

1 **MINUTES OF THE MEETING OF THE**
2 **SABINE RIVER AUTHORITY**
3 **STATE OF LOUISIANA**
4 **BOARD OF COMMISSIONERS**
5 **PENDLETON BRIDGE OFFICE**
6 **15091 TEXAS HIGHWAY**
7 **MANY, LA 71449**
8 **1:00PM THURSDAY, MARCH 27TH 2014**
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12 **MEMBERS PRESENT:** **Mr. Ned Goodeaux, Chairman**
13 **Mr. Therman Nash, Vice-Chairman**
14 **Mr. Ron Williams, Secretary**
15 **Mr. Norman Arbuckle**
16 **Mr. C.A. Burgess**
17 **Mr. Daniel Cupit**
18 **Mr. Frank Davis**
19 **Mr. Jimmy Foret, Jr.**
20 **Mr. Byron Gibbs**
21 **Mr. Jerry Holmes**
22 **Mrs. Estella Scott**
23 **Mr. Stanley Vidrine**
24 **Mr. Bobby Williams**
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27 **MEMBERS ABSENT:** **None**
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31 **OTHERS PRESENT:** **Jim Pratt, Executive Director-SRA, Many, LA**
32 **Becky Anderson, Adm Asst 5-SRA, Many, LA**
33 **Mike Carr, Fac Maint Mgr 3-SRA, Many, LA**
34 **Carl Chance, IT Director 1-SRA, Many, LA**
35 **Kellie Ferguson, Adm Prog Dir3-SRA, Many, LA**
36 **Daniel Jones, Fac Maint Asst Mgr 1-SRA, Many, LA**
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38 **There were thirty-one (31) visitors.**
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41 Mr. Goodeaux called the meeting to order. Mr. Nash offered the Prayer and Mr.
42 Goodeaux led Pledge. The roll was called and it was noted that all members were
43 present; therefore a quorum was established.

44 Mr. Goodeaux asked if there were any additions or deletions to the agenda.
45 Hearing none, Mr. Goodeaux asked for a motion to adopt the agenda as circulated. **Mr.**
46 **Cupit moved, seconded by Mr. Arbuckle to adopt the circulated agenda. Motion**
47 **carried unanimously.**

48 Mr. Goodeaux asked for a motion to adopt the minutes of the February 27th, 2014
49 Board meeting. **Mrs. Scott moved, seconded by Mr. Burgess to approve the minutes**
50 **of the Board meeting of February 27th, 2014 meeting as circulated. Motion carried**
51 **unanimously.**

1 STAFF REPORTS:

2 Item#1-TBPJO: Mr. Pratt stated that last month within the Board packet was a
3 copy of the letter Senator Mary Landrieu submitted to FERC on behalf of the Toledo
4 Bend Project showing her support. He asked that Senator Landrieu's Acting State
5 Director Tara Bradford to please come forward and address the Board. Ms. Bradford
6 stated that she sends greeting from Senator Landrieu and thanked the Board for allowing
7 her to address them. She stated that she had actually come to visit with Mr. Bobby
8 Williams and Mr. Pratt concerning the El Camino Corridor Project and during our
9 discussion the letter that Senator Landrieu had penned to the FERC on behalf of the
10 Toledo Bend Reservoir Re-licensing Project came up. She stated that she had been
11 working with Senator Landrieu who is very much aware of the importance of the re-
12 licensing process for the Toledo Bend Reservoir Project. She stated that Senator Landrieu
13 hopes that a decision would be reached very soon. She stated that the Senator is very
14 aware of the impact that this decision has on this area as far as transportation, water
15 issues and economic impact. She stated that everyone should know that her office is
16 available to assist and to serve with the entire staff on any issue that may arise. Mr. Pratt
17 stated that the lake level was 169.46' msl. He stated that the threshold for March is
18 169.50' msl and April is 170.0' msl. He stated that the generators were shut down at
19 8:00am today. He stated that the capital improvement plan at the dam rehabilitating the
20 spillway gates was on schedule. He stated that Gate #8 has been welded and painted;
21 Gate #10 is being welded and having the J-bolt seals replaced and then complete the
22 painting. He stated that there have been no safety incidents.

23 Item #2-Shoreline/Relicensing: Mr. Chance stated there had been no news or
24 correspondence from FERC. He stated that hopefully in April there would be some news
25 but there are no guarantees. He stated that during the leaseback meeting last week, there
26 was a request by the Committee for some additional information. He stated that the
27 information was provided in the Board packet. He stated that 126 permits were issued
28 from January 1st 2013 to December 31st 2013. He stated that a total of 608 water
29 withdrawal notices were mailed out last year. He continued that for the month of January
30 2014-five (5) permits were issued fee collected- \$260.00; February fifteen (15) permits
31 were issued fee collected-\$890.00 (two (2) were \$100 fines) and through March 19th

1 eight (8) permits issued collected fees \$295.00. Mr. Ron Williams asked that staff break
2 the report down to “new” and “transfer” permits within the report.

3 Item #3-Operational:

4 a) Toledo Bend-Mr. Jones stated that the maintenance crew has been focusing
5 mainly on getting the parks in shape for the busy season, fishing tournaments and other
6 functions. He stated that both buoy boats have been out over the last few weeks on the
7 north and south end of the lake. He stated according to the crew except for a few “fill-
8 ins” the boat lanes are in good shape. He stated that the concrete foundation had been
9 poured at Oak Ridge Site #2 for the new maintenance building that will be used to store
10 park equipment.

11 b) SRD Division: Mr. Carr stated that staff was working with four new industrial
12 customers that have inquired about SRD water as well as working with existing
13 customers that have plans to expand and increase their water usage. He stated that
14 potential new customers include SASOL 32,000gpm (71cfs); LCC 10,000gpm (13cfs),
15 Juniper 500gpm (1cfs) and Cheniere Pipeline Company 10,000gpm (22cfs). He
16 continued that existing customers wanting to reserve water include Axiall (formally PPG)
17 6,000gpm (13cfs), CITGO 6,600gpm (15cfs), P66 (formally Conoco) 400gpm (1cfs) and
18 Westlake Petrochem 900gpm (2cfs). He stated all together this means an increased usage
19 of 147cfs. He continued should all or even some of these negotiations be successful,
20 SRA will need to consider adding pumps to Pump Stations #1 and #4 and depending
21 upon the SASOL project, it may be necessary to do the same at Pump Station #3. He
22 stated that all capital projects are close to schedule and are expected to be completed on
23 or near the completion date of late June or early July with the exception of Project #6.
24 He stated that the Water Infrastructure Agreement with SASOL is still not complete even
25 though the design phase of the new Pump Station is nearing completion. He stated that
26 both LCCE and CITGO want to reserve water from Pump Station #4 which is not
27 possible with our current configuration while still maintaining reliability for the
28 customers. He stated that staff would make the recommendation to the Board that SRA
29 not reserve water to either entity from PS#4 until a study of our capabilities to reliably
30 deliver the proposed amount of water has been done. He stated that staff will proceed

1 with a study and a recommendation for water reservation to be delivered through Pump
2 Station #4 possibly by the next meeting.

3 #4-Financial Report: Mrs. Ferguson stated that the financial reports for January
4 and February 2014 were included in the Board packet. She stated that revenue for Toledo
5 Bend for the month of January was \$413,215.61; expenses were \$669,344.04 leaving a
6 loss of \$256,128.43. She stated that revenue for February was \$483,595.55; expenses
7 were \$692,776.14 leaving a loss of \$209,180.59. She stated that year-to-date totals
8 showed revenues for Toledo Bend of \$4,038,382.82; expenses of \$4,886,436.04 with a
9 loss of \$848,053.22. She stated that revenue for the month of January for the Diversion
10 Canal was \$498,216.69; expenses were \$148,406.93 showing a profit of \$349,809.76.
11 She continued with the revenue for February was \$255,250.42; expenses were
12 \$217,281.91 showing a profit of \$37,968.51. She continued with the year-to-date totals
13 showing revenues of \$3,071,611.81; expenses of \$1,639,678.18 with a profit of
14 \$1,431,933.63. **Mr. Davis moved, seconded by Mr. Bobby Williams to accept the**
15 **Financial Reports for January and February 2014 as circulated and presented.**
16 **Motion carried unanimously.**

17 SPECIAL REPORTS: None.

18 PUBLIC COMMENTS: Mr. Goodeaux stated that he was excited to see the
19 number of residents and the public present. He stated that the only item to be addressed
20 by the Board was the water rate. Mr. Jim Mifflin thanked the Board for the opportunity
21 to address the Board. He stated that he was a property owner on Toledo Bend Lake and
22 had received a copy of a document drafted by the SRA concerning encroachments on
23 land owned by the SRA that was last revised 2014. He stated that the application has
24 three pages of terms and conditions whereas the terms and conditions are not specifically
25 defined. He continued that in American real estate law an encroachment is commonly
26 defined as a piece of real estate that is on or hangs over the property line of another land
27 owners premises. He stated that could mean any structure including those previously
28 permitted. He stated that the application in its terms and conditions as it is written would
29 appear to require existing landowners to having improvements on leaseback constructed
30 prior to 2014 would have to register the individual's encroachment for underlying fee
31 which on the application was left blank. He stated that the landowner is required to

1 secure a \$5million dollar liability insurance coverage. He stated that the document does
2 not state anywhere about existing permits which are not in dispute would be exempted
3 from this process. He stated that the terms and conditions of the document are quite
4 erroneous including but not limited to Clause #2 that a permit or existing encroachment
5 maybe revoked by SRA; Clause #3 states that if in fact SRA does cancel said permit, the
6 applicant will be wholly responsible for all costs including but not limited to cost of
7 removal and reclamation and any court costs and attorney fees that may have been
8 incurred by the SRA. He stated that the applicant agrees to cancellation the current
9 leaseback agreement and to execute a leaseback agreement to run concurrent with permit
10 terms. He stated that the document appears to be in violation of the 99-yr leaseback
11 agreement currently in place. He stated that the current document as written would have
12 a very negative impact on economic development as written and serious consideration
13 should be given when addressing this document. Mr. Pratt stated that the document he
14 was referring to in his address is to deal with habitable structures that are in current
15 violation of the leaseback agreement. He stated that unless you as a property owner have
16 a violation of a habitable structure, this application has no impact on you. Mr. Pratt
17 continued that this particular document was developed for the Board to review and study
18 with no action being required at this meeting. Mr. Ted Dove addressed the Board
19 regarding historical methodology of this Board versus current methodology. He stated
20 that he appreciated the Chairman of the Leaseback Committee allowing a considerable
21 length of time for the public to make comments concerning the various issues at hand and
22 unfortunately, there were only five responses received by the SRA. He stated that he
23 thinks since there is more public information being provided and ample time for those
24 concerned to issue comments for review by the Board. Mr. Randolph, a contractor on
25 the lake was next to address the Board. He stated that he received a copy of the
26 document that the SRA was to discuss. He stated that the document doesn't say draft,
27 proposal, etc. it said recommendation and I took it at face value. He stated that he sent a
28 copy of the document to four or five other people especially a couple of other contractors
29 and it went viral. He stated that he had addressed the email to one person. He stated that
30 the SRA does not have a good image and public relations are not good. He stated that
31 this document is an application for existing encroachments upon land. He stated the fee

1 structure states that when a transfer the application within fourteen days, as the current
2 permit meets the requirement, then this application would be the current permit as what I
3 am looking at and a habitable structure is exclusive, it states that if improvements or
4 habitable are located on or attached to SRA lands. He stated that he was concerned
5 because there was no definition of the terms of the document as well as the fee structure.
6 Mr. Goodeaux thanked everyone for their comments and there would be no action taken
7 on this particular document.

8 OLD BUSINESS: None.

9 NEW BUSINESS: Item #1: Adopt Resolution in Support of El Camino Real
10 Highway Project- Mr. Bobby Williams stated that he would like for the Board to adopt
11 the resolution that was circulated within the Board packet lending support to the El
12 Camino Corridor Highway Project Capital Outlay Request. He stated that the
13 Commission hopes to receive funding for four-laning the section of road from
14 Natchitoches to Robeline. **Mr. Bobby Williams moved, seconded by Mr. Nash to**
15 **adopt the Resolution showing support for the El Camino Corridor Highway Project**
16 **Capital Outlay Request. Motion carried unanimously.**

17 COMMITTEE REPORTS:

18 1) Diversion Canal: No meeting.

19 2) Parks: No meeting.

20 3) Leaseback: Mr. Stanley Vidrine, Committee chairman stated that the
21 Committee had met on March 19th. He stated that staff gave an update on the
22 Commercial properties that were in non-compliance. He stated that all violations were
23 being resolved pending a final survey which could not be done until April. He stated that
24 staff presented each Committee member with a proposed permit fee list which was
25 discussed and the Committee decided to allow the public to submit in writing their
26 opinions. He stated that no action was taken and this item was tabled until a meeting
27 could be held in March allowing time for review of all comments submitted. He asked
28 that the staff send copies to everyone for review prior to the meeting. He stated that the
29 last item discussed was a boathouse issue by property owners. He stated that both parties
30 had their legal representatives with them. He stated that the Committee suggested that
31 the two parties get together and resolve their issue because it was felt that the issue was

1 not one that involved the SRA; however, this item was tabled until the March meeting at
2 which time, hopefully the two parties involved will have come to an agreement. **Mr.**
3 **Vidrine moved, seconded by Mr. Foret to approve increasing the water withdrawal**
4 **fee from \$50 per year to \$100 per year effective July 1, 2014 to coincide with the**
5 **fiscal year of the agency. Motion carried. Mr. Vidrine moved, seconded by Mr.**
6 **Foret to approve the minutes of the Leaseback Committee as circulated. Motion**
7 **carried unanimously.**

8 4) Finance: No meeting.

9 5) Water Sales: No meeting.

10 6) Fishery & Lake Management: No meeting.

11 LEGAL REPORT: Mr. Pratt stated that staff received notification that the writ
12 had been filed in Federal Court and would possibly be another year before it was settled.
13 **Mr. Gibbs moved, seconded by Mr. Holmes to accept the legal report as presented.**
14 **Motion carried unanimously.**

15 EXECUTIVE DIRECTOR'S REPORT: Mr. Pratt stated that he and Mr. Chance
16 would be in Baton Rouge on April 15th visiting with the Attorney General's office
17 concerning the leaseback issues. He stated that there are several questions in which SRA
18 needs guidance as to handle the various issues. **Mr. Nash moved, seconded by Mr.**
19 **Burgess to accept the Executive Director's report as presented. Motion carried**
20 **unanimously.**

21 Mr. Goodeaux stated that the next meeting would be probably not be until May
22 22nd, 2014 at 1:00pm at the Pendleton Bridge Office unless issues arise that necessitate
23 having a meeting.

24 With no further business to discuss, Mr. Goodeaux asked for a motion to adjourn.
25 **Mr. Vidrine moved, seconded by Mr. Burgess to adjourn. Motion carried**
26 **unanimously. Meeting adjourned at 2:16pm.**

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NED GOODEAUX, CHAIRMAN

THERMAN NASH, VICE-CHAIRMAN

33 **ATTEST:**

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36 **RON WILLIAMS, SECRETARY**