Minutes of the Rescheduled Regular Board Meeting of the Bayou Vermilion District

November 18, 2020

Held by ZOOM at Vermilionville, 300 Fisher Road Lafayette Louisiana

 4:30 pm, December 2, 2020

**Call to Order** was given by President Michot. The meeting was called at 4:30 pm. The BVD meeting is on ZOOM because of COVID-19. Adhering to Governor’s Proclamation, following mandate and guidance.

**Pledge of Allegiance**

**Roll Call**: Given by the Secretary: Commissioners Thomas Michot, Don McConnell, Kristie Cornell, and Jason Sullivan were on Zoom. Commissioners Calvin Leger, Holden Hoggatt, Mark Wiltz, and David Eaton were present. There was a quorum with both present and Zoom commissioners.

**Approval of Minutes:** **MOTION**: (D. McConnell/K. Cornell) to accept the minutes, as written, from October 28, 2020 regular meeting. All were in favor. Motion carried.

**Introduction of Guest(s)**: Guests: Zoom Sam Oliver, Aprille Sonnier, Anne Swanson, Michael Martin, John Sharp, Deborah Simeral, Peggy Feehan, Tiffany Guillory, Liz Skilton and Deidre Stock, CPA with Kolder, Slaven & Company. Staff: CEO Cheramie, Kayla Guidry, Charissa Helluin, Curtis Willingham and Kim Fournet.

**Public Comment(s):** Most of the guest on Zoom spoke in favor of the work BVD is doing and they do not want the River and Museum separated. Several other citizens wrote letters to the commission.

**President’s Report:**

 A. History and Legislative Purpose of BVD and Vermilionville

President Michot stated that it was said by some commissioners that the Ad Valorem Tax was never to be used for Vermilionville.

Point of Order from Commissioner D. Eaton. That no one stated that Vermilionville was not to be funded by the taxpayers.

CEO Cheramie had a presentation of the History and Legislative Purpose of BVD and Vermilionville. The presentation discussed the Master plan of 1985. The Mission and Vision Statements of Vermilionville and BVD. The Accreditation of Vermilionville last year and the benefits of the accreditation.

Point of Order from Commissioner D. Eaton. Commissioner stated that in 2020, 58% of the collected tax millage went to Vermilionville and 42% went to the river operations. President Michot told Mr. Eaton he was out of order.

CEO Cheramie pointed out that BVD takes care of many other parks, not just Vermilionville. The museum return on investment is between $40,000-$50,000 in sales tax. The millage is up for renewal every 10 years, and the bond is every 20 years. The BVD/Vermilionville organizational chart was also part of the presentation.

B. Committee Assignments

Commissioner Don McConnell will chair the Education/Programming/Grants Committee

 C. Three new agenda items to be added. To be added to the agenda, all eight commissioners must vote in the affirmative.

 1) Nomination and Election of Officers to take office January 1, 2021.

**Motion:** (C. Leger/D. Eaton) to include the election of officers to the agenda. All were in favor. The item was added.

 2) Budget Adjustment for 2020 (Enterprise from General Fund)

**Motion**: (D. McConnell/D. Eaton) to add to the agenda the transfer out of account 5900in the general fund and transfer into the account 6999 in the enterprise fund. All were in favor. The item was added.

 3) Resolution to add the Lease Renewal with the Lafayette Airport Commission.

**Motion:** (K. Cormell/D. McConnell) to add the resolution to the agenda. All were in favor. The resolution was added.

**CEO Report:**

Copies of CEO Cheramie’s report and coordinators reports (on file) were e-mailed to the commissioners. CEO reviewed his report.

CEO Cheramie reported that on December 1, 2020, Councilman Kevin Naquin, President Mayor Josh Guillory, Emile Ancelet, and he meet for about an hour. Mr. Guillory wanted to know the details concerning the second audit the board had requested. CEO explained that BVD has an independent audit every year. CEO is the only person who can sign the contract with Carr, Riggs, and Ingram. President Mayor Guillory asked CEO to sign the contract. President Mayor Guillory supports BVD and Vermilionville but was disappointed with the statement BVD put out concerning George Floyd’s death. Emile Ancelet had no comment.

 A. Hurricane Delta Update

CEO Cheramie has applied for FEMA reimbursement for removing trees from the river after Hurricane Delta. I will be close to impossible to identify what trees fell into the river as a result of the hurricane. Bob’s Trees did remove trees from Southside Park for $3,975.00, this amount will possibly be covered by FEMA.

B. Watershed Building Update

The fire hydrant in the parking lot did not have the correct size connection underground. We were able to renegotiate the water main connection and were able to save around $5,000. There have been some setbacks with the rain. Water came through the roof and some flooring had to be replaced, all at the contractors expense.

Commissioner Eaton asked if all commissioners involved with the new Water Quality Lab have their names on the plaque not just the current commissioners.

 C. Trappey’s Plant Redevelopment

As you may know, several groups over the years have been looking into developing that property into some sort of multi-use facility. I had previously seen some preliminary plans to develop housing, boutiques, offices, and a restaurant/café along the banks of the Vermilion. A foot bridge across the bayou linking Beaver Park to the site, along with a water taxi that could bring traffic up and down the bayou, including to and from Vermilionville, are also part of their ideas. They are in the early stages, but I get the impression that they are fairly well advanced.

**Committee Reports**

**Ma**r**keting/Public Relations**: The committee did meet. Commissioner Leger reported that he challenged the staff members to help make the meetings more productive with as many ideas to promote Vermilionville, the river, BVD and any and all revenue streams. All the directors spoke about their departments. Gift Shop manager Chris Benoit wants to get the word out to the public about the gift shop. The Restaurant and Museum Operations are not planning many special events due to the new shutdown.

**Finance/Capital**: The committee met with Deidre Stock to ask her to separate the funds between Vermilionville and the General Fund. If possible, to go back to 2008 to present. Ms. Stock did a great job pulling out the funding of the two entities. The board needs to know where BVD is financially. All revenue streams: Gift Shop, Museum Operations, Restaurant, and any other revenues.

The financial analysis comparison for the month ending October 2020 and October 2019 and the financials were emailed to the commissioners.

**Environmental/Bayou Ops**: The committee did meet. Commissioners Sullivan and Leger met November 18, with the committee. The topics were Ampol, Band-a-Long, Maintenance on the dock at Vermilionville, Mile Markers signs in the river, Erosion Control, Tree Work-Safety Briefing, and Bayou Trail-Hiker Trails.

**Education/Programming/Grants**: The committee did not meet.

**Curatorial/Acquisitions**: The committee did not meet.

**Executive**: The committee did not meet.

**Introduction of Tentative Budget for Consideration and Discussion**

The tentative budget does include the transfers mentioned earlier. The finance committee appreciates the work Deidre Stock has done to reformat the budget.

CEO Cheramie agreed thew budget process needed a new set of eyes and it has helped. The money to Vermilionville has not taken away from the Bayou Ops crew. All monies were in one lump sum. Hopefully going forward, it will be better. The budget has to be completed by December 14th and available for public viewing. Getting the November finances will help with the budget of 2021. Possibly change how the weekly invoices are processed.

**New Business**:

A. Nomination and Election of 2021 Officers

**MOTION:** (D. Eaton/C. Leger) to open nominations for President. All were in favor. Commissioners C. Leger/M. Wiltz nominated David Eaton. Commissioners K. Cornell/D. McConnell nominated Thomas Michot. **MOTION**: (M. Wiltz/D. Eaton) to close the nominations. All were in favor.

For T. Michot there were 4 votes, J. Sullivan, D. McConnell, K. Cornell, and T. Michot.

For D. Eaton there were 4 votes, C. Leger, H. Hoggatt, M. Wiltz, and D. Eaton. There was a deadlock, this item will be voted on at the December regular meeting.

**MOTION**: (D. McConnell/K. Cornell) to open nominations for Vice President. All were in favor. Commissioners D. Eaton/M. Wiltz nominated Mark Wiltz. Commissioners D. McConnell/T. Michot nominated Jason Sullivan. **MOTION**: (D. Eaton/C. Leger) to close the nominations. All were in favor.

For M. Wiltz there were 4 votes, H. Hoggatt, M. Wiltz, C. Leger, and D. Eaton. For J. Sullivan there were 4 votes, T. Michot, D. McConnell, K. Cornell, and J. Sullivan. There was a deadlock, this item will be voted on at the December regular meeting.

**MOTION**: (D. Eaton/D. McConnell) to open nominations for Secretary. All were in favor.

Commissioners D. McConnell/T. Michot nominated Kristie Cornell. Commissioners D. Eaton/H. Hoggatt nominated Calvin Leger.

**MOTION**: (J. Sullivan/D. McConnell) to close the nominations. All were in favor. For K. Cornell there 3 votes, T. Michot, D. McConnell, and K. Cornell. For C. Leger there were 5 votes, J. Sullivan, H. Hoggatt, D. Eaton, M. Wiltz, and C. Leger. Commissioner Calvin Leger is the Secretary for 2021.

 B. Consideration of Legal Counsel for BVD

Commission C. Leger recommended that the board look for an attorney to represent BVD. Most of the board members agreed a board attorney is necessary. CEO Cheramie thanked Gary McGoffin for his recent help with board issues. Commissioner C. Leger will take the lead to get four names and rates of attorneys that could help BVD.

 C. Consideration of a New Master Plan

Commissioner C. Leger would like to see more inclusion of the eco system of the bayou in the Master Plan. Mr. Leger spoke with Dr. Hibib and he can help with short- and long-term goals. CEO Cheramie also recommended Dave Dixon as a source for help.

 D. Consideration Restructuring of BVD

Commissioner C. Leger would like to form a 501(c)3 for the bayou. The Foundation Board works mainly with the museum. CEO Cheramie reported that the Foundation Board had changed their mission statement recently to include the bayou. **MOTION**: (C. Leger/M. Wiltz) to create a 501(c)3 Bayou Vermilion Foundation Board. CEO Cheramie questioned the legality of BVD Commissioners being on the newly created board. Commissioner C. Leger removed the question. **MOTION**: (C. Leger/D. Eaton) to make David Cheramie the managing director of Vermilionville and Emile Ancelet the managing director of BVD. The board would hire a new CEO with a financial background. Discussion was opened. Citizens on Zoom questioned the reason for two directors and one CEO or CAO. How would this be paid? How much money is made picking up trash? Many companies have two vice presidents and one president, this is similar. The cost of an additional person with financial experience could help save money. The taxpayers voted for BVD to clean the river. Much discussion continued. Commissioner D. McConnell commented that with the economic problem of COVID, this is not the time to make changes. **MOTION**: (C. Leger/D. McConnell) to table the previous motion. All were in favor. Motion tabled.

 E. Consideration of Delegation of Authority to David Eaton for CRI Audit

**MOTION**: (C. Leger/H. Hoggatt) to delegate authority to David Eaton to sign contract with CRI. CEO pointed out that only he has the authority to sign contracts, this authority was given to him by the BVD Board. This is considered a Forensic Audit, not an audit. A forensic audit gives the impression of wrongdoing. President Michot said he could remove Commissioner D. Eaton from the chair of the Finance Committee. It was noted, earlier, that Mayor President wants the audit to take place. CEO wants to see the contract before any documents are sent. The question was called. Vote was tied 4-4, yeas were D. Eaton, C. Leger, H. Hoggatt, and M. Wiltz. The nays were T. Michot, K. Cornell, J. Sullivan, and D. McConnell. Motions fails due to a tie.

Commissioner J. Sullivan sees walls going up and he did not sign-up for this type of action. CEO Cheramie and David Eaton need to work together.

 F. Airport Lease Renewal

This renewal is for a small piece of land that was excluded from the original lease and needs to be renewed every 10 years. Resolution 2020-03 was read. **MOTION**: (D. McConnell/H. Hoggatt) to accept resolution. All were in favor. Resolution passed.

 G. Budget Adjustment for 2020

CPA Deidre Stock made the board aware that for Vermilionville to continue to operate, $50,000, has to be transfer from the General Fund into the Vermilionville Enterprise fund. BVD will be receiving tax checks between now and the beginning of January for the tax year 2020. Commissioner D. Eaton asked why this is just coming to light. Ms. Stock expected more revenue to come in during October and November, but with the additional government regulations concerning COVID 19 business has been slow.

**MOTION**: (D. McConnell/H. Hoggatt) to transfer $50,000, for General Fund account number 5900, to Vermilionville Enterprise Fund account number 6999, to continue the operations of Vermilionville to the end of 2020. All were in favor. Motion carried.

**Adjournment**: **MOTION**:(D. Eaton/D. McConnell) Motion to adjourn. All were in favor. Motion carried.

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Thomas Michot, President Kristie Cornell, Secretary