



**MINUTES  
OF THE  
RED RIVER WATERWAY COMMISSION MEETING  
MAY 20, 2009  
10:00 AM  
COMMISSION HEADQUARTERS  
NATCHITOCHE, LOUISIANA**

**1. CALL TO ORDER**

The meeting of the Red River Waterway Commission was called to order by Chairman, Edmond J. Preau, Jr., in the Board Room of the Red River Waterway Commission Office located in Natchitoches, Louisiana.

**2. ROLL CALL & INTRODUCTION OF GUESTS**

Roll was called and a quorum was present. Others in attendance were asked to identify themselves.

**Present:** Chairman, Edmond J. Preau, Jr., Commissioner Harmon Belgard, Commissioner Doug Brown, Commissioner Wayne Davis, Commissioner Marc Dupuy, Jr., Commissioner Paul Fleming, Commissioner Randell Fletcher, Commissioner James F. Maxey, Commissioner Alvin Owens, Commissioner Rogers M. Prestridge, Commissioner Michael Simpson.

**Absent:** Commissioner Andrew J. Hodges, III

**RRWC Staff Members Present:** Mr. Ken Guidry - Executive Director, Mr. Randy Walters - Marketing Director, Mr. Mike Boydstun - Operations & Maintenance Director, Mrs. Cathy Rushing - Executive Assistant, Mr. Colin Brown- Engineer Supervisor, Mr. Garland Brown - Real Estate Manager, Mr. Greg Upton - Legal Counsel.

**Others Present:** Mr. Jacob Brister, Mr. Rich Brontoli, Mr. Ken Juneau, Mr. Tommy Clark, Mr. Lu Cutrera, Ms. Robin Cosenza

**3. APPROVAL OF REVISED AGENDA**

By motion of Commissioner Prestridge, seconded by Commissioner Fleming, the agenda was revised and unanimously approved. Comments from the public were called for, however, none were offered.

**4. APPROVAL OF MINUTES**

By motion of Commissioner Dupuy, seconded by Commissioner Fletcher, the minutes of the April 15, 2009 meeting were unanimously approved.

**5. TREASURER'S REPORT**

By motion of Commissioner Maxey, seconded by Commissioner Fleming, the Expenditures, Financial Statements & Investment Reports for the month of April, 2009 were unanimously approved.

**6. COMMITTEE REPORTS**

**a) Contracts**

**Authority to Award 12-Foot Channel Re-Con Study/Shaw Environmental Infrastructure, Inc.** - By motion of Commissioner Prestridge, seconded by Commissioner Belgard, the Commission unanimously approved the contract with Shaw Environmental Infrastructure, Inc., to conduct the 12-foot channel re-con study at the contract amount of \$100,000.00.

**b) Land Management, Legal Affairs & Affirmative Action**

**Authority to Award Property Lease Bid/Colfax Revetment** - By motion of Commissioner Dupuy, seconded by Commissioner Fletcher, the Commission unanimously approved the award of a property lease to Mr. Steve Tyler for \$5,300.00 on 34.6 acres at the Colfax Revetment, Pool 2, Tract 5 for a five year term.

**Lease Cancellation/Grand Ecore** - By motion of Commissioner Dupuy, seconded by Commissioner Fleming, the Commission unanimously approved the request for lease cancellation by Mr. Glynn Byles on 385 acres adjacent to the Grand Ecore Recreation Area. Staff was instructed to readvertise for the lease of that property.

**Consideration of Servitude Agreement/Pool 3, Tract 50** - By motion of Commissioner Dupuy, seconded by Commissioner Owens, the Commission approved the Servitude Agreement with Rio Rojo, LLC, represented by Dr. Michael A. Redmond, with a revision to include the requirement that Dr. Redmond notify the staff when construction begins. A roll call vote resulted as follows:

<b>YEAS:</b>	<i>Harmon R. Belgard</i>	<i>Randell A. Fletcher</i>	<i>Michael Simpson</i>
	<i>James Douglas Brown</i>	<i>James F. Maxey</i>	
	<i>Marc Dupuy, Jr.</i>	<i>W. Alvin Owens</i>	

**NAYS:** *A. Paul Fleming*  
*Wayne T. Davis*

**ABSTAINED:** *Rogers M. Prestridge*

**ABSENT:** *Andrew J. Hodges, III*

Staff was instructed to closely monitor the construction of the bridge in this project to insure adequate accessibility to the St. Maurice Lake by fishermen at all times.

**c) Recreation**

**Recreation Area Status Report** - Prepared reports were provided in the meeting packets.

**d) Ports**

**Red River Parish Port Cooperative Agreement** - By motion of Commissioner Fleming, seconded by Commissioner Simpson, the Commission unanimously approved the Cooperative Agreement with the Red River Parish Port Commission to provide up to \$50,000 for legal fees relative to the litigation issue with Headwaters, Inc., with the receipt and release of any and all future liability claims against the Red River

Waterway Commission relative to this matter.

**e) Public Awareness & Marketing**

**Marketing Update** - Prepared reports were provided in the meeting packets along with a schedule of up-coming events. Commissioner Owens noted the Central Louisiana Chamber of Commerce Legislative Reception, hosted by the Central Louisiana Legislative Delegation scheduled for Tuesday, June 2, 2009, from 6:00 PM - 8:00 PM on the 21<sup>st</sup> floor of the Camelot Club located at 451 Florida Street, in Baton Rouge, Louisiana. He urged those planning to attend to inform Mrs. Cathy Rushing of their plans as soon as possible.

**f) Personnel** - No report

**g) Revenue, Banking & Budget**

**Adoption of 2009 Tax Millage Rates** - By motion of Commissioner Belgard, seconded by Commissioner Fletcher, the Commission unanimously approved by the following roll call vote, the adoption of the 2009 millage rates of 1.76 mills for capital outlay and .58 mills for operations and maintenance (***See Attached Resolution, Affidavit, Meeting Notice & Agenda***).

<b>YEAS:</b>	<i>Harmon R. Belgard</i>	<i>A. Paul Fleming</i>	<i>Rogers M. Prestridge</i>
	<i>James Douglas Brown</i>	<i>Randell A. Fletcher</i>	<i>Michael Simpson</i>
	<i>Wayne T. Davis</i>	<i>James F. Maxey</i>	
	<i>Marc Dupuy, Jr.</i>	<i>W. Alvin Owens</i>	

**NAYS:** None

**ABSTAINED:** None

**ABSENT:** Andrew J. Hodges, III

**Approval of 2008 Audit Compliance Questionnaire** - By motion of Commissioner Maxey, seconded by Commissioner Brown, the Commission unanimously approved the 2008 Audit Compliance Questionnaire

**Investment Policy Waver** - By motion of Commissioner Maxey, seconded by Commissioner Prestridge, the Commission unanimously approved the Resolution (***See Attached Resolution***) to waive the current investment policy to allow for further certain diversification of the investment of the Commission funds at the best negotiated rates.

**h) Legislative** - There was some discussion regarding various bills being introduced before the legislature this session. Chairman Ed Preau reported that Senate Bill No. 222 has passed the Senate with no opposition and will be scheduled to be heard by the House Transportation Committee in Baton Rouge. Staff will notify the Commissioners when that is scheduled. Mr. Preau also reported that there are several bills being proposed in the current session, many of which involve abolishing the ability of taxing bodies to roll forward on the adoption of tax millage without further vote by the public. Mr. Guidry pointed out that the Commission has never exercised its right to roll forward relative to tax millage adoption.

**7. EXECUTIVE DIRECTOR'S REPORT**

By motion of Commissioner Fletcher, seconded by Commissioner Belgard, the Commission unanimously approved the reimbursement of out of state travel expenses for Commissioners and necessary staff to participated in the following events:

**Engineering Societies of LA & MS Conference** - Mr. Colin Brown will be attending that conference June 28 through July 1, 2009 at the Sandestin Resort in Destin, Florida

**RRVA Texarkana Water Resource Conference** - Mr. Ken Guidry and Commissioner Harmon Belgard will be attending that conference May 28, 2009 in Texarkana, Arkansas.

**International Freight Forwarders and Custom Brokers Association of New Orleans** - Commissioner Mickey Prestridge and Mr. Randy Walters will be attending that conference May 28 - 31, 2009 in Point Clear, Alabama.

**8. STATUS OF RIGHTS-OF-WAY/ENGINEERING REPORT** - Prepared reports were provided in the meeting packets. Mr. Colin Brown took this opportunity to point out that Facility Planning and Control did not approve the full \$50,000 amount of the Change Order No.9 for additional clearing at Fort Randolph. He is still working with them and will keep the Commission posted.

**9. GENERAL COUNSEL REPORT** - Mr. Greg Upton noted that there has been no word with regard to anticipated appeal proceedings relative to the Fry litigation matter.

**10. CORPS OF ENGINEERS REPORT** - Mr. Jacob Brister reported on the following issues:

- The C.O.E. anticipates award of the St. Agnes Revetment project by September 30, 2009
- The Lumbra Dikes project presently is in the design stage with advertisement for bids anticipated in the very near future.
- The Natchitoches Phase III Gravel Surfacing project is ahead of schedule. The C.O.E. anticipates placing rock on that project in September, 2009.
- The C.O.E. also anticipates placing rock in the Red River, Atchafalaya & Bayou Boeuff Levee District in September.
- As of this date, there is no word on FY2010 monies
- The Cross Lake Feasibility Study is a three phase project with the initial proposal approximately 5 - 8 years ago being to lower the intake structure on Cross Lake in order to supplement the water supply for the City of Shreveport. However, due to the current rate of population growth, the proposal now includes two additional pumps; one north of Shreveport pumping out of Red River and going south of Shreveport with another pump on Red River. Mr. Brister stressed that this project is in the very early stages. There has been discussions of conducting a pilot study to determine the options.

**11. RED RIVER VALLEY ASSOCIATION** - Mr. Rich Brontoli commented on high river levels anticipated to continue to be an issue with no relief expected until mid to late summer. There was some discussions regarding this matter.

**12. OTHER BUSINESS** - None

**13. COMMENTS FROM THE PUBLIC** - None

**14. RECESS**

At this time, by motion of Commissioner Belgard, seconded by Commissioner Owens, and unanimously approved, the meeting recessed for lunch and the Secretary/Treasurer was authorized to pay for the meals of the Commissioners and their guests out of the funds of the District.

**15. ADJOURNMENT**

The meeting reconvened immediately following lunch, however, there being no further business to conduct at this time, by motion of Commissioner Simpson, seconded by Commissioner Fletcher, and unanimously approved, the meeting was adjourned.

---

JAMES F. MAXEY  
SECRETARY/TREASURER

---

EDMOND J. PREAU, JR., P.E.  
CHAIRMAN

## **RESOLUTION**

**BY MOTION** of **James F. Maxey**, seconded by **Rogers M. Prestridge** and unanimously approved that;

**WHEREAS**, the current policy of the Red River Waterway Commission (the "Commission") with regard to investment of Commission funds provides that those funds be invested in Certificates of Deposit with banking institutions within the Red River Waterway District (the "District") at the best negotiated rate, and;

**WHEREAS**, those funds are to be distributed among the District banks at the same percentage ratio as funds are collected from the parishes in which those banks are located, and;

**WHEREAS**, the current state of the economy has resulted in historically reduced rates of interest being offered by the various banks within the District;

**NOW THEREFORE BE IT RESOLVED**, that the Secretary/Treasurer, the Assistant Secretary/Treasurer, and the Executive Director of the Commission be authorized to work jointly with the accounting firm of Johnson, Thomas, & Cunningham, C.P.A.'s, to investigate and negotiate the best and highest rates of interest on the Commission funds, including but not limited to certificates of deposits with banking institutions located outside of the District, the Louisiana Asset Management Pool, and other government secured debentures and in accordance with state laws governing such investments of tax monies.

## **CERTIFICATE**

I, James F. Maxey, Secretary/Treasurer of the Red River Waterway Commission, do hereby declare that the above Resolution was adopted at a regularly scheduled meeting of the Commission on May 20, 2009, at Shreveport, Louisiana, at which meeting a quorum was present and voting. Natchitoches, Louisiana, this 20<sup>th</sup> day of May, 2009.

---

JAMES F. MAXEY  
SECRETARY/TREASURER

# RESOLUTION

**BE IT RESOLVED**, that by motion of **Harmon R. Belgard**, by **Randell A. Fletcher** and approved and adopted by roll call vote as noted below, the following millage(s) are hereby levied on the 2009 tax roll on all property subject to taxation by the Red River Waterway Commission:

## MILLAGE

<b>Capitol Outlay</b>	<b>1.76 Mills</b>
<b>Operations &amp; Maintenance</b>	<b>.58 Mills</b>

**BE IT FURTHER RESOLVED**, that the proper administrative officials of the Parish of Avoyelles, Bossier, Caddo, Grant, Natchitoches, Rapides, and Red River, State of Louisiana, be and they are hereby empowered, authorized, and directed to spread said taxes, as hereinafter set forth, upon the assessment roll of said Parish for the year 2009, and to make the collection of the taxes imposed for and on behalf of the taxing authority, according to law, and that the taxes herein levied shall become a permanent lien and privilege on all property subject to taxation as herein set forth, and collection thereof shall be enforceable in the manner provided by law.

The foregoing resolution was read in full, the roll was called on the adoption thereof, and the resolution was adopted by the following votes:

<b>YEAS:</b>	<i>Harmon R. Belgard</i>	<i>A. Paul Fleming</i>	<i>Rogers M. Prestridge</i>
	<i>James Douglas Brown</i>	<i>Randell A. Fletcher</i>	<i>Michael Simpson</i>
	<i>Wayne T. Davis</i>	<i>James F. Maxey</i>	
	<i>Marc Dupuy, Jr.</i>	<i>W. Alvin Owens</i>	
<b>NAYS:</b>	<i>None</i>		
<b>ABSTAINED:</b>	<i>None</i>		
<b>ABSENT:</b>	<i>Andrew J. Hodges, III</i>		

## CERTIFICATE

I hereby certify that the foregoing is a true and exact copy of the resolution adopted at the board meeting held on May 20, 2009, at which meeting a quorum was present and voting.

Natchitoches, Louisiana, this 20<sup>th</sup> day of May, 2009.

---

James F. Maxey, Secretary/Treasurer