium Denham
 6 Springs, LLC in Livingston Parish; and CF
 7 Industries Nitrogen, LLC, 20200433, changing
 8 their name to CF Industries Clean Energy, LLC
 9 in Ascension Parish.
 10 MR. NASSAR:
 11 So moved.
 12 CHAIRMAN JONES:
 13 We have a motion from Mr. Nassar to
 14 approve these Change In Names. Second from
 15 Mayor Toups.
 16 Questions or comments from the Board?
 17 Hearing none, any comments from the
 18 public?
 19 There being none, all in favor, say aye.
 20 ALL:
 21 Aye.
 22 CHAIRMAN JONES:
 23 Any opposition?
 24 There is none. The motion carries.
 25 MR. USIE:

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1 Next, we have two Change In Location
 2 Only: Shell Chemical Company, LP, 20141578-A,
 3 previous location, 16122 River Road, Norco,
 4 Louisiana 70079 in St. Charles Parish; new
 5 location, 15536 River Road, Norco, Louisiana
 6 70079 in St. Charles Parish.
 7 And St. James Solar, LLC, 20180145,
 8 previous location coordinates 29.97593,
 9 -90.73313 Vacherie, Louisiana 70090, St. James
 10 Parish; new location, 2561 Back Quarters
 11 Street, Vacherie, Louisiana 70090 in St. James
 12 Parish.
 13 CHAIRMAN JONES:
 14 Do we have a motion to approve these
 15 Change In Locations? We have a motion from
 16 Ms. Ardoin. Second from Mr. Slone.
 17 Any questions or comments from the Board?
 18 There being none, any comments from the
 19 public?
 20 Hearing none, all in favor, say aye.
 21 ALL:
 22 Aye.
 23 CHAIRMAN JONES:
 24 Any opposition?
 25 There is none. The motion carries.

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1 MR. USIE:
 2 Next, we have seven Transfers of
 3 Contracts: Chalmette Refining, LLC, 20210277,
 4 new owner, St. Bernard Renewables, LLC in St.
 5 Bernard Parish; Dow Chemical Company,
 6 20140993, new owner, Dow Hydrocarbons &
 7 Resources, LLC, West Baton Rouge Parish; MC US
 8 3, LLC, 20150356-PT2, new owner, LANXESS
 9 Corporation, St. Charles Parish; and Union
 10 Carbide Corporation, Contracts 20140991,
 11 20141263, 20141263-A, and 20151589, new owner,
 12 Dow Hydrocarbons & Resources, LLC in St.
 13 Charles Parish.
 14 CHAIRMAN JONES:
 15 All right. Do we have a motion to
 16 approve these Transfers?
 17 Motion from Mayor Touns. Second from
 18 Secretary Bourgeois.
 19 Any questions or comments from the Board?
 20 Hearing none, any comments from the
 21 public?
 22 There being none, all in favor, say aye.
 23 ALL:
 24 Ayes by all.
 25 CHAIRMAN JONES:

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1 Any opposition?
 2 There is none. The motion carries.
 3 And I've just been handed a note that we
 4 do not have a video stream of this meeting.
 5 For those who are attempting to video stream,
 6 you've probably figured that out by now, but
 7 I'll make that as a part of the record. Thank
 8 you.
 9 MR. USIE:
 10 Next, we have two Partial Transfers of
 11 Contract: The first is Cortec, LLC,
 12 20180030-A. Cortec, LLC is retaining
 13 \$2,134,632 in property and Cortec Properties,
 14 LLC is receiving \$1,375,851 in property, and
 15 this is in West Baton Rouge Parish.
 16 And then Cortec, LLC, 20180072-A, Cortec,
 17 LLC is retaining \$1,188,136 in property and
 18 Cortec Properties, LLC is receiving \$4,614,691
 19 in property, and this is in Terrebonne Parish.
 20 CHAIRMAN JONES:
 21 Do we have a motion to approve these
 22 Partial Transfers?
 23 Motion from Mr. Nassar. Second from
 24 Mayor Touns.
 25 Any questions or comments?

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1 MR. MELE:
 2 Could someone elaborate on why
 3 (inaudible) Transfer?
 4 CHAIRMAN JONES:
 5 Fair question. Explain, Mr. Usie, what
 6 these kind of transfers are about.
 7 MR. USIE:
 8 We performed a site inspection and it was
 9 discovered that it was incorrectly recorded
 10 when they initially applied, that the building
 11 portion of their project was owned by Cortec
 12 Properties and the machinery and equipment
 13 should stay as Cortec, LLC, so they're just
 14 correcting it.
 15 MR. MELE:
 16 Is that a common occurrence for when this
 17 type of transfer takes place?
 18 MR. USIE:
 19 Not very common, no.
 20 MS. CHENG:
 21 It's because contracts have to be company
 22 specific, site specific. So without this
 23 transfer, Cortec Properties doesn't have a
 24 contract in their name to exempt those assets.
 25 MR. MELE:

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1 So the Board doesn't see this
2 (inaudible)?
3 CHAIRMAN JONES:
4 Mr. Mele, would you pull the mic closer
5 to you.
6 MR. MELE:
7 The Board doesn't see such things that
8 often, unless the site's, the site specific
9 issue.
10 MS. CHENG:
11 Or if a company is selling assets,
12 changing ownership, that's --
13 MR. MELE:
14 Gotcha.
15 MS. CHENG:
16 -- the other times you would see it.
17 MR. MELE:
18 I see.
19 CHAIRMAN JONES:
20 One of the things we will see commonly is
21 a building or land will be owned by one
22 company, the machinery and everything else is
23 owned by another, and you'll see two
24 separate -- and what will be interesting about
25 that, the land will produce no jobs, the

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1 machinery will produce 112. And that's a
2 disconnect for some people to start realizing
3 it's a -- it's usually a financing mechanism
4 and how the financing is set up.
5 MR. USIE:
6 And Cortec is on the new applications for
7 this agenda the correct way, one application
8 for the machinery and equipment and another
9 one for the building. These are just the old
10 ones that they are correcting.
11 MR. MELE:
12 Okay.
13 CHAIRMAN JONES:
14 Good questions. Great. Any other
15 questions or comments from the Board?
16 Any comments from the public?
17 We do have a motion and a second,
18 correct. Great.
19 All in favor, say aye.
20 ALL:
21 Aye.
22 CHAIRMAN JONES:
23 Any opposition?
24 There being none, the motion carries.
25 MR. USIE:

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1 Next, we have a Cancellation of J&R
2 Juneau, LLC, 20190029 in Bossier Parish. LED
3 requests cancellation upon being informed by
4 the Parish Assessor of 100 percent of taxes
5 being billed and paid for the first year of
6 exemption, the 2020 year. Per Section 517(B)
7 of ITEP Rules, the establishment is not
8 eligible for the exemption.
9 CHAIRMAN JONES:
10 Okay. I'll ask Ms. Porter to come
11 forward, please. Ms. Porter is the Board of
12 Commerce and Industry's attorney. I try not
13 to be an attorney because she's better at it
14 than I am.
15 MS. PORTER:
16 Good morning.
17 CHAIRMAN JONES:
18 So I'm going to ask you to kind of walk
19 us through this, Ms. Porter, so that the Board
20 can be clear on what this is about.
21 MS. PORTER:
22 Well, Hud, if you can give just a little
23 background, what happened with J&R Juneau,
24 just -- and then I can go through what legally
25 is required.

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1 MR. USIE:
2 It was discovered through non-compliance
3 discussion, they were found non-complaint for
4 the 2022 project year for this contract. And
5 during those discussions, it was uncovered
6 that 100 percent of the property taxes was
7 paid in the very first year of exemption.
8 Staff confirmed that with the Assessor that it
9 was billed and it was paid through -- so
10 through those conversations, we brought it to
11 the attention of Ms. Porter. And based on
12 ITEP Rules, if at a bare minimum, if the
13 company is billed and the Assessor and the
14 locals don't agree to remove it from the rolls
15 if an exemption is granted, they're ineligible
16 for the program. So that's why it's here.
17 CHAIRMAN JONES:
18 So the concept -- and, again, correct me
19 if I'm wrong here. The concept is, is that
20 once the taxes have been paid, we're not going
21 to be asking the locals to disgorge that
22 payment back to the company; is that
23 effectively --
24 MS. PORTER:
25 That's --

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1 CHAIRMAN JONES:
 2 -- the theory behind the Rule?
 3 MS. PORTER:
 4 That's correct. What happens, if you
 5 look at it twofold, one, you look at if the
 6 property is issued or listed on the taxable
 7 roll, it is deemed ineligible, so that's just
 8 number one. However, Section 517(B) provides
 9 at least an option if taxes have not been
 10 paid, property listed on the roll, it's still
 11 deemed ineligible whether taxes, regardless of
 12 whether taxes are paid or not. However,
 13 517(B) provides that if you get the consent of
 14 the Assessor and the locals in order to agree
 15 to place the property back on the tax rolls if
 16 the taxes have not been paid, then the company
 17 will be granted a tax exemption.
 18 So you don't have that if the taxes have
 19 been paid and the taxes are on -- and the
 20 property is on tax rolls.
 21 CHAIRMAN JONES:
 22 So in effect, in effect, if a company --
 23 and I'm trying to make this a learning
 24 exercise and an object lesson if nothing else.
 25 MS. PORTER:

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1 Yes.
 2 CHAIRMAN JONES:
 3 If a company learns that what they
 4 believe should be tax exempt property is
 5 placed for some reason on the tax rolls, it
 6 becomes incumbent upon them to approach the
 7 Assessors and the locals and have that removed
 8 from the tax rolls prior to payment.
 9 MS. PORTER:
 10 That's correct. You shouldn't have --
 11 you shouldn't have -- you shouldn't pay it.
 12 CHAIRMAN JONES:
 13 Right, shouldn't.
 14 MS. PORTER:
 15 Uh-huh.
 16 CHAIRMAN JONES:
 17 And the difficulty, I think, and
 18 Ms. Ardoin, I'm not a CPA and neither have I
 19 played one on TV, but it's my understanding
 20 that a lot of times the default decision is
 21 let's pay and protest and we'll argue about
 22 it.
 23 MS. PORTER:
 24 True.
 25 CHAIRMAN JONES:

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1 That's not a good idea either.
 2 MS. PORTER:
 3 Not a good idea.
 4 CHAIRMAN JONES:
 5 So the better move is to go to the Tax
 6 Assessor and ask the locals to remove it from
 7 the -- and, generally, as I appreciate what a
 8 lot of times happens, it depends on what time
 9 of the year these things happen. You know,
 10 the tax rolls are, I think, formalized in late
 11 fall'ish. And if there -- if the company does
 12 not yet have a contract backing the Governor's
 13 office, Mr. Ruckert, it's important to get
 14 those contracts --
 15 MS. PORTER:
 16 It's important to get those turned in,
 17 yes.
 18 CHAIRMAN JONES:
 19 If they're not turned in quickly, there's
 20 consequences that go along with that. But if
 21 the -- a lot of times, we see this sort of
 22 scenario arriving toward the end of the year,
 23 they have not yet gotten a signed contract,
 24 the Tax Assessor has no way of knowing, and
 25 things happen.

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1 So, Mr. Remedies?
 2 MR. REMEDIES:
 3 If the property --
 4 CHAIRMAN JONES:
 5 Get the mic closer, please.
 6 MR. REMEDIES:
 7 If the property then goes to the tax sale
 8 and the taxes are paid at the Sheriff's Sale,
 9 what happens to the property at that point?
 10 CHAIRMAN JONES:
 11 Well, we're not talking about a Sheriff's
 12 Sale situation.
 13 MS. PORTER:
 14 No.
 15 CHAIRMAN JONES:
 16 This is just a matter of putting it on
 17 the tax rolls for the payment of taxes.
 18 MR. REMEDIES:
 19 Oh.
 20 MS. PORTER:
 21 For the ad valorem payment of taxes; not
 22 a Sheriff's Sale.
 23 CHAIRMAN JONES:
 24 Yeah.
 25 MS. CHENG:

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1 When they have an ITEP contract open on
 2 the exempt rolls.
 3 MR. REMEDIES:
 4 Yes.
 5 MS. CHENG:
 6 So this one was put on the tax rolls and
 7 they paid.
 8 MR. REMEDIES:
 9 Okay. I guess I -- if the taxes are not
 10 paid out of protest over a period of time,
 11 they would -- the asset would be sold at
 12 Sheriff's Sale; right?
 13 CHAIRMAN JONES:
 14 Well, and again, stop me, staff, if I'm
 15 wrong here. If they did not pay the taxes and
 16 they went to the Tax Assessor and went to the
 17 locals and they refused to take it to put it
 18 on the exempt rolls and they said, no, we're
 19 keeping it on the taxable rolls, then they
 20 have no choice than to deal with that.
 21 With -- that's a -- that's a --
 22 MS. PORTER:
 23 Local.
 24 CHAIRMAN JONES:
 25 -- taxpayer and a Tax Assessor, local

1 Right. So, again, this came about from
 2 conversations about the company being
 3 non-compliant for jobs and payroll in 2022.
 4 And when that was discussed and the locals
 5 were notified, the locals gave us
 6 recommendations to cancel the contract; so,
 7 hence, them not being able to get the locals
 8 and Assessor to take it off the rolls, off the
 9 taxable rolls.
 10 CHAIRMAN JONES:
 11 Okay. Just so I can explain to the
 12 Board, and this has become a great object
 13 lesson on so many different levels. To
 14 further complicate J&R Juneau, if you flip
 15 over a couple of pages to the compliance
 16 section of your agenda, you -- right at the
 17 first line, you have AW Chesterton Company.
 18 Well, AW, as I explained earlier, some have a
 19 single project under two different contracts;
 20 because, one, they own a certain part of the
 21 assets; the other one, they own another set of
 22 the assets. In this situation, we've got the
 23 project is simply non-compliant.
 24 MS. PORTER:
 25 Correct.

1 government problem. And the consequence from
 2 the way the rules are written on it now, the
 3 consequence of that is they're no longer
 4 eligible for the program, for the ITEP
 5 Program.
 6 MR. REMEDIES:
 7 Thank you.
 8 CHAIRMAN JONES:
 9 Mr. Polozola?
 10 MR. POLOZOLA:
 11 Ms. Porter, what is the company's
 12 position on this issue?
 13 CHAIRMAN JONES:
 14 Do we have someone here from J&R Juneau?
 15 Apparently not. Okay. Ms. Porter, if
 16 you know, say so; if not, say so.
 17 MS. PORTER:
 18 My understanding is that they understand,
 19 correct me if I'm wrong, they understand that
 20 taxes were paid and they are okay with that,
 21 and the Assessor is okay with it. They're not
 22 even looking for a reimbursement, but there is
 23 some stuff behind it because it has come up
 24 and they are delinquent as well.
 25 MR. USIE:

1 CHAIRMAN JONES:
 2 And so we're going to deal with J&R
 3 Juneau 2.0 in just a few minutes --
 4 MS. PORTER:
 5 In just a few minutes.
 6 CHAIRMAN JONES:
 7 -- on that part of the agenda. So at the
 8 end of the day, I want people, I want the
 9 Board to understand that there's reasons for
 10 the rule. And the main reason for the rule is
 11 that once those taxes are paid, we cannot go
 12 back to the locals and force them to pay back
 13 the money that was paid. So once the payment
 14 is made, it becomes incredible incumbent upon
 15 the company to exercise whatever authority or
 16 whatever political will they have at their
 17 local government to get a property taken off
 18 the tax exempt -- I mean the tax rolls if they
 19 don't belong there.
 20 MS. PORTER:
 21 Correct.
 22 CHAIRMAN JONES:
 23 That's their responsibility to do that.
 24 We, the State, cannot force local government
 25 to do that. We have no -- we have no bullet

1 in our belt to make that happen. So this is
 2 an object lesson about six different levels.
 3 All right. Is that clear as mud to
 4 everybody? All right. Mr. Mele?
 5 MR. MELE:
 6 So they are non-compliant, but also on
 7 meeting the requirements.
 8 MR. USIE:
 9 So J&R Juneau owns the building portion
 10 of the project. AW Chesterton, as you'll see
 11 later as non-compliant, owns the machinery and
 12 equipment, but they share a job and payroll
 13 reporting. It has been brought as a
 14 cancellation because 2020 occurred way before
 15 the 2022 non-compliance, so that's why it's
 16 being shown as a cancellation rather than
 17 non-compliant.
 18 MR. MELE:
 19 And they're not here this morning.
 20 MS. PORTER:
 21 No, they're not here.
 22 MR. USIE:
 23 They are not here.
 24 CHAIRMAN JONES:
 25 Mr. Miller?

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1 MR. MILLER:
 2 It's not just one year, so the contract
 3 is canceled for good. There's no coming back
 4 for eight years or nine years or --
 5 MS. PORTER:
 6 That's correct.
 7 MR. MILLER:
 8 Once it's on the rolls and taxes are
 9 paid, it's off --
 10 MS. PORTER:
 11 Done.
 12 MR. MILLER:
 13 -- from then on.
 14 MS. PORTER:
 15 Right.
 16 CHAIRMAN JONES:
 17 And that's a significant issue. And this
 18 is a big deal, guys, I mean I don't want to
 19 make any bones about it. And it comes back to
 20 the general philosophy of when there's late
 21 renewals, when there's late applications, a
 22 whole lot of bad dominoes start falling. And
 23 it's incumbent upon the applicants and the
 24 companies to make sure that they are diligent
 25 in following the rules.

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1 Because once taxes get paid or once
 2 applications aren't managed in a timely
 3 fashion, things happen back home with the Tax
 4 Assessor that has real serious implications.
 5 So we're not just trying to -- we're not
 6 trying to just make examples of people. No,
 7 this isn't, you know, stockade up here. We're
 8 just trying to make sure that the companies
 9 recognize that there's diligence. Because
 10 when the dominoes start falling, it's a bad
 11 day. Okay. Is that fair?
 12 All right. Do we have --
 13 MR. MILLER:
 14 Can I make a motion to cancel or do we
 15 have one?
 16 CHAIRMAN JONES:
 17 I'm, frankly, not clear on whether we
 18 have a -- do we have a motion yet,
 19 Ms. Simmons?
 20 MS. SIMMONS:
 21 No.
 22 CHAIRMAN JONES:
 23 Okay. We do not have a motion.
 24 Mr. Motion from -- motion from Mr. Miller
 25 being to cancel the contract. We have a

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1 motion to cancel. Second from Mr. Nassar.
 2 Any comments or questions from the Board?
 3 Any further comments or questions?
 4 Any comments from the public?
 5 There is none. All in favor, say aye.
 6 ALL:
 7 Aye.
 8 CHAIRMAN JONES:
 9 Any opposition?
 10 There is none. The motion carries.
 11 Special Requests?
 12 MR. USIE:
 13 Next, we have one Special Request for
 14 Taminco US, LLC, Contract 20180142. Taminco
 15 US, LLC is requesting to amend their existing
 16 Exhibit A agreement for Contract 2018142 to
 17 lower the required number of retained jobs to
 18 106 to 100.
 19 CHAIRMAN JONES:
 20 I'm going to ask that we defer this
 21 matter until the next meeting. I believe
 22 we've had some conversations with the
 23 applicant and I think there is a path forward
 24 here to do what needs to be done, but I want
 25 to be sure that we don't create any unintended

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1 consequences. So there's going to be a
 2 discussion between staff and Taminco between
 3 now and the next meeting, and we'll bring this
 4 matter up there if that's all right.
 5 I would entertain a motion to defer. A
 6 motion from Mr. Moss. Second from Mr. Nassar.
 7 Any questions or comments?
 8 There being none, any comments from the
 9 public?
 10 There being none, all in favor, say aye.
 11 ALL:
 12 Aye.
 13 CHAIRMAN JONES:
 14 Any opposition?
 15 The matter is deferred.
 16 MR. USIE:
 17 Next, we have another Special Request for
 18 Formosa Plastics Corporation, Louisiana,
 19 Contract 20190225. Formosa Plastics is
 20 requesting to amend their existing Exhibit A
 21 agreement for Contract 20190225 to add an
 22 additional year to the two-year period allowed
 23 to commence operation.
 24 CHAIRMAN JONES:
 25 Do we have someone here from Formosa?

1 Board Members, I appreciate the opportunity to
 2 come here and discuss this request here, and I
 3 can give a laundry list of different reasons
 4 and valid reasons of why the things have taken
 5 place since we first filed our front-end
 6 application or front-end contract, we actually
 7 executed that contract, front-end contract
 8 back in August of 2019. I don't want to sound
 9 like a bunch of excuses, so I've got a list of
 10 five different things.
 11 Some of those, this Board has heard
 12 before here. Certainly, COVID over this
 13 period of time was something that took place,
 14 raw materials in the global supply chain issue
 15 were there, manpower issues, and even weather
 16 played a roll over this period of time into
 17 the completion of this project. The Board has
 18 heard other similarly-situated companies come
 19 here and espouse these reasons before, but I
 20 can go into detail on those things if you'd
 21 like, but I'd like to certainly focus on one
 22 area that was unique to Formosa Plastics.
 23 And that was our FRP, Fiber Reinforced
 24 Tank Manufacturer received from the U.S.
 25 Defense Priorities and Allocations Systems

1 Can you please come up? While they are coming
 2 forward, this is not Formosa in St. James
 3 Parish.
 4 MR. POLOZOLA:
 5 Mr. Chairman, I have to recuse.
 6 CHAIRMAN JONES:
 7 And Mr. Polozola will be recusing himself
 8 in deliberation or action on this matter.
 9 MR. AUSTIN:
 10 Mr. Chairman, I need to recuse as well.
 11 CHAIRMAN JONES:
 12 And Mr. Austin will be recusing himself
 13 as well.
 14 All right. Please state your name and
 15 position for the company.
 16 MR. HALE:
 17 My name is Paul Scott Hale, I am the
 18 Director of Administration for the Formosa
 19 Plastics Corporation, Louisiana.
 20 CHAIRMAN JONES:
 21 Great. Thank you for being here this
 22 morning. Tells us what's happened here and
 23 what you need.
 24 MR. HALE:
 25 Well, Mr. Chairman, Madam Secretary, and

1 what they call a rated order. And,
 2 essentially, what that means is the federal
 3 government stopped and appropriated the full
 4 production capabilities of that company that
 5 was producing our fiber reinforced tanks for
 6 something that they chose as being more in the
 7 national interest than producing the tanks for
 8 our project.
 9 As such, we have received or they were in
 10 the midst of producing five tanks at that
 11 time. We did actually receive those five
 12 tanks, but they were not allowed to work on
 13 anything else until they had completed this
 14 rated order. So deliveries that were supposed
 15 to have taken place in August of 2022 were not
 16 received until 10 months later in June of
 17 2023.
 18 And that's mirrored several times over
 19 with material availability and that type of
 20 thing. Things just got kicked down the road
 21 post-COVID, things had shut down. People took
 22 a while to come back up. Manpower
 23 requirements, as other companies in the area
 24 came out of COVID. They decided, well, it's
 25 time for us to start working on our delayed

1 projects that we had during the COVID period
 2 too, so manpower became quite an issue or
 3 whatever in this area, especially for skilled
 4 labor.
 5 I could go through those issues or
 6 whatever, some details on those, but I think
 7 y'all have heard some of these before. That
 8 last one there is definitely unique to
 9 Formosa.
 10 CHAIRMAN JONES:
 11 Many of these Board Members have not
 12 heard some of those things, but if I may, let
 13 me lay some context. When these contracts are
 14 negotiated between the applicant and the State
 15 of Louisiana for ITEP, they basically agree
 16 upon some milestones, when construction will
 17 begin, when operations will begin. And
 18 there's even built into the contract a
 19 two-year grace period if you don't -- if you
 20 don't get it because things happen.
 21 And when you're -- used to, when we were
 22 building \$250 million projects, things happen.
 23 Well, when you're building a billion-dollar
 24 facility, things really happen, you know. And
 25 what we've seen since 2020, frankly, between

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1 supply chain issues, workforce issues that all
 2 of us in our companies have had to deal with
 3 in one shape or form, these kind of requests
 4 have not been unusual, frankly.
 5 We've seen a number of them in the past,
 6 well, since COVID basically. And so I think
 7 what you're saying reams true from the
 8 standpoint about supply chain, workforce, and
 9 you simply have not been able to meet within
 10 what you thought was going to be a good
 11 construction timeline turned out to stuff
 12 happened.
 13 MR. HALE:
 14 Yes, sir. We took a guess back in 2019
 15 when we'd be finished, and we chose 2022, and
 16 we didn't make 2022. And within the two-year
 17 grace period would have brought us into April
 18 30th of 2024. And we determined last year,
 19 we're not going to make that date anyway. So
 20 we started the process in order to ask for
 21 this request.
 22 I do have some bright spots along these
 23 lines or whatever for the Board. And that is,
 24 our original contract was originally to have
 25 15 new jobs and create \$1.165 million in new

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1 payroll. It looks like right now, as of the
 2 end of 2023, 12/31/2023, we've actually
 3 created 14 -- or excuse me, 24 direct new
 4 jobs, so an additional nine new jobs than we
 5 had originally anticipated with payroll, new
 6 eligible wages up through that date of almost
 7 \$3 million. So we are exceeding what we had
 8 originally contemplated in that contract as
 9 well.
 10 Also, we had looked at \$332 million of
 11 investment at the onset of this. And I can
 12 tell you, we're probably over 357 already and
 13 probably looking at being north of
 14 \$400 million by the time that this all hits
 15 the books.
 16 CHAIRMAN JONES:
 17 Thank you for that update as well. With
 18 that, we would entertain a motion. We have a
 19 motion from Mr. Moss to approve this special
 20 request. We have a second? Second from
 21 Mr. Mele.
 22 Any questions or comments from the Board?
 23 Yes, sir?
 24 MR. AMOSS:
 25 If you wouldn't mind, give us an updated

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1 schedule and how you're doing, so that if we
 2 would be extending to April 30th of 2025 for
 3 commercial operations, how do you feel about
 4 that date and any margin of safety between
 5 here and there?
 6 MR. HALE:
 7 Yes, sir. We were pushing hard to get
 8 done by the end of last year and weren't going
 9 to make it. So we said, well, we want 2024 to
 10 be our first contract year. So it's our full
 11 intention at this time to have all of our
 12 assets hit the tax rolls by the end of this
 13 year.
 14 MR. AMOSS:
 15 Thank you.
 16 CHAIRMAN JONES:
 17 Any other questions or comments?
 18 Hearing none, any comments from the
 19 public?
 20 There being none, all in favor of
 21 granting the special request, say aye.
 22 ALL:
 23 Aye.
 24 CHAIRMAN JONES:
 25 Any opposition?

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1 There being none, the motion carries.
 2 MR. HALE:
 3 Thank you.
 4 CHAIRMAN JONES:
 5 Thank you for your investment in the
 6 state.
 7 MR. HALE:
 8 Yes, sir.
 9 MR. USIE:
 10 Next, we have Non-Compliant Contract
 11 following the 2018 ITEP Rules.
 12 CHAIRMAN JONES:
 13 Okay. Before we get into it, I'm going
 14 to, again, set the table just a little bit
 15 here. The most compliance issues that we've
 16 had with ITEP falls essentially into two
 17 categories -- three: They didn't meet the
 18 jobs requirements that was set up under the
 19 last eight years of Administration, they
 20 didn't meet the payroll requirement that was
 21 set up in the last eight years of
 22 Administration, or they didn't file timely; is
 23 that essentially correct?
 24 MR. USIE:
 25 Correct.

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1 CHAIRMAN JONES:
 2 Thank you. When we find these
 3 noncompliant issues, the staff notifies the
 4 local governments that this has happened and
 5 we ask the local government to tell us, what
 6 you think. It's only a recommendation, it's
 7 not binding on the Board, but the local
 8 government can tell us. Much to my chagrin,
 9 about 60 to 70 percent of the local government
 10 says, we defer to the Board. And you will
 11 hear from me, as the last Board got tired of
 12 hearing from me, when local government said
 13 they wanted to be in this process, I expect
 14 them to be in it. And they choose to opt out
 15 when the going gets tough, then that means
 16 they don't care whether we apply a penalty or
 17 not due to noncompliance. But that's just me,
 18 I'm just one vote, but that's the way I will
 19 vote every time when I see, defer to the
 20 Board.
 21 In this situation, so all the
 22 noncompliances are all about jobs, payroll, or
 23 didn't file timely. And the way the agenda
 24 table is set up, it will tell you at the index
 25 whether the local government deferred to the

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1 Board or wants to terminate or reduce the term
 2 or whatever their recommendation is that the
 3 staff has basically set up a code for you.
 4 You have to kind of understand the others.
 5 But once you do, it will be easier to work
 6 through these.
 7 So with that, I just wanted to kind of
 8 level set where we are and how we're doing.
 9 Go ahead, Mr. Usie.
 10 MR. USIE:
 11 We have one contract, Number 20190070 for
 12 AW Chesterton Company in Bossier Parish that
 13 is noncompliant for the 2022 reporting period.
 14 The Exhibit A agreement for the contract
 15 required the company create and maintain 14
 16 new jobs with \$910,000 in payroll. The actual
 17 jobs created was two with \$155,817 in payroll.
 18 The Parish submitted a resolution
 19 recommending to terminate the contract due to
 20 noncompliance for the 2022 project year. The
 21 School Board submitted a resolution
 22 recommending to terminate the ITEP Contract
 23 retroactive to the beginning of the contract
 24 due to noncompliance for project year '22.
 25 And the Sheriff and the City did not respond

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1 with recommendations.
 2 CHAIRMAN JONES:
 3 So we have noncompliance with the two,
 4 the only two entities where there was an ITEP
 5 Contract in place recommending termination.
 6 Again, this is J&R Juneau 2.0, this is the
 7 second portion of that, as we discussed
 8 earlier.
 9 So we have a motion from Mr. Nassar to
 10 terminate the contract. We have a second from
 11 Mr. Mele.
 12 Any questions or comments from the Board?
 13 Hearing none, any comments from the
 14 public?
 15 There being none, all in favor, say aye.
 16 ALL:
 17 Aye.
 18 CHAIRMAN JONES:
 19 Any opposition?
 20 There being none, the motion carries.
 21 MS. CHENG:
 22 We have two contracts: 20180323-A and
 23 20180323-B for Bagwell Energy Services in
 24 Iberia Parish. They're noncompliant for the
 25 reporting periods of 2020, 2021, and 2022.

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1 The Exhibit A for both the contracts required
 2 the company create and maintain 40 jobs with
 3 \$2.8 million in payroll for project year 2020.
 4 The actual jobs created and maintained for
 5 project year 2020 was seven jobs with \$276,950
 6 in payroll.
 7 For project year 2021, the Exhibit A
 8 required 60 jobs with \$4.2 million in payroll.
 9 The actual jobs created and maintained in
 10 project year 2021 was 16 jobs with \$435,628 in
 11 payroll.
 12 And for project year 2022, the Exhibit A
 13 required 90 jobs with \$6.3 million in payroll.
 14 The actual jobs created for project year 2022
 15 was 16 jobs with \$848,796 in payroll.
 16 The Parish submitted three resolutions
 17 stating to recommend to the Louisiana Board of
 18 Commerce and Industry for deferral of any
 19 decision or actually for noncompliance for
 20 project year 2020 by Bagwell Energy Service
 21 ITEP Contract 20180323-A to recommend to the
 22 Louisiana Board of Commerce and Industry for
 23 deferral of any decision or action for
 24 noncompliance for project year 2020 by Bagwell
 25 for ITEP Contract 20180323-B and to recommend

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1 to the Louisiana Board of Commerce and
 2 Industry for deferral to the Board on any
 3 decision or action for noncompliance by
 4 Bagwell Energy Services for ITEP Contracts
 5 20180323-A and 20180323-B for the project
 6 years of 2021 and 2022.
 7 The School Board submitted a resolution
 8 to recommend that the tax exemption regarding
 9 said contract be entirely eliminated and that
 10 Bagwell Energy Services begin paying the full
 11 amount of all taxes owed to the Iberia Parish
 12 School Board beginning with tax year 2023.
 13 The Board further reserves all rights to
 14 collect the amount of taxes that were exempted
 15 for the years 2020, 2021, and 2022.
 16 The Sheriff originally denied the
 17 exemption, so he was not requested to provide
 18 a recommendation.
 19 CHAIRMAN JONES:
 20 Okay. So we have a situation where we
 21 have the noncompliances and we're going to
 22 hear from the company representative here in
 23 just a moment. The Parish has deferred to the
 24 Board. The School Board has recommended
 25 termination of the contract.

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1 So would you state your name and your
 2 position with the company, please?
 3 MR. BAGWELL:
 4 Yes, sir. I'm Roger Bagwell, I'm the CEO
 5 of Bagwell Energy Services.
 6 CHAIRMAN JONES:
 7 All right. Tell us what's been happening
 8 here.
 9 MR. BAGWELL:
 10 Well --
 11 CHAIRMAN JONES:
 12 Sit closer to the mic.
 13 MR. BAGWELL:
 14 I'm sorry. It's pretty much the same
 15 story, you know. When we made the assumptions
 16 on the number of people to be hired going
 17 forward, we were pretty aggressive. You know,
 18 COVID hit, you know, we were looking at the
 19 LNG plants, the carbon capture, the wind
 20 turbine mills was supposed to be coming in and
 21 you know, P and A and all these companies and
 22 projects going forward pretty much stalled,
 23 you know. So we really had a tough couple of
 24 three years there with COVID. And it's just
 25 now really starting to pick back up.

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1 Naturally, we did not meet our numbers.
 2 We were about 50 percent of what we said we
 3 would do, which in consideration, I thought
 4 that was pretty good. Most of the
 5 intermediate sized contractors like us in the
 6 area actually went out of business. There's
 7 about five large companies in our area that
 8 really went out of business on COVID. Some of
 9 them, I'm sure you, Dynamic, Omega, CPE, all
 10 these companies are now gone. We were able to
 11 make it through it, but it was tough, you
 12 know.
 13 CHAIRMAN JONES:
 14 First of all, what is it you manufacture?
 15 MR. BAGWELL:
 16 We are a welding fabrication company. We
 17 do construction and also offshore contractor.
 18 We do sand blasting, painting, welding,
 19 hydro-testing, we build ASME vessels, welding
 20 and piping and packages for the oil field.
 21 CHAIRMAN JONES:
 22 And how long have you been in business?
 23 MR. BAGWELL:
 24 Well, I was -- I've been a staple of the
 25 community in Delcrambre -- and we're out of

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1 Delcrambre. And, you know, we started Bagwell
2 Brothers back in '80, 1980. We sold it to the
3 Shaw Group in '97. I was still in the oil
4 field for about 15 years and we ended up
5 starting Bagwell Energy and we ended up buying
6 the facility back from Chicago Bridge and
7 Iron, which bought it from Shaw. So I've been
8 in the area for a long time. I've been
9 Bagwell Energy now since 2014.
10 CHAIRMAN JONES:
11 And, generally, how many employees do you
12 maintain on the payroll?
13 MR. BAGWELL:
14 Well, right now, we're about 135. You
15 know, typically, we've ran, you know, and
16 during COVID, we were probably half that. I
17 think, let me see, 2020, we were like 65
18 people. And, you know, we were able to
19 maintain -- we didn't -- it was tough during
20 that time, but we tried to keep our people
21 because that's the most valuable asset.
22 So we've been there a long time and we've
23 always been a community, you know, part of the
24 community there. And we feel like, you know,
25 we went through some tough times and I don't

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1 think it's not just us, but everybody has been
2 in the same boat. And I understand the local
3 government, they're in a bind with their
4 taxes, they want the taxes, you know, but it's
5 kind of like we're in a situation where, you
6 know, it hurts us at this point based on the
7 way everything's been, you know.
8 CHAIRMAN JONES:
9 So since we've come out of COVID, how has
10 it -- how has hiring been getting you the
11 workforce you need in order to meet your
12 customer needs?
13 MR. BAGWELL:
14 Well, it's been tough to get the good
15 people. You know, good people are hard to
16 find, you know, experienced welders, fitters,
17 you know. A lot of them left, a lot of them
18 went to the, you know, putting up the
19 windmills all over the country. And, you
20 know, we've been able to gradually get some
21 back.
22 We've got a training program. We're
23 training new kids now to be -- and we've
24 invested pretty heavily in high tech equipment
25 with welding equipment and cutting equipment

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1 and, you know, we're training new -- these
2 younger kids to be able to do that type of
3 work. And, you know, we've been there a long
4 time and we plan on being there a long time.
5 CHAIRMAN JONES:
6 Do you believe you'll be able to
7 ultimately reach the payroll or employee
8 numbers?
9 MR. BAGWELL:
10 Well, you know, in all reality, I would
11 love to be able to reassess the numbers. We
12 were real aggressive when we came in on this
13 deal and we had a lot of confidence that we
14 were going to be able to meet our numbers.
15 The world is totally different now. I think
16 we will be able to grow. I just don't know if
17 we'll be able to grow at the pace that we
18 originally said we could in 2019.
19 CHAIRMAN JONES:
20 Who are your customers?
21 MR. BAGWELL:
22 I deal with Chevron, Hess, Oxy, a lot of
23 the smaller ones, Arena, Renaissance, a lot of
24 the local contractors. We work for
25 Haliburton, Weatherford. We build a lot of

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1 their equipment. CETCO, a lot these companies
2 that build equipment, we build their vessels
3 and their piping.
4 And so we deal with a lot of the people
5 in our area. So, you know, in reality, we
6 really blanket the whole energy industry.
7 CHAIRMAN JONES:
8 Okay. Thank you. Thank you for that.
9 MR. BAGWELL:
10 Yes, sir.
11 CHAIRMAN JONES:
12 And in my world, I just want to know what
13 your -- what it looks like from your side of
14 the table, because --
15 MR. BAGWELL:
16 I think it looks better, but it's been
17 tough.
18 CHAIRMAN JONES:
19 I understand. I understand.
20 MR. BAGWELL:
21 If you look at the Port of Iberia, it's
22 almost like a ghost town compared to what it
23 used to be. We're in the Twin Parish Port,
24 which is a small port right there on the
25 Delcrambre Canal and, you know, I think we --

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1 we're growing and we're still there and, you
 2 know, we've got a pretty nice operation, one
 3 of the nicest fabrication facilities in south
 4 Louisiana.
 5 CHAIRMAN JONES:
 6 All right.
 7 MR. NASSAR:
 8 Ask a question.
 9 CHAIRMAN JONES:
 10 Okay. I figured we might expose some
 11 questions, so let's -- I'm going to not follow
 12 parliamentary procedure, but I'm going to let
 13 the questions precede -- because I think that
 14 may help inform and what the motion ought to
 15 be. Mr. Nassar first, then we'll come over
 16 here.
 17 MR. NASSAR:
 18 Did you meet with the school board
 19 members or --
 20 CHAIRMAN JONES:
 21 Bring your -- Mr. Nassar, bring your mic
 22 closer.
 23 MR. NASSAR:
 24 Did you meet with the school board
 25 president and superintendent before?

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1 MR. BAGWELL:
 2 I have talked with them. At the last
 3 meeting they had, I wanted to be there, but I
 4 had prior obligations in Houston and I wasn't
 5 able to make it. But, yeah, I have talked to
 6 the guys over there, yes, sir. They kind of
 7 like, you know, they didn't really want to
 8 penalize us but, you know, they're in a bind.
 9 You know, they're -- unfortunately, they need
 10 money, you know.
 11 MR. NASSAR:
 12 Because the way it looks, the Sheriff did
 13 not -- he denied the initial exemption,
 14 correct, the Sheriff?
 15 MR. BAGWELL:
 16 Yes, sir. And I mean it was pretty much
 17 the same thing, you know, they were tight and
 18 he just pretty much said, look, I just can't
 19 afford to give anybody an exemption. So I did
 20 meet with them.
 21 MR. NASSAR:
 22 And the Police Jury, they deferred to the
 23 Board on this matter; right?
 24 MR. BAGWELL:
 25 (Nods.)

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1 MR. NASSAR:
 2 So I'm kind of torn on this one to be
 3 honest with you --
 4 MR. BAGWELL:
 5 Yes, sir.
 6 MR. NASSAR:
 7 -- because the locals have weighed in it,
 8 but I feel your pain. I worked in
 9 construction in my early years and I worked in
 10 the industry for 38 years.
 11 MR. BAGWELL:
 12 Well, I agree with you, I'm kind of torn
 13 too. I wish I could just pay these guys what
 14 I probably owe them, but I mean, you know,
 15 we're in the same boat, you know, as they are.
 16 And, you know, it's just a matter of who needs
 17 it the worst, I guess.
 18 CHAIRMAN JONES:
 19 Mr. Mele?
 20 MR. MELE:
 21 Help me understand -- thank you for
 22 showing up this morning to answer these
 23 questions.
 24 MR. BAGWELL:
 25 Yes, sir.

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1 MR. MELE:
 2 You said that you felt you only met 50
 3 percent of your obligation.
 4 MR. BAGWELL:
 5 Yes, sir.
 6 MR. MELE:
 7 How does that -- from what I'm looking at
 8 right here, what does that compute? I'm
 9 looking at salaries and I'm looking at both in
 10 actual jobs and required, 50 percent of what?
 11 MR. BAGWELL:
 12 Well, I'm saying we probably hired about
 13 50 percent of the number of people that we
 14 said we would hire.
 15 MR. MELE:
 16 Okay. The -- in your business, I heard
 17 oil fabrication in the oil field but also in
 18 solar panels.
 19 MR. BAGWELL:
 20 I'm sorry?
 21 MR. MELE:
 22 Windmills or solar panels?
 23 MR. BAGWELL:
 24 Well, I mean one of our -- one of our --
 25 one thing that we did when we agreed that what

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1 we were going to hire, we really thought the
 2 wind turbine business would be coming to south
 3 Louisiana. I've been hearing for five, ten
 4 years, we're going to start doing this, we're
 5 going to start expanding into the wind
 6 turbines, you know, offshore platforms to be
 7 able to put these windmills on. You know, the
 8 LNG plant, when the COVID hit, a lot of the
 9 permits got slowed down and a lot of that, we
 10 do a lot of the LNG work, but a lot of the big
 11 projects have been postponed for several years
 12 now.
 13 MR. MELE:
 14 Right.
 15 MR. BAGWELL:
 16 So I mean a lot of the things that we
 17 looked at that, we thought were going to be
 18 very aggressive in our area to be able to hire
 19 people hasn't come about. So haven't been
 20 able to -- you know, it just hadn't been as
 21 aggressively -- you know, these projects just
 22 haven't come around like we thought they
 23 would. I think they eventually will. But,
 24 you know, it's been three years since COVID,
 25 '20, '21, '22, and really just now seeing a

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1 lot of the larger oil companies starting to do
 2 some of these larger projects. So, you know,
 3 naturally, we weren't able to meet our
 4 numbers.
 5 MS. CHENG:
 6 Mr. Mele, this may help you understand
 7 the numbers a little bit better, they do have
 8 to still maintain their baseline number of
 9 jobs for hire before the project started, so
 10 he may have hired more than 16 or 7 that
 11 you're seeing on the agenda. But if he lost
 12 anyone off the baseline, he would have to
 13 backfill those jobs before any new jobs would
 14 count.
 15 MR. MELE:
 16 Understood. Thank you.
 17 CHAIRMAN JONES:
 18 Thank you. Mr. Remedies?
 19 MR. REMEDIES:
 20 Yes, this question is for staff, would
 21 50 percent or what he's saying they actually
 22 have on payroll, would he have qualified for
 23 the program if he had used that number in his
 24 projections?
 25 MS. CHENG:

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1 What he was required was the 40, 60, and
 2 90. With those payrolls, I don't see the
 3 numbers that they actually created would be
 4 50 percent of.
 5 MR. REMEDIES:
 6 Yes, but he's saying that he had to --
 7 he's hired about 50 percent of --
 8 MS. CHENG:
 9 But that's what I'm saying, you have to
 10 meet the baseline.
 11 MR. REMEDIES:
 12 Okay. Yeah.
 13 MR. BAGWELL:
 14 Yeah, you have --
 15 MR. REMEDIES:
 16 No, I understand that. I was just asking
 17 if he had projected 50 percent --
 18 MS. CHENG:
 19 So you're saying half of 90 would be 45
 20 and --
 21 MR. REMEDIES:
 22 If he had placed that on his application,
 23 would he have been eligible for this program?
 24 MS. CHENG:
 25 Sure. It's whatever they are.

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1 MR. REMEDIES:
 2 Okay. I'm just trying to understand the
 3 program.
 4 MS. CHENG:
 5 Right. The job requirements are what the
 6 company is committing to. That's not
 7 necessarily -- it's not --
 8 MR. REMEDIES:
 9 I understand.
 10 MS. CHENG:
 11 -- ever numbers that LED requires them to
 12 create. That's what they are saying they're
 13 comfortable with committing to at the time of
 14 application.
 15 MR. REMEDIES:
 16 Okay. Thank you. And this other
 17 question, I guess, would be for the Chair. Is
 18 it normal practice that the Board vote and
 19 allow a school board to go back on a business
 20 owner for several years for the taxes that
 21 they were exempt from?
 22 CHAIRMAN JONES:
 23 That's outside our providence at this
 24 point, but I --
 25 MR. REMEDIES:

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1 Because in their request, it sounded like
 2 they were asking for that, and that may not be
 3 something that we could approve.
 4 CHAIRMAN JONES:
 5 I think that is something that they are
 6 intending, perhaps intending to do, but that's
 7 outside this Board's --
 8 MR. REMEDIES:
 9 Okay.
 10 CHAIRMAN JONES:
 11 That's between them and their lawyers.
 12 MR. REMEDIES:
 13 Okay. Thank you.
 14 CHAIRMAN JONES:
 15 Fair question though. Yes, sir?
 16 MR. AMOSS:
 17 Also for staff, so just wanted to
 18 clarify, the benefit taken so far is roughly
 19 \$20,000 per year, '20, '21, '22, and there's
 20 an additional two years, '23 and '24 of the
 21 original contract; is that correct?
 22 MS. CHENG:
 23 Right, it's around 20 per year.
 24 MR. AMOSS:
 25 Okay. And then to follow up, so just to

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1 clarify, we have no option at this Board to
 2 split what's been taken to date and what is
 3 future benefit?
 4 CHAIRMAN JONES:
 5 No. No. What -- where we are -- I mean
 6 our option is in noncompliance. And any time
 7 you have a noncompliant situation is, really,
 8 the sword's, the arrow's in our quiver, if you
 9 will, is we can reduce the number of years
 10 that are left in the contract. And that's,
 11 essentially, it. That's -- I mean, I'm going
 12 through my mind trying to checklist if there's
 13 other things we can do or we can ignore all
 14 together or we can cancel the contract.
 15 I mean cancel -- if you have an egregious
 16 situation, I don't, to my knowledge, to my
 17 recollection, I don't believe we've ever
 18 canceled a contract, not since I've been here
 19 at least. But, usually, the response is
 20 cutting back on the number of remaining years
 21 in the contract; am I -- Ms. Cheng, Mr. Usie,
 22 am I right?
 23 MS. CHENG:
 24 I think we have terminated if that was
 25 the recommendation of the locals.

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1 CHAIRMAN JONES:
 2 Oh, okay. Yeah, you're correct, correct,
 3 a hundred percent right. I'm -- we --
 4 MS. CHENG:
 5 I'm thinking if it's been deferred to
 6 Board, the Board --
 7 CHAIRMAN JONES:
 8 If it is deferred to the Board, we've not
 9 terminated. If the locals wanted to terminate
 10 it, we have generally followed that.
 11 Ms. Bourgeois?
 12 SECRETARY BOURGEOIS:
 13 Yeah. Staff, is there any noncompliance
 14 issues other than the jobs and payroll
 15 requirement? Is the capital investment
 16 compliant?
 17 MS. CHENG:
 18 Oh, there's not really a capital
 19 investment requirement. They did, I believe,
 20 meet the -- they completed the project and did
 21 meet what they intended to spend, yes.
 22 SECRETARY BOURGEOIS:
 23 Yes.
 24 CHAIRMAN JONES:
 25 I'm going to say something so politically

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1 incorrect, and I apologize ahead of time. Now
 2 you have to listen, we've never had compliance
 3 issues until jobs and payroll got added to the
 4 contract requirements. And as a result, when
 5 the EO is implemented, we will no longer have
 6 jobs and payroll. And, you know, it may take
 7 a few years, but we will not have compliance
 8 issues at some point.
 9 And this -- and this -- and I'm going to
 10 say this too, the reason for that is that,
 11 just as Mr. Bagwell, just as Formosa, just as
 12 many other companies that have come before us
 13 to sit in 2019 and say, okay, when I get this
 14 project going, the market and the business
 15 climate and the workforce is going to be there
 16 so I can hire 20 people; but to be able to
 17 look in the crystal ball and now, now we say,
 18 okay, you had a hurricane, you had COVID, you
 19 could have, you know, whatever next disaster
 20 comes along, but somehow we can see in advance
 21 and know how we can do that. Or an even
 22 better example is, or I'm going to invent a
 23 new widget in my factory that says I no longer
 24 need three employees, I can do it with one
 25 employee.

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1 Because as Henry Ford has taught us that
 2 manufacturing is always looking how to make
 3 more widgets with fewer people, always. And
 4 when we have a public policy that says we've
 5 got to maintain jobs and payroll when
 6 manufacturing is trying to cut jobs and
 7 payroll, because that is what manufacturing
 8 does, you've got policy and reality are not
 9 aligned. And so I'm, frankly, grateful that
 10 we have come to a point where we are going to
 11 go back to what the business and industry
 12 reality really is and get rid of the jobs and
 13 payroll requirement all together. But I'm
 14 sorry that doesn't help you today,
 15 Mr. Bagwell, but that's -- got that off my
 16 chest, I won't ever say it again.
 17 But in any event, now we have a situation
 18 here where we have a Police Jury has deferred
 19 to the Board. And, again, in my mind, that
 20 means that they don't care, so that's a --
 21 that means no penalty. You can -- it is
 22 possible for us to grant no penalty for the
 23 Police Jury portion of the ad valorem but
 24 still terminate the contract for the school
 25 board. That's an option if that's something

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1 the Board wants to do.
 2 MR. NASSAR:
 3 That's a motion I would like to make.
 4 CHAIRMAN JONES:
 5 So to be --
 6 MR. NASSAR:
 7 The reason is because, as you said
 8 earlier, you know, we ask the locals to get
 9 involved. The locals are now involved and
 10 this is under no Executive Order. So that's
 11 my motion that we terminate the exemption for
 12 the School Board. And as you said, the Police
 13 Jury defer to the Board. So it would be, the
 14 Board would have to include in that motion
 15 that we don't terminate the exemption for the
 16 Police Jury. The Sheriff has already denied
 17 the exemption originally.
 18 CHAIRMAN JONES:
 19 Okay. So we have a motion to terminate
 20 the School Board's portion of the contract,
 21 keep the Parish portion of the contract. Do I
 22 have a second to that motion?
 23 MAYOR TOUPS:
 24 I'll second.
 25 CHAIRMAN JONES:

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1 Second from Mayor Toups.
 2 Any other questions or comments from the
 3 Board? Mr. Mele?
 4 MR. MELE:
 5 Modification of from day forward, I know
 6 that was brought up that there may be some --
 7 CHAIRMAN JONES:
 8 Modifying the contract all together,
 9 Ms. Cheng?
 10 MS. CHENG:
 11 There is an option to go to the locals --
 12 well, at this point, it would just be the
 13 Police Jury, and request that they amend their
 14 Exhibit A for lower job creation and payroll
 15 creation numbers and, hopefully, they would be
 16 able to meet it at that point if the locals
 17 agreed to it.
 18 MR. MELE:
 19 But that would make it more problematic
 20 for approval.
 21 MS. CHENG:
 22 Oh, no, when we -- that would have to go
 23 to the locals first.
 24 MR. MELE:
 25 Okay.

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1 CHAIRMAN JONES:
 2 And I -- Mr. Bagwell, what -- I think
 3 what is being suggested is, as you look at
 4 your realistic jobs and payroll numbers for
 5 the balance of the ITEP Program, you may want
 6 to consider going back out to the Police Jury
 7 and saying, listen, instead of 40 jobs and
 8 \$2.8 million in salary, putting what may be
 9 now a more realistic number.
 10 MR. BAGWELL:
 11 Right.
 12 CHAIRMAN JONES:
 13 And there may be something, and I can't
 14 speak for the Police Jury, but what would
 15 happen, mechanically, is that you would go to
 16 them. If they approve it, it would come back
 17 to us. We would amend your contract and you
 18 may forego potentially future noncompliance
 19 issues.
 20 MR. BAGWELL:
 21 Yeah. We did have a discussion about
 22 that with the Parish and they were pretty much
 23 in agreement with us. So I guess we'll have
 24 to go back to them.
 25 CHAIRMAN JONES:

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1 That may be something worth considering.
 2 MR. BAGWELL:
 3 Okay.
 4 MR. MILLER:
 5 If we --
 6 CHAIRMAN JONES:
 7 Mr. Miller?
 8 MR. MILLER:
 9 We're going to do that? Does that -- if
 10 we vote on it the way it's been presented,
 11 does that stop him from being able to go --
 12 CHAIRMAN JONES:
 13 No.
 14 MR. MILLER:
 15 -- forward?
 16 CHAIRMAN JONES:
 17 No.
 18 MS. CHENG:
 19 No, because y'all would still be letting
 20 the Parish portion of the exemption go forward
 21 if the motion was just --
 22 MR. MILLER:
 23 What if he went to the School Board
 24 though and did the same thing?
 25 MS. CHENG:

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1 Well, he can't because it would be
 2 terminated at this point.
 3 MR. MILLER:
 4 He would --
 5 CHAIRMAN JONES:
 6 Yeah, he would not be able to go to the
 7 School Board.
 8 MS. CHENG:
 9 Right.
 10 MR. MILLER:
 11 If we go forward. If we defer it and
 12 give him time to go back to the School Board
 13 and go back to the Police Jury, he's got to
 14 'til October-ish 'til the tax rolls close.
 15 CHAIRMAN JONES:
 16 I love out-of-the-box thinking,
 17 Mr. Miller. So where you're going is, rather
 18 than taking any action on this matter today,
 19 defer it to at least the next meeting, giving
 20 Mr. Bagwell an opportunity to go speak to the
 21 School Board and the Parish and see if they
 22 would agree to a modification, and there may
 23 be a negotiated resolution of whatever you
 24 have.
 25 MR. BAGWELL:

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1 Right.
 2 CHAIRMAN JONES:
 3 And that way, our next meeting is not
 4 until June, the latter part of June. So that
 5 gives you some time. And if it works out,
 6 great; if it doesn't, I think you've sensed
 7 the sentiment of this Board today.
 8 MR. BAGWELL:
 9 Yeah, and I understand. I appreciate
 10 that. That might give me a little time to go
 11 give them some options and work it out with
 12 them. That would be -- that would be great.
 13 MR. MILLER:
 14 And as a point to that, all of our
 15 actions during the year, we talked about
 16 earlier, that if it goes on tax rolls and you
 17 pay the bill, we're out of the question.
 18 CHAIRMAN JONES:
 19 Exactly.
 20 MR. BAGWELL:
 21 Yeah, it's done.
 22 MR. MILLER:
 23 All of our decisions, if they could be
 24 made all the way up 'til it goes on the tax
 25 rolls and you pay the bill.

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1 CHAIRMAN JONES:
 2 Good point.
 3 MR. MILLER:
 4 So, you know, there's no rush for us to
 5 do it today.
 6 CHAIRMAN JONES:
 7 Okay. Procedurally, Mr. Nassar --
 8 MR. NASSAR:
 9 I will withdraw my motion.
 10 CHAIRMAN JONES:
 11 Withdraw your motion. And the second?
 12 MAYOR TOUPS:
 13 I'll withdraw.
 14 CHAIRMAN JONES:
 15 And Mr. Mayor Toups will withdraw his
 16 second. Mr. Miller will make a substitute
 17 motion that --
 18 MR. MILLER:
 19 We defer.
 20 CHAIRMAN JONES:
 21 -- to defer the matter until the June
 22 meeting. I think that's a great solution. A
 23 second from Mr. Simien.
 24 Any other questions or comments from the
 25 Board?

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1 Any comments from the public?
 2 Hearing none, all in favor, say aye.
 3 ALL:
 4 Aye.
 5 CHAIRMAN JONES:
 6 Any opposition?
 7 There being none, the motion carries.
 8 MR. BAGWELL:
 9 Thank you, sir.
 10 CHAIRMAN JONES:
 11 Good luck, Mr. Bagwell.
 12 MR. BAGWELL:
 13 Thank you.
 14 MR. USIE:
 15 Next, we have one contract: 20170588 for
 16 Dependable Glass Works in St. Tammany Parish
 17 that is noncompliant with the 2022 reporting
 18 period. The Exhibit A for the contract
 19 requires the company create and maintain four
 20 jobs with \$120,000 in payroll. The actual
 21 jobs and payroll created for 2022 was zero.
 22 The Parish and the City did not respond
 23 with recommendations. The School Board and
 24 the Sheriff both submitted recommendations
 25 stating to defer the matter to the Board.

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1 CHAIRMAN JONES:
 2 Okay. Do we have someone here from
 3 Dependable Glass Works?
 4 MR. BUCKLEY:
 5 Hello, my name is actually Kyle Buckley
 6 and I'm the incentive specialist for St.
 7 Tammany Corporation, which is the economic
 8 development organization for St. Tammany
 9 Parish. Dependable Glass is a smaller company
 10 and the nature of that and them being in the
 11 middle of tax season and whatnot, they were
 12 not able to spare an employee to attend the
 13 meeting today, but they have provided a letter
 14 and they asked that I have it read into the
 15 records.
 16 CHAIRMAN JONES:
 17 Okay. Go right ahead.
 18 MR. BUCKLEY:
 19 To the Members of the Board of Commerce
 20 and Industry, my name is Tosha Jakes, I'm the
 21 Finance Manager of Dependable Glass Works, a
 22 historic glass manufacturing company located
 23 in downtown Covington, Louisiana. I apologize
 24 for being unable to attend the meeting today
 25 to discuss the annual compliance for

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1 Industrial Tax Exemption Program. This
 2 program has provided great assistance to our
 3 company and we are grateful for the
 4 opportunity to participate in previous years.
 5 However, since we first applied for this
 6 program, we have faced several unforeseen
 7 challenges that have made it difficult to not
 8 only create the new jobs that we originally
 9 intended but also maintain the existing
 10 workforce.
 11 We are a comparatively small company
 12 (indiscernible) to compete in our industry.
 13 Finding and retaining qualified workers is a
 14 major difficulty that we are constantly having
 15 to address. As such, and in looking at
 16 current projections, we do not expect to be in
 17 compliance in 2023 or subsequent years. We do
 18 not wish to continually to go before our
 19 locals, who have been very understanding to
 20 date, and ask for their patience when we know
 21 there's no solution on the horizon.
 22 We are currently at the last year of the
 23 initial five-year term of our ITEP contract.
 24 Our understanding is that we have the option
 25 to renew for an additional five years. We

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1 would like to request that no penalty be
 2 applied for 2022 and that our contract be
 3 canceled future years rather than moving
 4 forward with our five-year renewal. To
 5 clarify, we are requesting that the contract
 6 be canceled effective 12/31/2022.
 7 Please know that we are grateful for the
 8 opportunity to participate in the initial term
 9 of this contract. And though this project may
 10 seem small compared to some of the other ITEPs
 11 on today's agenda, the abatement provided made
 12 a critical difference in the early days of
 13 this expansion. We are also thankful for the
 14 patience of our local governing bodies, this
 15 Board, and our local economic development
 16 office, who have helped us navigate this
 17 process as best we could given the
 18 circumstances. Sincerely, Tosha Jakes,
 19 Financial Manager, Dependable Glass Works.
 20 CHAIRMAN JONES:
 21 So as I appreciate it, they do not intend
 22 to continue in the program following the
 23 initial five-year term; is that -- is that
 24 correct?
 25 MR. BUCKLEY:

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1 That's correct.
 2 CHAIRMAN JONES:
 3 Now, you guys, help me out procedurally.
 4 They've essentially asked for a cancellation.
 5 Do we -- is that a matter for another Board
 6 meeting or can we act on that today?
 7 MR. USIE:
 8 So it's my understanding that they're
 9 asking for a cancellation because it would be
 10 for four years. So if it was canceled
 11 effective 12/31/2022, that would give them a
 12 four-year contract. If the renewal wasn't due
 13 until the end of 2023, they did, they chose
 14 not to renew it. So if they just let it
 15 expire and just didn't file a renewal late,
 16 then they would still have compliance due for
 17 2023 upcoming in 2024. So they don't want to
 18 have to submit compliance for 2023.
 19 CHAIRMAN JONES:
 20 Okay.
 21 MR. USIE:
 22 Which is why they're requesting to cancel
 23 it backdated and have 2022 be the last year
 24 they're responsible for.
 25 CHAIRMAN JONES:

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1 Ms. Cheng, you have something you want to
 2 say?
 3 MS. CHENG:
 4 No.
 5 CHAIRMAN JONES:
 6 Okay. I thought you were reaching for
 7 the mic. So I guess my question is, can we
 8 cancel their contract effective now in this
 9 meeting?
 10 MR. USIE:
 11 Yes.
 12 CHAIRMAN JONES:
 13 Okay. And that cancellation would be
 14 effective what date?
 15 MR. USIE:
 16 They're requesting 12/31/2022.
 17 MR. BUCKLEY:
 18 That's correct.
 19 CHAIRMAN JONES:
 20 Essentially, bypassing any compliance
 21 issues?
 22 MR. USIE:
 23 Correct, because if they just let it
 24 expire and not renew it, it would
 25 automatically expire 12/31/2023.

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1 CHAIRMAN JONES:
 2 Got it.
 3 MR. USIE:
 4 But that 2023 compliance would be for
 5 this year and they would have to go back to
 6 their locals if they know they're already
 7 noncompliant.
 8 CHAIRMAN JONES:
 9 I understand. What happens with the
 10 taxes that were not paid for 2022 and 2023?
 11 MR. USIE:
 12 It would just be 2023 --
 13 CHAIRMAN JONES:
 14 Just 2023.
 15 MR. USIE:
 16 -- taxes.
 17 CHAIRMAN JONES:
 18 So have they considered that they're -- I
 19 mean that, obviously, 2023 taxes are probably
 20 past due by now or have they -- or I guess
 21 they haven't --
 22 MS. CHENG:
 23 I don't --
 24 CHAIRMAN JONES:
 25 -- been placed on the rolls?

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1 MS. CHENG:
 2 I was going to say, I don't know whether
 3 the Assessor would have placed them on the
 4 rolls since they technically have a contract.
 5 CHAIRMAN JONES:
 6 You're right. You're right. They
 7 haven't been on the rolls, they're not past
 8 due. The Tax Assessor would have to put them
 9 on the rolls and then the 2023 tax rolls, and
 10 then send a tax bill, and then they would have
 11 to pay it. Okay.
 12 Okay. All right. Well, with that, do we
 13 have a motion? Mr. Polozola? We have a
 14 motion, Mr. Polozola, to terminate with an
 15 effective date of 12/31/22; is that accurate?
 16 MR. POLOZOLA:
 17 Yes, sir.
 18 CHAIRMAN JONES:
 19 All right. Do we have a second to that
 20 motion? We have a second from Mr. Moss. And
 21 I've got to say, that is the most creative
 22 approach to -- but and I'm not being -- I'm
 23 not being pejorative. I mean when you
 24 recognize that you're in over your head and
 25 that the projections were wrong and you're not

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1 going to be able to, you know, at some point
 2 in time, you have to decide and say, okay,
 3 it's time to say, okay, this was a good run,
 4 but we've done the best we can do. So I
 5 respect that. I respect that, so okay.
 6 MR. BUCKLEY:
 7 Thank you.
 8 CHAIRMAN JONES:
 9 So we have a motion and second to
 10 terminate effective December 31, 2022.
 11 Any other comments or questions from the
 12 Board?
 13 There being none, any comments from the
 14 public?
 15 Hearing none, all in favor, say aye.
 16 ALL:
 17 Aye.
 18 CHAIRMAN JONES:
 19 Any opposition?
 20 There being none, the motion carries.
 21 Thank you very much.
 22 MR. BUCKLEY:
 23 Thank you.
 24 MR. USIE:
 25 Next, we have two contracts: 20180403

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1 and 20180403-A for Indorama Ventures Olefins,
 2 LLC in Calcasieu Parish that are both
 3 noncompliant for the 2022 reporting period.
 4 The Exhibit A agreement for both contracts
 5 requires the company create and maintain five
 6 jobs with \$150,000 in payroll. The actual
 7 jobs and payroll created and maintained was
 8 zero.
 9 The Police Jury submitted a resolution
 10 recommending for each contract to reduce the
 11 term by one year. The School Board issued a
 12 resolution recommending for each contract to
 13 reduce the exemption percentage from
 14 80 percent to 40 percent for the remaining
 15 agreement terms previously granted to
 16 Indorama. And the Sheriff did not respond
 17 with a recommendation.
 18 CHAIRMAN JONES:
 19 All right. You're here representing
 20 Indorama?
 21 MR. HEXT:
 22 Yes, sir.
 23 CHAIRMAN JONES:
 24 State your name and your position with
 25 the company, please.

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1 MR. HEXT:
 2 I'm David Hext. I'm the Site Manager for
 3 Indorama Ventures, Westlake.
 4 CHAIRMAN JONES:
 5 Okay. Tell us what's happened here.
 6 MR. HEXT:
 7 First, I want to say we are in compliance
 8 and have submitted our full compliance for
 9 2023, so we won't need to appear in the
 10 future. We fell behind on our hiring. The
 11 job positions are existing and have existed,
 12 we just were unable to fill all of those jobs,
 13 and we have attrition and losses. So we
 14 struggled through COVID where we fell behind.
 15 And then hiring out of that is a very
 16 competitive job market in the Westlake, Lake
 17 Charles area for experienced qualified
 18 operators.
 19 We hired, in 2023, we've on boarded 25
 20 employees at an average salary of \$100,000.
 21 So we've done a mass hiring to fill existing
 22 jobs that we had in our organizational
 23 structure.
 24 The request we have is that we not be
 25 penalized. We've worked very hard to get in

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1 compliance. We employ, you know, with our
 2 home workers and our resident contractors,
 3 200-plus employees are working there every
 4 day. We represent a million-dollar investment
 5 in that area. We have planned infrastructure
 6 and room for growth. We paid \$25 million in
 7 expenses to Louisiana local and state
 8 businesses last year with the associated taxes
 9 that go along with those expenses for us.
 10 So, you know, we've partnered with SOWELA
 11 to get co-ops in to get those experienced
 12 operators. We've worked with McNeese on
 13 technical professionals. We've worked with LA
 14 Job Works. And it's just been a struggle to
 15 get in, you know, qualified -- you know, it's
 16 a highly-hazardous industry, so getting
 17 qualified chemical operators is a challenge.
 18 We're trading them back and forth with all the
 19 local players, the LNGs, the Sasols, and
 20 LyondellBasells, you know.
 21 We've raised our pay in 2023 to be a
 22 top-tier payer in the area. We've done
 23 retention bonuses for our chemical operators
 24 for consecutive years. We're one of the top
 25 payers in the area. We've got employees back

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1 from other -- you know, worked for us, left,
 2 and we brought them back because we're a
 3 preferred employer in the area or they think
 4 we are. So we've done a lot of work to really
 5 get these people back.
 6 The site has improved immensely in the
 7 last two years in reliability and
 8 environmental health and safety. We just have
 9 done a lot of work in the area of reliability
 10 and resiliency. The company continues to
 11 invest in us.
 12 And so we brought an old Oxy Chem asset
 13 that was down for 15 years, we brought it back
 14 from the dead and we've got 200-plus people
 15 working every day, contractors coming in. We
 16 have a big turnaround coming up this year, you
 17 know, that will bring another, you know,
 18 \$25 million into the spin. So I think we have
 19 a great story. And these tax exemptions are
 20 generous and they're very helpful to us.
 21 We, in 2023, was our first year of being
 22 positive (indiscernible). So, you know, we're
 23 not -- you know, you think, oh, they're making
 24 tons of money; no, we're not. We're still
 25 struggling to bring up a 15-year-old plant and

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1 it is vastly improved and the performance is
 2 really good right now. And we're starting to
 3 see some of that back, but these tax
 4 incentives have really helped us and will
 5 continue to help us as we invest and continue
 6 to improve the site.
 7 CHAIRMAN JONES:
 8 Thank you. Thank you for that. That's
 9 helpful information. And -- I'm sorry.
 10 MR. MOSS:
 11 I have letters and have been contacted by
 12 the Police Jury and by the School Board
 13 requesting that a one-year reduction from both
 14 entities be submitted to the Board. So I make
 15 a motion to reduce it by one year.
 16 CHAIRMAN JONES:
 17 We have a motion to reduce by one year.
 18 Before I take your motion, can we handle the
 19 other questions; is that all right?
 20 MR. MOSS:
 21 Sure.
 22 CHAIRMAN JONES:
 23 Mr. Miller?
 24 MR. MILLER:
 25 Sir, I may have missed it in the open, if

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1 you could repeat it, if needed. So this
 2 contract was to restart an old plant or it was
 3 in addition to what y'all were already doing?
 4 Kind of tell me what you do now. How many
 5 jobs do you already have? What's your payroll
 6 already? What's your capital investment --
 7 MR. HEXT:
 8 So --
 9 MR. MILLER:
 10 Outside of this contract.
 11 MR. HEXT:
 12 Outside of this contract, the site
 13 itself, the investment is a little over a
 14 billion dollars. Our internal head count,
 15 what I'd call our company head count is open
 16 jobs on our roll are about 144. We have an
 17 additional 60-plus resident contractors
 18 through Turner, Triad, and other industries in
 19 our area that work there every day for us.
 20 And so it's, you know --
 21 MR. MILLER:
 22 That is payroll for those 200 people,
 23 about? What?
 24 MR. HEXT:
 25 You --

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1 MR. MILLER:
 2 Roughly.
 3 MR. HEXT:
 4 I have my person with all the background
 5 numbers here.
 6 MR. CHAPMAN:
 7 Well, I just, roughly a hundred thousand
 8 per job, so over \$15 million for the --
 9 MR. MILLER:
 10 I was just -- okay. Thank you.
 11 MR. CHAPMAN:
 12 Is that right?
 13 MR. HEXT:
 14 Yeah, it's over a hundred thousand
 15 average salary.
 16 CHAIRMAN JONES:
 17 Mr. Doss?
 18 MR. DOSS:
 19 Yes. And I may have missed it if you've
 20 said anything, but have you met with Police
 21 Jury and the School Board, and can you tell us
 22 a little bit about those meetings from your
 23 standpoint?
 24 MR. HEXT:
 25 We have met with the -- you know, we went

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1 before their board meetings and I gave a
 2 similar plea to them and, you know, it was
 3 just a very close vote. It was a mixed group
 4 in both groups, you know. There were some
 5 that were supportive and some that weren't.
 6 And this was kind of a -- their recommendation
 7 at the end of that discussion.
 8 You know, we also tried to meet with some
 9 of them and others outside of those before,
 10 you know, to lay some groundwork before to try
 11 to tell them about our company and invited
 12 them for tours and things of that nature to
 13 get more familiar with us, but we still --
 14 they made the recommendation.
 15 CHAIRMAN JONES:
 16 Any other questions or comments?
 17 So we have a motion from Mr. Moss to
 18 reduce -- to keep the contract but reduce the
 19 term by one year for both, that is for both
 20 the Police Jury and the School Board?
 21 MR. MOSS:
 22 Yes, sir.
 23 CHAIRMAN JONES:
 24 So we have a motion from Mr. Moss.
 25 Second from Mr. Nassar.

1 with \$6,516,297 in payroll. The actual jobs
 2 created was 84 jobs with \$5,782,694 in
 3 payroll.
 4 The Parish recommends that the Louisiana
 5 Board of Commerce and Industry adopt no
 6 remedial action for the alleged violations.
 7 The School Board submitted a recommendation
 8 stating: Our Board voted to take no action
 9 against Louisiana Sugar Cane for their
 10 noncompliance with the ITEP exemptions. And
 11 The Sheriff submitted a letter stating: I
 12 have made the decision to make no action and
 13 enforce no penalties for these violations. I
 14 trust that the Board will respect and approve
 15 my request.
 16 CHAIRMAN JONES:
 17 All right. Given the recommendations
 18 from local government, do I have a motion?
 19 Motion, Mr. Simien --
 20 MR. SIMIEN:
 21 Motion to take no action.
 22 CHAIRMAN JONES:
 23 -- to take no action. Second from Mayor
 24 Toups. Any questions or comments from the
 25 Board?

1 Any other questions or comments from the
 2 Board?
 3 Any comments from the public?
 4 Hearing none, all in favor, say aye.
 5 ALL:
 6 Aye.
 7 CHAIRMAN JONES:
 8 Any opposition?
 9 There being none, the motion carries.
 10 MR. HEXT:
 11 Thank you.
 12 CHAIRMAN JONES:
 13 Thank you, sir. And thank you for
 14 keeping that plant alive.
 15 MR. USIE:
 16 Next, we have two contracts: 20170492-B
 17 and 20170492-C, for Louisiana Sugar Cane
 18 Cooperative, Inc. in St. Martin Parish that
 19 are both noncompliant for the 2022 reporting
 20 period. The Exhibit A for Contract 20170492-B
 21 requires the company retain 116 jobs with
 22 \$7,671,336 at payroll. The actual jobs
 23 retained was 106 with \$6,401,668 in payroll.
 24 The Exhibit A agreement for Contract
 25 20170492-C requires the company retain 84 jobs

1 Hearing none, any comments from the
 2 public?
 3 Hearing none, all in favor, say aye.
 4 ALL:
 5 Aye.
 6 CHAIRMAN JONES:
 7 Any opposition?
 8 There being none, the motion carries.
 9 MR. USIE:
 10 Last, we have one contract: 20180110 for
 11 Service Machine & Supply, Inc. in Lafayette
 12 Parish that's noncompliant for the 2022
 13 reporting period. The Exhibit A agreement for
 14 the contract requires the company create and
 15 maintain two jobs with \$100,000 in payroll.
 16 The actual jobs created was four jobs with
 17 \$138,001.32 in payroll. The compliance
 18 reporting was due April 30th, 2023, but was
 19 not received until May 2nd, 2023. The filing
 20 is noncompliant for being late only.
 21 The Parish denied the initial exemption
 22 at the time of application, so it does not
 23 apply in this situation. And no responses
 24 were received from the School Board or the
 25 Sheriff.

1 CHAIRMAN JONES:
2 I'm going to entertain a motion to take
3 no action. I have a motion from Mayor --
4 excuse me, from Secretary Bourgeois. Second
5 from Mayor Toups. Any questions or comments
6 from the Board?
7 Hearing none, any comments from the
8 public?
9 Hearing none, all in favor, say aye.
10 ALL:
11 Aye.
12 CHAIRMAN JONES:
13 Any opposition?
14 There is none. The motion carries. Kind
15 of makes that rubber stamp stuff look kind of
16 good now, doesn't it, huh?
17 All right. Next on the agenda, we have a
18 motion from -- I think, Secretary Bourgeois,
19 are you going to make this motion?
20 SECRETARY BOURGEOIS:
21 (Nods.)
22 CHAIRMAN JONES:
23 All right. I'll defer to Ms. Bourgeois.
24 SECRETARY BOURGEOIS:
25 Give me a minute. Upon consideration

1 that the Louisiana Constitution provides in
2 Article 7, Section 21(F) that the State Board
3 of Commerce and Industry, with the approval of
4 the Governor, enter into contracts for the
5 exemption from ad valorem taxes of a new
6 manufacturing establishment or an addition to
7 an existing manufacturing establishment, on
8 such terms and conditions as the Board, with
9 the approval of the Governor, deems in the
10 best interest of the State. By virtue of this
11 provision, this Board is solely authorized to
12 administer the granting, subject to the
13 approval of the Governor, of the Industrial
14 Tax Exemption and, pursuant to that end, this
15 Board, with the assistance of the Louisiana
16 Department of Economic Development established
17 the Industrial Tax Exemption Program and has
18 formulated and promulgated Rules for ITEP that
19 promote the best interests of the State. In
20 consultation with LED ITEP administrators and
21 supervisors, I make the following motion with
22 regard to the Board's establishment of a Rules
23 Committee and the publication of an emergency
24 ITEP Rule pursuant to the emergency provisions
25 of the Administrative Procedures Act.

1 Number one, following the leadership of
2 Governor Jeff Landry, particularly his
3 issuance of Executive Order JML 24-23 setting
4 forth terms and conditions that he has
5 determined represent the best interests of the
6 State for his consideration of ITEP contract
7 approvals by this Board, the Board of Commerce
8 and Industry will consider criteria set forth
9 in its rules for purposes of determining what
10 is in the best interest of the State for
11 consideration of ITEP contracts, and establish
12 a Rules Committee for the revision of its
13 rules to align with the Executive Order JML
14 24-23 and to address by rule what it deems
15 necessary for ITEP applicants.
16 Number two, the Rules Committee shall
17 consist of three or more Board members
18 appointed by the Chair. The Committee shall
19 have and exercise the authority of the Board
20 in the revision of its rules, but all
21 revisions shall be subject to approval by the
22 Board -- of the Board rather.
23 Number three, a considerable delay in the
24 revision ITEP rules to align with Executive
25 Order JML 24-23 will adversely impact the

1 effective administration of the ITE Program
2 rendering delayed access by qualified
3 applicants, and resulting in an adverse
4 financial impact on local governing
5 authorities, the State, the Department,
6 Louisiana businesses and taxpayers.
7 Number four, by virtue of the
8 aforementioned, the Board, in formulating and
9 promulgating rules for ITEP that promote the
10 best interests of the State renders necessary
11 a publication of an emergency ITEP Rule
12 pursuant to the emergency provisions of the
13 Administrative Procedures Act.
14 And Number five, all as specifically set
15 forth herein, I hereby enter this motion into
16 the record and move that this motion be
17 adopted by the Board for the publication of an
18 emergency ITEP Rule, and the creation of the
19 Rules Committee for the promulgation of ITEP
20 rules to align with Executive Order JML 24-23,
21 and to address by rule what it deems necessary
22 for ITEP applicants.
23 CHAIRMAN JONES:
24 So we have a motion from Secretary
25 Bourgeois to --

1 MR. MILLER:
 2 Second.
 3 CHAIRMAN JONES:
 4 Second from Mr. Miller. Again, to lay
 5 some context, we've all heard about the
 6 Executive Order. The difficulty with the
 7 Executive Order is that, ultimately, the staff
 8 has to deal with rules. And right now, we
 9 don't have rules that align with the Executive
 10 Order. So the purpose of the emergency rule
 11 is to give staff guidelines in which they can
 12 advance the applications that have been filed
 13 since the date of the Executive Order in
 14 February until now.
 15 We have 30-something advances that have
 16 essentially been sitting in limbo because
 17 staff, they had a Governor telling them one
 18 thing and the rules telling them something
 19 else. So this emergency rule will effectively
 20 put into effect the items that the Governor
 21 contained in the Executive Order.
 22 And then, simultaneously, or better
 23 stated, on a parallel course with the
 24 emergency rule, we will establish a Rules
 25 Committee which will develop a new set of ITEP

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1 Rules that, frankly, will consider not only
 2 the Executive Order items, but we're going to
 3 look at the whole program. And we're going to
 4 try to streamline it, make it something that
 5 is workable and, frankly, recognizes what
 6 business in 2024 looks like.
 7 And, hopefully, going forward, as the
 8 Secretary will say, we want to go from a
 9 but --
 10 SECRETARY BOURGEOIS:
 11 A "no but" to a "yes and" attitude.
 12 CHAIRMAN JONES:
 13 Yes, a "no but", but to a "yes and"
 14 attitude with LED. We hope these rules will
 15 ultimately reflect that. Is that a fair
 16 assessment?
 17 SECRETARY BOURGEOIS:
 18 Yes, Mr. Chairman.
 19 CHAIRMAN JONES:
 20 All right. So we have a motion and a
 21 second to enact the Emergency Rule and to
 22 create the Rules Committee. All in favor, say
 23 aye.
 24 ALL:
 25 Aye.

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1 CHAIRMAN JONES:
 2 Any opposition?
 3 There being none, any -- I should have
 4 asked for comments from the public? Feel
 5 free, if there's any comments from the public,
 6 we can reconsider the vote.
 7 There is no comment from the public. The
 8 vote stands.
 9 Now with that, I'm going to appoint the
 10 Rules Committee. I'm going to be on that
 11 Committee and will serve as Chair. Mr. Kyle
 12 Polozola, when he's not recusing himself, will
 13 find time to serve on the Board. Mr. Robby
 14 Miller is going to serve on the Board and
 15 Ms. Letti Ardoin is going to serve on that
 16 Board.
 17 We are going to try to meet as soon as
 18 possible. Those meetings will be subject to
 19 Open Meetings Rules and will be subject to the
 20 Public Records Act, so we will be studious in
 21 complying with all of that. From the Chair's
 22 perspective, I can't speak for the Committee
 23 yet, but from Chair's perspective, we're going
 24 to be rather aggressive and try to move to
 25 have a set of rules to this Board by its

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1 August meeting. I hope to be able to give you
 2 an idea in June how what kind of progress
 3 we're making, but they will come to you,
 4 hopefully, that quickly.
 5 We have a lot of many miles to go before
 6 we sleep, before we get from here to there
 7 though. But we thank the Governor for his
 8 recognition of the need for these actions, and
 9 we thank you Secretary Bourgeois for your
 10 leadership in getting us to this point, and we
 11 will try to carry it the rest of the way. Any
 12 other comments concerning the Emergency Rule
 13 or the Rules Committee?
 14 Any questions, comments otherwise?
 15 Hearing none, Election of Officers.
 16 SECRETARY BOURGEOIS:
 17 Mr. Chairman, I'd like to make a motion.
 18 CHAIRMAN JONES:
 19 Go ahead.
 20 SECRETARY BOURGEOIS:
 21 That you would serve, again, continue to
 22 serve, whatever the proper vernacular, as our
 23 Chair, as our very effective Chair, and that
 24 Robby Miller serve as our Vice Chair of this
 25 Board.

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1 CHAIRMAN JONES:
2 All right. Do we have other nominations,
3 please?
4 There being none, do we have a second to
5 the motion?
6 MR. SLONE:
7 Second.
8 CHAIRMAN JONES:
9 A second from Mr. Slone. Any other --
10 any questions or comments from the Board?
11 There being none, any comments from the
12 public?
13 Hearing none, all in favor, say aye.
14 ALL:
15 Aye.
16 CHAIRMAN JONES:
17 Any opposition?
18 There is none, the motion carries.
19 That brings us to the end of our first
20 Board of Commerce and Industry meeting with
21 this Board with the exception of comments from
22 our Secretary, we look forward to this every
23 meeting because the Secretary always gives us
24 an idea of what's going on in her world.
25 Thank you.

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1 SECRETARY BOURGEOIS:
2 That would have been good preparation for
3 me. I'm really grateful, not only to the
4 Members of this Board who have -- who are
5 willing to serve. And as you can all tell
6 from our deliberations this morning, it's
7 important work, right. It's important work to
8 make sure that we are creating a program that
9 works for business and industry in this state
10 and, more importantly, a culture in this state
11 that we are in fact open for business and we
12 want to make it easy and promote people's
13 ability to be successful here to make a
14 living, to build successful companies, and to
15 invest in our state.
16 And so from a philosophical perspective,
17 that is what you will hear from me as the
18 Secretary in our Department moving forward.
19 And I'm just very grateful to all of you for
20 your service in this work.
21 CHAIRMAN JONES:
22 Thank you, Secretary Bourgeois.
23 Anything else for the good of the order
24 today? Anything from anyone?
25 Then, we will entertain a motion to

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1 adjourn. Motion from Mr. Simien. Second from
2 Mr. Nassar. All in favor, say aye.
3 ALL:
4 Aye.
5 CHAIRMAN JONES:
6 We are adjourned. We will see you in
7 June. Thank you, All.
8 (WHEREUPON, THE MEETING ADJOURNED.)
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1 REPORTER'S CERTIFICATE
2 I, KELLY S. PERRIN, a Certified Court
3 Reporter, Certificate #23035, in good standing with
4 the State of Louisiana, as the officer before whom
5 this meeting was taken, do hereby certify that the
6 foregoing 144 pages;
7 That this testimony was reported by me in
8 stenographic machine shorthand by Computer-Aided
9 Transcription, transcribed by me or under my
10 personal direction and supervision, and is a true
11 and correct transcript to the best of my ability
12 and understanding;
13 That the transcript has been prepared in
14 compliance with transcript format guidelines
15 required by statute or by rules of the Board, that
16 I have acted in compliance with the prohibition on
17 contractual relationships, as defined by Louisiana
18 Code of Civil Procedure Article 1434 and in rules
19 and advisory opinions of the Board; that I am not
20 of counsel nor related to any person participating
21 in this cause and am in no way interested in the
22 outcome of this event.
23
24
25

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1 This certification is valid only for a
2 transcript accompanied by my handwritten or digital
3 signature and the image of my State-authorized seal
4 on this page.

5 Signed:

6

7 KELLY S. PERRIN,CCR

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