



**MINUTES
OF THE
RED RIVER WATERWAY COMMISSION MEETING
SEPTEMBER 28, 2011
10:00 AM
COMMISSION HEADQUARTERS
NATCHITOCHE, LOUISIANA**

1. CALL TO ORDER

The meeting of the Red River Waterway Commission was called to order by Acting Chair, Mr. Nick Verret, in the Board Room of the Red River Waterway Commission Office located at 5941 Highway 1 By-Pass in Natchitoches, Louisiana.

2. ROLL CALL, INTRODUCTION OF GUESTS, AND CALL FOR PUBLIC COMMENTS Roll was called and a quorum was present. Others in attendance were asked to identify themselves and offered any comments they may have regarding the agenda. However, no comments were offered.

Present: Acting Chairman Nicholas Verret, Commissioner Doug Brown, Commissioner Wayne Davis, Commissioner Marc Dupuy, Jr., Commissioner Paul Fleming, Commissioner Randell Fletcher, Commissioner Andrew J. Hodges, III, Commissioner James F. Maxey, Commissioner Alvin Owens, Commissioner Rogers M. Prestridge, Commissioner Michael Simpson.

Absent: Commissioner David L. Crutchfield, II

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

Others Present: Mr. Rich Brontoli, Mrs. Jessica Broadway, Mrs. Annie Brown, Mrs. Robin Cosenza

3. APPROVAL OF REVISED AGENDA

By motion of Commissioner Simpson, 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 Prestridge, seconded by Commissioner Brown, the minutes of the August 17, 2011 meeting were unanimously approved.

5. TREASURER'S REPORT

By motion of Commissioner Owens, seconded by Commissioner Hodges, the Expenditures, Financial Statements & Investment Reports for the month of August, 2011 were unanimously approved.

6. COMMITTEE REPORTS

a) Contracts

Approval of Change Order #2/Additional Amenities North Project - By motion of Commissioner Prestridge, seconded by Commissioner Davis, the Commission unanimously approved Change Order #2 of the Additional Amenities North Project for an increase of \$146.39 to the cost of the contract.

Authority to Award Bishop Point Asphalt Contract - By motion of Commissioner Prestridge, seconded by Commissioner Fleming, the Commission unanimously approved award of the contract for the Bishop Point Asphalt Project to Benton & Brown at a bid amount of \$520,715.00.

b) Land Management, Legal Affairs & Affirmative Action

Approval of Document & Survey/Partial Release of Servitude/Pool 1, Tract 12-Lower Gin Lake Realignment - By motion of Commissioner Dupuy, seconded by Commissioner Brown, the Commission unanimously approved the document for the partial release of the servitude at Pool 1, Tract 12/Lower Gin Lake Realignment.

Reconsideration of Appraisal Requirement & Document Approval/Partial Release of Servitude/Pool 4, Tract III- Coushatta Realignment - By motion of Commissioner Dupuy, seconded by Commissioner Prestridge, and unanimously approved, the staff was authorized to proceed with the process for the partial release of a servitude at Pool 4, Tract III/Coushatta Realignment without the requirement a revised appraisal as previously instructed, since the previous appraisal on that property is less than one year old.

Authority to Amend Bid Lease Agreement/Lock & Dam 2, Parcel C - By motion of Commissioner Dupuy, seconded by Commissioner Owens, the Commission unanimously approved the amendment to the lease agreement at Lock and Dam #2, Parcel C to add an additional lessee, Mr. Charles Bob Stevens, to the lease.

Consideration of Request for Pipeline ROW Agreement/Pool 4, Part of Tracts 9 & 11 - By motion of Commissioner Dupuy, seconded by Commissioner Davis, the Commission unanimously approved the request for a pipeline right-of-way at Pool 4, Part of Tracts 9 & 11 to Kinderhawk Field Services at a cost of \$400 per rod on 91.45 rods for a total of \$36,580.00.

Consideration of Request to Donate Property/Caddo Sheriff/Lock & Dam #5, Part of Tracts 5 & 6 - By motion of Commissioner Dupuy, seconded by Commissioner Prestridge, and unanimously approved, the Commission voted to deny the request for donation of the property at Lock & Dam #5, Part of Tracts 5 & 6, currently under lease to the Caddo Parish Sheriff's Department and instead, to revise the lease agreement for a 50 year term, with a 50 year option to renew, at a cost of \$1,200 per year.

Consideration of Surplus Property Request or Leaseback Request/Lock & Dam #5, Part of Tract 6 - By motion of Commissioner Prestridge, seconded by Commissioner Fleming, the Commission voted to deny the request to surplus or leaseback property at Lock & Dam #5, Part of Tract 6. Following some discussion, a roll call vote was called for with the following results:

AYES

NAYS

Commissioner James Douglas Brown Commissioner Michael Simpson
Commissioner Wayne T. Davis
Commissioner Marc Dupuy, Jr.
Commissioner A. Paul Fleming
Commissioner Randell A. Fletcher
Commissioner Andrew J. Hodges
Commissioner James F. Maxey
Commissioner W. Alvin Owens
Commissioner Rogers M. Prestridge

Consideration of Leaseback Request Part of Tract 64, Pool 5 - By motion of Commissioner Dupuy, seconded by Commissioner Prestridge, the Commission unanimously agreed to deny the request for leaseback of part of Tract 64 in Pool consisting of 55.7 acres which is an island near Bishop Point Recreation Area.

Consideration of Leaseback Request, Lock & Dam #5, Part of Tract 4 - By motion of Commissioner Dupuy, seconded by Commissioner Owens, and unanimously approved, staff was authorized to proceed with the leaseback process of the parts of Tract 4 at Lock and Dam #5 consisting of 10.4 acres.

Public Bid Lease, Pool 1, Parts of Tracts 30-36- Hadden-Ft. Derussy Cutoff - By motion of Commissioner Dupuy, seconded by Commissioner Owens, and unanimously approved, staff was authorized to re-advertise for the lease of the spoil area on parts of Tract 30-36 in Pool 1 at Hadden/Ft. DeRussy with a minimum bid amount of \$1.00 per cubic yard for spoil sold from the area and with the requirement for quarterly payments and verification of the amounts of spoil material removed each quarter.

c) Recreation

Red River Crossroads Historical Association Request/North Caddo-Bossier Recreation Area - By motion of Commissioner Prestridge, seconded by Commissioner Davis, and unanimously approved, staff was instructed to work with the Red River Crossroads Historical Association in determining the best location and caliber of a historic interpretive sign to be installed at the North Caddo-Bossier Recreation Area.

Trailblazer, Inc. Request for Funding/Bistineau Task Force - By motion of Commissioner Fleming, seconded by Commissioner Dupuy, and unanimously approved, the Commission denied the funding request by Trailblazer, Inc., and the Bistineau Task Force for the purpose of controlling giant Salvinia issues on Lake Bistineau on the basis that the Commission is already working with the Department of Wildlife and Fisheries in that regard.

Aquatic & Wildlife Education Foundation Request/Shreveport Visitors Center - By motion of Commissioner Hodges, seconded by Commissioner Prestridge, and unanimously approved, the Commission voted to deny the \$230,000 request for funding by the Aquatic & Wildlife Education Foundation for the purpose of paying salaries and operating the U. S. Army, Corps of Engineers' J. Bennett Johnston Waterway Regional Visitors Center in Shreveport.

Recreation Area Status Report - A prepared report was provided in the meeting packet. Mr. Mike Boydston noted that there had been 218,000 visitors to the District recreation facilities during the month of August. He also reported on some of the recent and up-coming fishing tournament events on the river.

Commissioner Brown took this opportunity to report that he has had some interest expressed by certain Bossier City officials for the construction of a destination marina in the Bossier City area. Mr. Guidry responded that members of the staff and Commissioners from that area would be contacting officials in the Shreveport/Bossier City area in the coming weeks to discuss proposals of recreational amenities in that area.

d) Ports - Prepared Tonnage and Project Status Reports were provided in the meeting packets. Mr. Randy Walters noted that the District Ports would be presenting their reports to the Commission in October along with their requests for funding assistance for proposed projects for 2012.

e) Public Awareness & Marketing

Marketing Update - A prepared report was provided in the meeting packets. Mr. Walters reported that he hoped to have the BASS, LLC Sponsorship Letter of Agreement available for Commission approval at the October 19, 2011 meeting.

f) Personnel - No report

g) Revenue, Banking & Budget - No report

h) Legislative - No report

7. EXECUTIVE DIRECTOR'S REPORT - At this time, Mr. Ken Guidry noted the approaching retirement of Mr. Nick Verret, Acting Chair, and presented him with a framed Resolution of Appreciation from the RRWC for his service to the Commission.

8. STATUS OF RIGHTS-OF-WAY/ENGINEERING REPORT - Prepared reports were provided in the meeting packets. In addition, Mr. Colin Brown reported on the following items:

➤ Certificate of Substantial Completion has been issued relative to the Additional Amenities-North Project.

➤ The Notice to Proceed has been issued relative to the Additional Amenities-Central Project.

➤ The contractor for the Bishop Point Asphalt Project is eager to begin work on that project.

9. GENERAL COUNSEL REPORT - Mr. Greg Upton reported that new changes in the bid laws, effective January 1, 2012, will require that all contractors and sub-contractors provide an affidavit declaring that all of their employees are legally allowed to be in the U.S. and are legally eligible for employment in the U.S. He further added that violations could result in the cancellation of contracts and/or being banned from bidding on future contracts for a period of three years. Mr. Colin Brown responded that an affidavit will be included in all future bid packets and be made a requirement for all future bids to be considered by the Commission.

10. CORPS OF ENGINEERS REPORT - No report

11. RED RIVER VALLEY ASSOCIATION - Mr. Rich Brontoli reported that, through recent visits in Washington, D.C. with congressional members and OMB, the general response is that no additional funds are being appropriated for dredging on the Red River in 2012. He will continue to work toward encouraging

- Congress to make that funding available.
12. **OTHER BUSINESS** - None
13. **COMMENTS FROM THE PUBLIC** - None
14. **EXECUTIVE SESSION**

By motion of Commissioner Fletcher, seconded by Commissioner Maxey and unanimously approved, the Commission entered into Executive Session to discuss the following matters of litigation:

Tudor, Inc. Vs RRWC
Tenth Judicial District Court
Natchitoches Parish, Louisiana
Docker No. C-84656A

Immediately following Executive Session, by motion of Commissioner Owens, seconded by Commissioner Fletcher and unanimously approved, the Commission entered into Regular Session.

15. **ADJOURNMENT**

There being no further business to conduct at this time, by motion of Commissioner Owens, seconded by Commissioner Fletcher, and unanimously approved, the meeting was adjourned.

JAMES F. MAXEY
SECRETARY/TREASURER

LARRY ARDOIN
INTERIM CHAIR