

MINUTES
OF THE
RED RIVER WATERWAY COMMISSION MEETING
MARCH 19, 2014
10:00 AM
COMMISSION HEADQUARTERS
NATCHITOCHES, LOUISIANA

1. **CALL TO ORDER**

The meeting of the Red River Waterway Commission was called to order by Acting Chair, Mr. Murphy J. LeDoux, Jr., in the Board Room of the Red River Waterway Commission Office located at 5941 Highway 1 Bypass 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 offer any comments they may have regarding the agenda. However, no comments were offered.

Present: Acting Chair, Murphy J. LeDoux, Jr., Commissioner David L. Crutchfield, II, Commissioner Paul Fleming, Commissioner Randell Fletcher, Commissioner Andrew J. Hodges, III, Commissioner David Jones, Commissioner James F. Maxey, Commissioner Larry K. Sayes, Commissioner Michael Simpson.

Absent: Commissioner Doug Brown, Commissioner Alvin Owens, Commissioner Rogers M. Prestridge

RRWC Staff Members Present: Mr. Ken Guidry - Executive Director, Mr. Mike Boydston - Operations & Maintenance Director, Ms. Cathy Rushing - Executive Assistant, Mr. Colin Brown - Assistant Executive Director, Mr. Luke Pearson - Real Estate Manager, Ms. Allie Cozad, Biologist I, Mr. Greg Upton - Legal Counsel.

Others Present: Rich Brontoli, Rick Ranson, Bob Munson, David Jenkins, Katy Breaux, John Marzullo, Robert Hughes, Jessica Broadway, Byron Salazar, John Ryland, Wes Bolsen

3. **APPROVAL OF REVISED AGENDA**

By motion of Commissioner Crutchfield, seconded by Commissioner Jones, 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 Simpson, seconded by Commissioner Fletcher, the minutes of the February 19, 2014 meeting were unanimously approved.

5. **TREASURER'S REPORT**

By motion of Commissioner Hodges, seconded by Commissioner Sayes, the Expenditures, Financial Statements, Investment Reports, & Fund Balance Report for the month of February, 2014 were unanimously approved.

6. **COMMITTEE REPORTS**

a) **Contracts**

Consideration of Revision to Contract RRW-651/Green's Park Service - By motion of Commissioner Hodges, seconded by Commissioner Crutchfield, the Commission unanimously approved the revision to Contract RRW-651 with Green's Park Service to include finish mowing and trimming of the two disc golf courses at the Ft. Buhlow Recreation Area at a cost of \$300 per cutting cycle.

Consideration of Bids for Fleet Vehicles - By motion of Commissioner Crutchfield, seconded by Commissioner Hodges, the Commission unanimously rejected all bids for the four trucks for the Commission and instructed staff to purchase the specified vehicles under state contract purchasing at a cost of \$21,162.00 each for the three 2-wheel drive crew cab trucks and \$23,543.00 for one 4-wheel drive crew cab truck for a total of \$87,029 for the four Dodge trucks.

Consideration of Bids for Aquatic Plant Management Boat/Motor - By motion of Commissioner Hodges, seconded by Commissioner Crutchfield, the Commission unanimously approved acceptance of a bid received from Gator-Tail in the amount of \$18,010.50 for a 17' x 54" work boat as per the bid specifications.

Consideration of Recreation Equipment Proposals - By motion of Commissioner Fletcher, seconded by Commissioner Crutchfield, the Commission unanimously approved acceptance of a proposal received from the Hunter Knepshield Company in the amount of \$8,407.90 for specified replacement recreational area equipment.

Consideration of Revision to Contract RRW-622/R.W. Rogers Mowing - By motion of Commissioner Crutchfield, seconded by Commissioner Jones, the Commission unanimously approved a revision to Contract RRW-622/Mowing of Teague Parkway Recreation Area with R. W. Rogers Maintenance in the amount of \$1,000 to mow the high use areas of the park.

Consideration of Contract Name Change/Producers Mercantile Group to The Aleman Group - By motion of Commissioner Simpson, seconded by Commissioner Hodges, the Commission unanimously approved the name change on the health consultant contract with Jason Aleman from Group Producers Mercantile to The Aleman Group, Inc.

Authority to Advertise for Grand Ecore RV Park Construction - By motion of Commissioner Maxey, seconded by Commissioner Fleming, and unanimously approved, staff was authorized to advertise for construction bids for the Grand Ecore RV Park.

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

Authority to Readvertise Bid Leases Expiring in 2014 - By motion of Commissioner Hodges, seconded by Commissioner Crutchfield, and unanimously approved, the staff was authorized to readvertise for bid leases expiring in 2014.

Authority to Readvertise for Public Bid Lease/Ben Routh Cutoff - By motion of Commissioner Hodges, seconded by Commissioner Sayes, and unanimously approved, the staff was authorized to readvertise for the bid lease of the 40 acre island at the Ben Routh Cutoff with a minimum bid requirement of \$15 per acre.

Authority to Dispose of Surplus Property/Pool 5, Tract 4 (2.337 Acres)/O. G. Pipkin, III - By motion of Commissioner Hodges, seconded by Commissioner Jones, the Commission unanimously approved the disposal of 2.337 acres of surplus property in Pool 3, Tract 4 by way of Act of Sale with Reservation of Servitude to Mr. Orlando G. Pipkin, III, who has the first right of refusal on that property for the price of \$53,850 plus appraisal costs.

Authority to Award Leaseback/Pool 5, Tract 4 (60.26 Acres)/O. G. Pipkin, III - By motion of Commissioner Hodges, seconded by Commissioner Jones, the Commission unanimously approved award of a 5 month leaseback of 60.26 acres in Pool 5, tract 4 to Mr. Orlando G. Pipkin, III, at a unit value of \$15 per acre which equals \$904.50 annually and \$4,522.50 for the five year term.

Authority to Advertise for Timber Sales - By motion of Commissioner Hodges, seconded by Commissioner Crutchfield, and unanimously approved, the staff was authorized to advertise for the sale of timber on the following tracts:

- Lock & Dam #2, Tracts 3, 4, 5, 6, 8, & 9
- Kateland Realignment, Tracts 1, 3, 5 & 7
- Lock & Dam 4, Tracts 1, 2, 3, 4, & 9/Pool 4, Tract 2

c) Recreation

Recreation Area Status Report - Mr. Mike Boydston highlighted the prepared report provided in the meeting packet, noting that there had been 152,000 visitors to the District recreation areas during the month of February, 2014. He also gave a brief summary of up-coming fishing tournaments, dredging needs at various oxbows and the Giant Salvinia project.

d) Ports

Approval of Agreement with Alexandria Regional Port/Cool Planet - By motion of Commissioner Crutchfield, seconded by Commissioner Fletcher, and unanimously approved, staff and legal counsel were instructed to proceed with the drafting of a Cooperative Endeavor Agreement with the Alexandria Regional Port to partially fund the design and construction of the infrastructure necessary for Cool Planet Project in accordance with Port Priority Procedure. The Cooperative Endeavor should include, but not be limited to, the following points and shall be presented to the Waterway Commission at the April 16, 2014 meeting:

- The Waterway Commission will contribute \$1,212,100.00 for non-construction costs, such as engineering, geotechnical, contract administration. Payment of non-construction costs can be effective for costs incurred after March 19, 2014;
- The Waterway Commission will contribute \$1,352,692.00 for construction of the infrastructure, which is 10% of the construction costs. The remaining 90% of construction costs will come from the Port Priority Program or Cool Planet. Construction cost will be paid in accordance with general Port Priority procedure.

Finally, the Waterway Commission's obligation to pay any of these funds is contingent upon the following: (i) Cool Planet and the Port executing a long term lease; (ii) a written Cooperative Endeavor Agreement between the Port and the Waterway Commission being approved by the Waterway Commission and executed by the parties; and (iii) a letter or written Guarantee Agreement between Cool Planet and the Waterway District being approved by the Waterway Commission and executed by the parties wherein Cool Planet guarantees that all Waterway funding will be refunded if Cool Planet fails to deliver an operational plant at the Port.

e) Public Awareness & Marketing

Consideration of Funding Request from Shreveport-Bossier Sports Commission - By motion of Commissioner Crutchfield, seconded by Commissioner Jones, the Commission unanimously approved the funding request from the Shreveport-Bossier Sports Commission in the amount of \$30,000 in partial sponsorships for various up-coming fishing tournaments in 2014.

Marketing Update - Mr. Robert Vinet highlighted the prepared marketing report as provided in the meeting packet along with a schedule of up-coming events. Also, Ms. Robin Cosenza gave a brief update of the activities of The Munson Group, relative to RRWC events and public awareness projects including a single page flyer prepared for media release.

f) Personnel - No report

g) Revenue, Banking & Budget - No report

h) Legislative - No report

7. EXECUTIVE DIRECTOR'S REPORT - No report

8. STATUS OF RIGHTS-OF-WAY/ENGINEERING REPORT - Prepared reports were provided in the meeting packet. Mr. Colin Brown indicated that Regional Construction was currently 115 days past the end of the contract time on the Fort Buhlow and Montgomery Dock Facilities Project and that Merrick Heavy Machine was 53 days past the end of contract time on the Ben Routh Boat Dock Project. He also indicated that the projects are being reviewed to see if there are any change orders for time that might be in order and that stipulated damages will probably be charged.

9. GENERAL COUNSEL REPORT - No report

10. CORPS OF ENGINEERS REPORT - Mr. David Jenkins gave a brief update of current COE activities relative to the J. Bennett Johnston Waterway project.

11. RED RIVER VALLEY ASSOCIATION - Mr. Rich Brontoli gave a brief update on his activities relative to Congressional funding issues.

12. OTHER BUSINESS - None

13. COMMENTS FROM THE PUBLIC - None

14. EXECUTIVE SESSION

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

Hall Ponderosa v. State of Louisiana
Docket No. 35585 - 39th Judicial District Court
Red River Parish

Morgan's Landing, Inc.
10th Judicial District Court
Suit # 77390-B
Natchitoches Parish, Louisiana

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

At this time, by motion of Commissioner Crutchfield, seconded by Commissioner Hodges and approved, legal counsel was instructed to proceed with drafting a settlement agreement document with Hall Ponderosa and to report back to the Commission with that draft for final approval. Commissioner Michael Simpson abstained from voting on this matter.

15. ADJOURNMENT

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

JAMES F. MAXEY
SECRETARY/TREASURER

MURPHY J. LeDOUX, JR.
ACTING CHAIR