

MEETING MINUTS FOR THE BOARD OF COMMERCE AND INDUSTRY

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MEETING MINUTES FOR
THE BOARD OF COMMERCE AND INDUSTRY
OF THE
LOUISIANA ECONOMIC DEVELOPMENT CORPORATION
HELD AT
LASALLE BUILDING
617 NORTH 3RD STREET
BATON ROUGE, LOUISIANA
ON THE 20TH DAY OF DECEMBER, 2016
COMMENCING AT 9:35 A.M.

REPORTED BY: ELICIA H. WOODWORTH, CCR



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MEETING MINUTS FOR THE BOARD OF COMMERCE AND INDUSTRY

1 **Appearances of Board Members Present:**

2 Robert Adley
3 Millie Atkins
4 Mayor Glenn Brasseaux
5 Representative Thomas Carmody
6 Senator Norby Chabert
7 Major Coleman
8 Paula Davis for Representative Neil Abramson
9 Michelle Ducharme for Senator Danny Martiny
10 Rickey Fabra
11 Manual "Manny" Fajardo
12 Heather Malone
13 Charles R. "Robby" Miller
14 Jan K. Moller
15 Daniel J. Shexnaydre, Jr.
16 Bobby E. Williams
17 Steve Windham

18 **Staff members present:**

19 Eric Burton
20 Kristen Cheng
21 Danielle Clapinski
22 Frank Favaloro
23 Brenda Guess
24 Richard House
25 Becky Lambert
26 Joyce Metoyer
27 Mandi Mitchell
28 Melissa Sorrell
29 Anne Villa



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MR. WINDHAM:

Morning everyone. I'd like to thank everyone for coming to the C&I Board meeting.

Melissa, if you could call roll, please.

MS. SORRELL:

Robert Adley.

MR. ADLEY:

Here.

MS. SORRELL:

Robert Barham.

(No response.)

MS. SORRELL:

Representative Paula Davis for Representative Abramson.

MS. DAVIS:

Here.

MS. SORRELL:

Millie Atkins.

MS. ATKINS:

Here.

MS. SORRELL:

Mayor Brasseaux.

MAYOR BRASSEAUX:

Here.

MS. SORRELL:



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1 Representative Carmody.
2 (No response.)
3 MS. SORRELL:
4 Yvette Cola.
5 (No response.)
6 MS. SORRELL:
7 Major Coleman.
8 MAJOR COLEMAN:
9 Here.
10 MS. SORRELL:
11 Rickey Fabra.
12 (No response.)
13 MS. SORRELL:
14 Manny Fajardo.
15 MR. FAJARDO:
16 Here.
17 MS. SORRELL:
18 Jerry Jones.
19 (No response.)
20 Heather Malone.
21 (No response.)
22 MS. SORRELL:
23 Senator Martiny.
24 MS. DUCHARME:
25 Here.



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1 MS. SORRELL:
2 Michelle for Senator Martiny.
3 Robby Miller.
4 MR. MILLER:
5 Here.
6 MS. SORRELL:
7 Jan Moller.
8 MR. MOLLER:
9 Here.
10 MS. SORRELL:
11 Senator Chabert for Senator Morrell.
12 MR. CHABERT:
13 Here.
14 MS. SORRELL:
15 Don Pierson.
16 SECRETARY PIERSON:
17 Present.
18 MS. SORRELL:
19 Scott Richard.
20 (No response.)
21 MS. SORRELL:
22 Darrel Saizan.
23 (No response.)
24 MS. SORRELL:
25 Daniel Shexnaydre.



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MR. SHEXNAYDRE:

Here.

MS. SORRELL:

Ronnie Slone.

MR. SLONE:

Present.

MS. SORRELL:

Bobby Williams.

MR. WILLIAMS:

Here.

MS. SORRELL:

Steve Windham.

MR. WINDHAM:

Here.

MS. SORRELL:

Doctor Wilson.

(No response.)

MS. SORRELL:

We have a quorum.

MR. WINDHAM:

Thank you, Melissa.

All right. First, I guess, on the agenda is the approval of the minutes. Has anyone had a chance to read the minutes?

The Mayor moves for approval of the



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1 minutes.

2 Is there a second?

3 MR. SLONE:

4 Second.

5 MR. WINDHAM:

6 Seconded by Mr. Slone.

7 Any questions? Any corrections to the
8 minutes?

9 (No response.)

10 MR. WINDHAM:

11 All in favor, indicate with an "aye."

12 (Several members respond "aye.")

13 MR. WINDHAM:

14 All opposed with a "nay."

15 (No response.)

16 MR. WINDHAM:

17 Motion passes.

18 Mr. Burton, if you could present the
19 Quality Jobs Program.

20 MR. BURTON:

21 First we have the new applications. We
22 have nine new applications: 20151137, Brown & Root
23 Industrial Services, LLC of Delaware and BR Industrial
24 Operations, LLC; 20141029, Cobalt Rehabilitation
25 Hospital III, LLC; 20151546, Complete Logistical



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1 Services, LLC. There's a typo for the parish. It
2 should be Orleans. It is listed as Jefferson, however,
3 this is Orleans Parish. 20140144, Gravois Aluminum
4 Boats, LLC in St. Mary Parish; 201110189, IFG Port
5 Holdings, LLC in Calcasieu Parish; 20151753, Occidental
6 Chemical Corporation in Ascension Parish; 20160622,
7 Paychex North America, Inc. in East Baton Rouge Parish;
8 20141102, Sparkhound, Inc. in East Baton Rouge Parish;
9 and 20141141, SRA International, Inc. in Orleans Parish.

10 This concludes the new applications for
11 Quality Jobs.

12 MR. WINDHAM:

13 All right. Thank you, Mr. Burton.

14 Are there any comments from the public
15 regarding any Quality Jobs applications?

16 (No response.)

17 MR. WINDHAM:

18 Any questions or comments from the
19 Board?

20 (No response.)

21 MR. WINDHAM:

22 Is there a motion for approval?

23 MR. ADLEY:

24 Mr. Chairman, just as a -- we got a
25 couple members who hadn't been here before. It's very



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1 important to note on the Quality Jobs Program, there's
2 specific requirements every company has to meet, and
3 staff, as I understand, have gone through it and they've
4 all met the requirements. Is that my understanding?

5 MR. BURTON:

6 Yes, sir. They demonstrate on the
7 application of the minimum requirements for the program,
8 however, this will be fact checked on the actual annual
9 certification report that is done after the actual
10 application is approved.

11 MR. ADLEY:

12 Okay. Thank you.

13 MR. WINDHAM:

14 Thank you, Mr. Adley.

15 Is there a motion for approval?

16 MR. SLONE:

17 So moved.

18 MR. WINDHAM:

19 Motion made by Mr. Slone.

20 Is there a second?

21 By Ms. Atkins.

22 All in favor, indicate with an "aye."

23 (Several members respond "aye.")

24 MR. WINDHAM:

25 All opposed with a "nay."



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1 (No response.)

2 MR. WINDHAM:

3 Motion carries.

4 MR. BURTON:

5 The next item is going to be the Quality
6 Jobs renewals; however, since the agenda was posted, the
7 company has requested to myself to withdraw the request
8 for Quality Jobs renewal, so this will be withdrawn.

9 MR. WINDHAM:

10 Any objection to the withdrawal?

11 (No response.)

12 MR. WINDHAM:

13 No objection.

14 MR. BURTON:

15 The last item for Quality Jobs is going
16 to be request to terminate the following contracts:
17 20140928, Centene Management Company, LLC. The company
18 requested early termination because they're unable to
19 demonstrate eligibility for Quality Jobs. Company has
20 not received any benefits from the Quality Jobs Program.
21 That's in East Baton Rouge Parish. 20140929, Centene
22 Management Company, LLC, company requested early
23 termination because they were unable to demonstrate
24 eligibility for Quality Jobs. The company has not
25 received any benefits from the QJ Program. That is in



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1 Lafayette Parish.

2 This concludes the Quality Jobs Program.

3 MR. WINDHAM:

4 Any discussion from the public
5 concerning the Quality Jobs Program applications?

6 (No response.)

7 MR. WINDHAM:

8 Any questions from the members of the
9 Board?

10 (No response.)

11 MR. WINDHAM:

12 Is there a motion?

13 MR. MILLER:

14 I make a motion.

15 MR. WINDHAM:

16 Motion by President Miller, seconded by
17 Major Coleman.

18 All in favor, indicate with an "aye."

19 (Several members respond "aye.")

20 MR. WINDHAM:

21 All opposed with a "nay."

22 (No response.)

23 MR. WINDHAM:

24 Motion carries.

25 Thank you, Mr. Burton.



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1 Ms. Lambert. Next we'll have the
2 Restoration Tax Abatement presentation by Becky Lambert.

3 MS. LAMBERT:

4 Good morning everyone and happy
5 holidays.

6 MR. ADLEY:

7 Merry Christmas.

8 MS. LAMBERT:

9 We have three new applications for
10 Restoration Tax Abatement. The first one is 20151189,
11 3038 St. Claude, LLC in Orleans; 20150106, My Self
12 Storage, LLC, Ascension; 20150175, Southern Hospitality
13 Group, LLC, Rapides.

14 This concludes the new applications.

15 MR. WINDHAM:

16 Thank you, Ms. Lambert. All of the
17 local approvals have been set forward?

18 MS. LAMBERT:

19 Yes. For benefit of new members, each
20 of these Restoration Tax Abatement Program applications
21 come with an application that is reviewed first by staff
22 for compliance with the statutory program rules, and
23 then I send an application to the local governing
24 authority for review and resolution of approval of the
25 project to support it. So once I receive a resolution



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1 they're in support of the local benefit, then I present
2 it to this Board.

3 MR. WINDHAM:

4 Thank you, Ms. Lambert.

5 Any comments from the public regarding
6 the Restoration Tax Abatement applications?

7 MR. ADLEY:

8 I have a question.

9 MR. WINDHAM:

10 Yes, Mr. Adley.

11 MR. ADLEY:

12 The only question I have is on My Self
13 Storage. It's clearly not a historic issue. I assume
14 that's an economic development district. Is that what
15 that is?

16 MS. LAMBERT:

17 Is certainly is. It's an economic
18 district, one of the three eligible districts, which
19 would be historic districts, downtown development
20 districts and economic development districts, that are
21 created by the local governing authority to meet the
22 particular needs of that area for economic development
23 purposes.

24 MR. ADLEY:

25 So I assume they deem that some self



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1 storage facility that might hire two or three people is
2 important?

3 MS. LAMBERT:

4 This actually was -- it meets the
5 requirements of the program as being an existing
6 structure within an eligible district. It was a
7 previous grocery store. It is now a storage facility.
8 And as far as the number of employees, this is not a
9 jobs retention or creation program, but we do request,
10 for benefit of the state's knowledge, they are creating
11 four new jobs at a payroll of \$110,000 and construction
12 jobs of 26. So they did make an impact on this
13 community for this relatively small project.

14 MR. ADLEY:

15 Thank you.

16 SECRETARY PIERSON:

17 I might add that the grocery store stays
18 on the tax rolls. What doesn't make the tax rolls are
19 the improvements required to convert it to a self
20 storage facility.

21 MR. WINDHAM:

22 Any other comments from the Board?

23 (No response.)

24 MR. WINDHAM:

25 Is there a motion for approval?



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1 Moved by Representative Carmody. I
2 apologize. I didn't catch it on the roll.

3 And I also want to make sure that
4 Heather is acknowledged as being here, so, Melissa, can
5 you note it on the agenda or on the minutes, please?

6 Thank you. Sorry.

7 MR. ADLEY:

8 Before we leave this issue --

9 MR. WINDHAM:

10 And Mr. Rickey is also here. Thank you.

11 Yes, Mr. Adley.

12 MR. ADLEY:

13 Before we leave this issue, I wanted to
14 know if the parish or governing authority creates an
15 economic development district of which they totally
16 control basically with that approval and how does that
17 impact or tie back into the ITEP rules that we recently
18 passed, would that circumvent those rules or not?

19 MS. LAMBERT:

20 I'm really not -- I'm not able to answer
21 that. I don't know how it would impact the same ITEP
22 rule circumstance, but I can tell you that without that
23 determination and it is not promoted by an entity, when
24 a company comes in or an individual resident, they say,
25 "Well, if I don't have a historic district property or a



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1 downtown development district property, how can I get
2 this economic -- how can I get approved?" I said, "You
3 have to speak directly with the local governing
4 authority and make your case." And if it is something
5 that they want to support, then they will create the
6 district, you know, for the project.

7 MR. ADLEY:

8 I got it. I'm just trying to figure out
9 if there is any possible way that creating a district
10 like that would circumvent the ITEP rules that we
11 recently have approved.

12 MS. CLAPINSKI:

13 No, sir, it would not. These are two
14 totally separate programs. So Restoration Tax Abatement
15 already required the approval of the locals. That's
16 what Becky referred to earlier when she said she
17 received those. ITEP is completely and solely about
18 manufacturing. Doesn't matter where you're located.

19 MR. ADLEY:

20 Okay. Got it. Thank you.

21 MR. WINDHAM:

22 Thank you, Ms. Clapinski.

23 Is there a second to the motion?

24 MR. ADLEY:

25 Second.



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MR. WINDHAM:
Seconded by Mr. Adley.
Any comments from the public?
(No response.)
MR. WINDHAM:
Additional comments from the Board?
(No response.)
MR. WINDHAM:
All in favor, indicate with an "aye."
(Several members respond "aye.")
MR. WINDHAM:
All opposed with a "nay."
(No response.)
MR. WINDHAM:
Motion carries.
MS. LAMBERT:
We have one renewal application, and
that is for 20120911, company name Advantage Health
Plan, Inc. dba Monroe Development, LLC in Ouachita.
That concludes the renewal applications.
MR. WINDHAM:
Are there any comments from the public
regarding the renewal of the Restoration Tax Abatement
Program application?
(No response.)



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MR. WINDHAM:

Comments from the Board?

(No response.)

MR. WINDHAM:

Is there a motion?

By Representative Carmody, seconded by
MS. Atkins.

All in favor, indicate with an "aye."

(Several members respond "aye.")

MR. WINDHAM:

All opposed with a "nay."

(No response.)

MR. WINDHAM:

Motion carries.

Thank you, Ms. Lambert.

Next we'll have Ms. Metoyer do the
Enterprise Zone Program.

MS. METOYER:

Good afternoon. I have 10 applications
for approval: 20150026, AJ Ponchartrain Employer, LLC,
Orleans Parish; 20110954, Alliance Compressors, LLC,
Natchitoches Parish; 20110141, Central Rehab Clinic,
Inc., East Baton Rouge Parish; 20140759, Gretna Hotel
No. 1, LLC, Jefferson Parish; 20150873, Hospital
Housekeeping Systems, Inc., Ouachita Parish; 20141051,



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1 Ochsner Clinic Foundation, Jefferson Parish; 20121192,
2 Rotolo Consultants, Incorporated doing business as RCI,
3 St. Tammany Parish; 20150175, Southern Hospitality
4 Group, LLC, Rapides Parish; 20151293, Sunrise
5 Hospitality VI, LLC, Lincoln Parish; and 20140909, The
6 Claiborne at Thibodaux, LLC, Lafourche.

7 MR. WINDHAM:

8 Ms. Metoyer, can you give a high level
9 review of the program and its benefits?

10 MS. METOYER:

11 The biggest benefit is the income tax --
12 investment tax credit. I'm sorry. This is the benefit
13 that most companies choose over the state sales and use
14 tax rebate, and it's about creating permanent net new
15 full-time jobs and, as defined by Enterprise Zone rules,
16 that's scheduled to work 35 hours per week or more and
17 paid for that amount per week.

18 MR. WINDHAM:

19 All right. Thank you.

20 Any comments from the public regarding
21 the Enterprise Zone Program applications before us?

22 (No response.)

23 MR. WINDHAM:

24 Any questions or comments from the Board
25 members?



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(No response.)

MR. WINDHAM:

Is there a motion for approval?

Mr. Slone.

Is there a second?

Seconded by Mr. Williams.

All in favor, indicate with an "aye."

(Several members respond "aye.")

MR. WINDHAM:

All opposed with a "nay."

(No response.)

MR. WINDHAM:

Motion carries.

Please.

MS. METOYER:

I have 11 terminations: 20100784, Berry Contracting, LP, St. Charles Parish. Requested term date 1/17/2014. The program requirements have been met. No additional jobs anticipated; 20101209, Children's Hospital, Orleans Parish. Requested term date 4/30/2014. The program requirements have been met. No additional jobs anticipated; 20101010, Chevron USA, Incorporated, Lafourche Parish. Requested term date 12/31/2014. The program requirements have been met. No additional jobs anticipated; 21120808, Union Pacific



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1 Railroad Company, Ouachita Parish. Requested term date
2 12/31/2014. Program requirements have been met. No
3 additional jobs anticipated; 20111136, Our Lady of the
4 Lake Ascension Community Hospital, Incorporated,
5 Ascension Parish. Requested term date June 3, 2014.
6 Program requirements have been met. No additional jobs
7 anticipated; 20131040, TL Ventures, LLC, Rapides Parish.
8 Requested term date 2/1/2016. Program requirements have
9 been met. No additional jobs anticipated; 20110775,
10 Motiva Company, Incorporated, St. Charles Parish.
11 Requested term date September 30, 2014. Program
12 requirements have been met. No additions jobs
13 anticipated; 20071296, HKP, Corp., St. Tammany Parish.
14 Requested term date April 30, 2015. The program
15 requirements have been met. No additional jobs
16 anticipated; 20100806, Orion Instruments, LLC, East
17 Baton Rouge Parish. Requested term date June 30, 2014.
18 The program requirements have been met. No additional
19 jobs are anticipated; 20111259, Domain Cos. Management,
20 LLC, Orleans. Requested term date March 31, 2016.
21 Program requirements have been met. No additional jobs
22 anticipated; 20090857, Turner Industries Group, LLC,
23 West Baton Rouge Parish. Requested term date December
24 31, 2015. Program requirements have been met. No
25 additional jobs anticipated.

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1 That concludes the terminations.

2 MR. WINDHAM:

3 Thank you, Ms. Metoyer.

4 I believe Mr. Adley has a question.

5 MR. ADLEY:

6 Who can tell me what HKP Corp. is?

7 MS. METOYER:

8 HKP Corp. Hold on just a minute.

9 MR. ADLEY:

10 What do they do? That's all I'm
11 interested in.

12 MS. METOYER:

13 Just a moment.

14 It's a housing apartment, according to
15 this. I'm sorry.

16 MR. ADLEY:

17 Say that again.

18 MS. METOYER:

19 It's Canterbury House Apartments,
20 Slidell.

21 MR. ADLEY:

22 Thank you.

23 MR. WINDHAM:

24 Thank you, Ms. Metoyer.

25 Mr. Miller.



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MR. MILLER:

For the request of termination date, a significant amount of these are in 2014. I'm assuming the benefits received by them ended in '14. They're just not getting to the point of asking us to terminate?

MS. METOYER:

They have to meet all program requirements, and they can term at a minimum of 30 months.

MR. WINDHAM:

So they have to wait at least 30 months before they can terminate?

MS. METOYER:

Yes.

MR. WINDHAM:

So they have to wait two and a half years?

MS. METOYER:

Yes.

SECRETARY PIERSON:

And a lot of times they have an open window for buying. If they think they've hit their plateau, then they'll close out is what often happens.

MR. WINDHAM:

Are there any other comments or



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1 questions from the Board members?

2 (No response.)

3 MR. WINDHAM:

4 Any comments from the public?

5 (No response.)

6 MR. WINDHAM:

7 Is there a motion to approve these?

8 Representative Carmody, seconded by

9 Mr. Shexnaydre.

10 Any further discussion?

11 (No response.)

12 MR. WINDHAM:

13 All in favor, indicate with an "aye."

14 (Several members respond "aye.")

15 MR. WINDHAM:

16 All opposed with a "nay."

17 (No response.)

18 MR. WINDHAM:

19 Motion carries.

20 MS. METOYER:

21 I have one request for change in
22 ownership. It's 20131156. The current contract name is
23 Alpine Guest Care Center, LLC, and it wishes to change
24 the name to Ruston SCC, LLC doing business as SCC of
25 Alpine Rehabilitation Center. This is in Lincoln



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1 Parish.

2 MR. WINDHAM:

3 Are there any comments from the public
4 regarding this name change of the Enterprise Zone
5 Program?

6 (No response.)

7 MR. WINDHAM:

8 Any comments from the Board members?

9 (No response.)

10 MR. WINDHAM:

11 Is there a motion for approval?

12 Major Coleman.

13 Any second? A second, please?

14 Yes, by Ms. Atkins.

15 All in favor, indicate with an "aye."

16 (Several members respond "aye.")

17 MR. WINDHAM:

18 All opposed with a "nay."

19 (No response.)

20 MR. WINDHAM:

21 Motion carries.

22 Thank you, Ms. Metoyer.

23 MS. METOYER:

24 Thank you.

25 MR. WINDHAM:



1 Next we have Ms. Cheng for Industrial
2 Tax Exemption Program.

3 MS. CHENG:

4 Good morning. We have nine new
5 Industrial Tax Exemption applications.

6 MR. ADLEY:

7 What date were they submitted?

8 MS. CHENG:

9 All of these had advances filed prior to
10 the executive order.

11 MR. ADLEY:

12 Prior to 6/24?

13 MS. CHENG:

14 20150885, Graphic Packaging
15 International, Inc. in Ouachita Parish; 20150888,
16 Graphic Packaging International, Inc., in Ouachita
17 Parish; 20150883, Graphic Packaging International, Inc.
18 in Ouachita Parish; 20151380, Graphic Packaging
19 International, Inc. in Ouachita Parish; 20130960A, PPG
20 Industries Calcasieu Pass, LLC in Calcasieu Parish;
21 20150189, United WELD Operations, LP in Livingston
22 Parish; 20151141, Venture Global Calcasieu Pass, LLC in
23 Cameron Parish; 20161532, Venture Global Plaquemines,
24 LNG, LLC in Plaquemines Parish; and 20130886, Westlake
25 Chemical OpCo, LP in Calcasieu Parish.



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MR. WINDHAM:

Are there any questions or comments from the public regarding the new applications that were submitted prior to issuance of the executive order of June 24th?

(No response.)

MR. WINDHAM:

Are there any questions or comments from the Board members?

Yes, Mr. Miller.

MR. MILLER:

I realize that these were prior to June 24th and jobs are not tied. Is there any possibility we can ask Graphic Packaging to tell what jobs -- I mean, we're investing a million dollars. I'm assuming there's going to be jobs associated with that. Would these give that information if it was not required?

MS. CHENG:

They indicated that they created construction jobs, but they weren't able to create new permanent jobs, but they did --

MR. MILLER:

Maintain.

MS. CHENG:

I asked them to be here.



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MR. WINDHAM:

Is there a representative from Graphic Packaging?

MR. JOHNSON:

My name is Andy Johnson from Graphic Packaging.

MR. WINDHAM:

Please step forward and state your name and who you represent.

MR. JOHNSON:

Good morning. My name is Andy Johnson, and I'm VP of Government Affairs for Graphic Packaging.

To answer your question, this is a retention for us at Graphic, and so we retained the jobs that we have.

MR. MILLER:

Excuse me? How many jobs?

MR. JOHNSON:

It's retention. We're around 1,200 jobs right now in the state.

MR. WINDHAM:

1,200? Pull a little closer to the mic.

MR. MILLER:

In the state or in Ouachita Parish?

MR. JOHNSON:



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1 It's Ouachita Parish. It's 1,200 jobs.

2 MR. WINDHAM:

3 All right. Thank you. We appreciate
4 your employment in the State of Louisiana.

5 Any other questions by any other Board
6 members?

7 MR. ADLEY:

8 Yeah. I wanted to just make it clear
9 that in the future, under the new set of rules, this
10 would not be acceptable because it doesn't create any
11 jobs. The issue of retention leads me to ask you the
12 question, when I read all of the different applications,
13 they look to be purely improvement to your facility, not
14 improvements required to keep the facility open and keep
15 jobs. Is that a fair statement? Did I read it
16 correctly or not?

17 MR. JOHNSON:

18 No. These are investments to upgrade
19 our equipment, and so it's designed to promote us to be
20 competitive with quality and service our customers and
21 also to address cost issues in order to keep us
22 competitive.

23 MR. ADLEY:

24 So the upgrades basically is to improve
25 your production and increase profit at the same time, I



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1 would assume?

2 MR. JOHNSON:

3 Yeah. It should, yes.

4 MR. ADLEY:

5 Okay. It's these type questions, I
6 think, are going to be raised, at least for those
7 sitting out there that get ready to put one in and start
8 talking about retention. I think the issue of
9 retention, at least from the Governor's perspective, is
10 going to be was this work required to keep this facility
11 open, to keep those jobs. Not just work you do to
12 increase the profit for the company is not necessarily
13 retention, for whatever it's worth.

14 But with that said, anyone that had
15 already filed prior to 6/24, we certainly won't have any
16 objection to them.

17 I do have one other. I have a question
18 of, when you get -- actually two of them when you get to
19 them.

20 Thank you.

21 MR. JOHNSON:

22 Thank you.

23 MR. WINDHAM:

24 Any other questions for Mr. Johnson?

25 (No response.)



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MR. WINDHAM:

Thank you, Mr. Johnson.

Mr. Adley, you have a couple other questions?

MR. ADLEY:

Yeah. I guess under the one PPG Industries.

MR. WINDHAM:

Do we have a representative from PPG Industries?

Please step forward, Mr. Zatarain.

MR. ADLEY:

It appears to me that part of that was -- how much of this was the shipping office part?

MR. ZATARAIN:

Oh, maybe --

MR. WINDHAM:

Please --

MR. ZATARAIN:

-- 10 percent.

MR. WINDHAM:

Mr. Zatarain, please identify yourself.

MR. ZATARAIN:

I'm Charles Zatarain. I'm representing PPG.



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1 A small portion. Maybe 10 percent of
2 it, of the \$5-million.

3 MR. ADLEY:

4 To note that, on future applications
5 that come in after the 24th, that's clearly been
6 eliminated, and so I would ask staff that with any of
7 those that come in after the 24th under the new rules,
8 to ensure that we separate out anything that's not part
9 of the manufacturing process, which would exclude the
10 office facility that's in this application.

11 MR. ZATARAIN:

12 Thank you.

13 MR. WINDHAM:

14 Anything else? Any other questions by
15 any of the Board members for Mr. Zatarain?

16 (No response.)

17 MR. WINDHAM:

18 Thank you, Mr. Zatarain.

19 You had another one, Mr. Adley?

20 MR. ADLEY:

21 Westlake Chemical would be the last one.

22 MR. WINDHAM:

23 Is there a representative from Westlake?
24 Please come forward, ma'am, and identify
25 yourself.



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MS. ELDER:

My name is Angela Elder. I work for Westlake Chemical Corporation.

MR. WINDHAM:

Speak a little closer to the mic for us.

MS. ELDER:

My name is Angela Elder. I work for Westlake Chemical Corporation.

MR. WINDHAM:

Mr. Adley.

MR. ADLEY:

I notice that it said wastewater treatment. Is that what this project was about?

MS. ELDER:

It was the installation of a retention tank, a million-gallon retention tank.

MR. ADLEY:

Was this a requirement of a federal or state law requirements of any kind, an environmental issue? That's all I'm trying to determine.

MS. ELDER:

It would have been -- the demand on the wastewater system has increased with the addition of more equipment, increased breaks, blowdowns and more environmental, so they had to add an additional tank.



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1 MR. ADLEY:

2 Was that to follow some environmental
3 rule or guideline? Did I hear that correctly? I can't
4 hardly hear you, ma'am.

5 MS. ELDER:

6 It does say environmental emphasis. I'm
7 not sure if it was something that was...

8 MR. ADLEY:

9 That's fine. Thank you, ma'am.

10 Again, I would ask the staff, any of
11 these that come before us in the future after that 6/24
12 date, it appears to have any environmental issue, we
13 need to know for sure if it's being done as a result of
14 some rule or reg that the company may have received
15 which would make them ineligible for ITEP.

16 MS. CHENG:

17 We wouldn't even be bringing the ones
18 that are ineligible items to you, so you wouldn't even
19 see those.

20 MR. ADLEY:

21 Okay. So you would peel those out in
22 advance?

23 MS. CHENG:

24 That's right. Yes, sir.

25 MR. ADLEY:



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1 Okay. So if we were in the new world
2 now and not everything's prior to June 24th, as I'm
3 looking at this list, over half would not be on the
4 agenda; is that a fair assessment?

5 MS. CLAPINSKI:

6 If it was environmentally required.

7 MR. ADLEY:

8 I'm sorry.

9 MS. CLAPINSKI:

10 If it was environmentally required.

11 MS. CHENG:

12 If it was required for--

13 MR. ADLEY:

14 So if it wasn't environmentally
15 requirement and no jobs associated with Graphic and at
16 least part of PPG's with the front office, those would
17 not be in front of us and you would peel those out
18 before they get here?

19 MS. CHENG:

20 That is correct.

21 MR. ADLEY:

22 Thank you, ma'am.

23 MR. WINDHAM:

24 Thank you, ma'am.

25 MS. ELDER:



1 Thank you.

2 MR. WINDHAM:

3 Are there any other questions for any
4 applications that were filed prior to June 24th?

5 (No response.)

6 MR. WINDHAM:

7 Is there a motion?

8 MR. MILLER:

9 I make a motion.

10 MR. WINDHAM:

11 Motioned by Mr. Miller, seconded by
12 Mr. Slone.

13 Any further discussion?

14 (No response.)

15 MR. WINDHAM:

16 All in favor, indicate with an "aye."

17 (Several members respond "aye.")

18 MR. WINDHAM:

19 All opposed with a "nay."

20 (No response.)

21 MR. WINDHAM:

22 Motion carries.

23 All right. Next we have 117 renewals.

24 Is there a pleasure by this Board to approve them in
25 globo?



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MS. CHENG:

I'd like the take one of them out.

MR. WINDHAM:

All right. Let's take that one out and address it separately, please, Ms. Cheng.

MS. CHENG:

That would be 20120420, JJL Development, LLC.

MR. ADLEY:

Help us find it on your list. We have three or four pages here.

MS. CHENG:

That would be on the third page, mid page. Snack dab in middle.

MR. ADLEY:

Which one?

MS. CHENG:

20120402, JJL Development, LLC in East Baton Rouge Parish.

MR. WINDHAM:

Please proceed.

MS. CHENG:

It was misclassified by our system. It had -- it's a parent company of another company that had an advance, and that's why it is showing -- it fulfilled



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1 all of the requirements of the advance and it's showing
2 5.2-million even though it's misclassified in the wrong
3 section of the agenda.

4 MR. WINDHAM:

5 Thank you.

6 MR. ADLEY:

7 I'm going to suggest, Mr. Chairman, if I
8 can, that we should take them in globo after we have any
9 questions about specific ones that are on the list.
10 That should save us some time, and we'll get out of here
11 today much earlier than we normally do if you allow us
12 to do that.

13 MR. WINDHAM:

14 Absolutely. I believe we have two
15 members of the public that would like to address some of
16 the renewal applications. If Mr. Broderick Bagert and
17 Ms. Dianne Hanley would please come forward and identify
18 yourself and present your information.

19 MR. CARMODY:

20 Point of order, Mr. Chairman.

21 MR. WINDHAM:

22 Yes.

23 MR. CARMODY:

24 Were we to remove 20140420, JJL
25 Development from this list?



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1 MR. WINDHAM:

2 No.

3 MR. CARMODY:

4 No, we were not?

5 MR. WINDHAM:

6 No. Ms. Cheng just wanted to bring up
7 discussion and point out it separately that this one had
8 exceeded and had been misclassified as an MCA when it's
9 truly part of that accompanying advanced notification.

10 MR. CARMODY:

11 Very good. Thank you.

12 MR. WINDHAM:

13 Thank you.

14 Ms. Hanley, please identify yourself.

15 MS. HANLEY:

16 My name is Dianne Hanley. I'm with
17 Together Louisiana.

18 As we looked at the requests that are
19 being put before you on the Board for action today, we
20 noticed a few startling things. There are businesses --
21 11 I just counted, I think -- that are coming before you
22 today with receipts for investments that they have made
23 that far exceed the very clearly stated \$5-million limit
24 of the old rules. In the old rules in Section 505 --
25 I've got so many papers in front of me now, I'm



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1 wondering where that 505 is. Here it is.

2 In Section 505, it says, "Miscellaneous
3 Capital Additions is an accumulation of capital assets
4 placed in service during the previous ad valorem tax
5 year. An MCA must be part of a project that is
6 completed within an 18-month period and may not exceed
7 \$5-million."

8 Reading this rule tells me that unless
9 an industry gives advance notice of investment plans, it
10 cannot ask for an exception for more an \$5-million in
11 bundle of miscellaneous receipts of prior investments.
12 The Governor has made his intentions very clear to us,
13 too. He said that from the time of his signing his
14 executive order, he did not want to see this kind of
15 activity again.

16 Whether the Governor's order stands on
17 these requests or the old rules apply, these requests
18 are exceptions asking you to bend, I dare say break, the
19 rules for them. I'd like to give you an example.

20 This industry, International Paper
21 Company, prepared a bundle of receipts. When it got
22 close to the \$5-million limit, it started a new bundle.
23 So let's say we have a bundle of receipts that are about
24 5-million. When it hit that, it said start a new
25 bundle. It made another bundle of receipts for up to



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1 5-million. It did this 10, 12 times. We're talking
2 almost \$60-million. The law is clear that if you have
3 an investment that is over \$5-million, then you must
4 have given advanced notice. For 60 -- almost
5 \$60-million investment, the rules are clear, give
6 advanced notice. They can't just walk up with their
7 receipts after they've made the investment and ask for
8 the exemption.

9 I know this is the way it has been done
10 in the past, that industry has been allowed to bring
11 before this Board receipts that exceed the \$5-million
12 limit as long as they were bundled in groups just under
13 5-million, but the law, to me, is clear on what
14 industries must do if they have investments that exceed
15 5-million. They must give advanced notice. These
16 industries are asking you to make an exception for them
17 over and over and over again to the extraordinary amount
18 of almost \$60-million for one industry alone.

19 When you make your decision today,
20 you're being asked to make an exception, to bend the
21 rules for a few industries. This may be how it was done
22 in the past, but today you are free to choose whether
23 you will bend the rules or abide by them, and the
24 Governor is clear about how he feels about these
25 exceptions. He does not want these exceptions under his



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1 watch. So we lay these facts before you. We gave you
2 some sheets to cover this information.

3 Do you have any questions?

4 MR. WINDHAM:

5 Any questions of Ms. Hanley by any of
6 the Board members?

7 (No response.)

8 MR. WINDHAM:

9 No. Thank you, Ms. Hanley.

10 Mr. Bagert, please identify yourself.

11 MR. BAGERT:

12 I'm Broderick Bagert with Together
13 Louisiana.

14 In a packet, which you've got that's got
15 Together Louisiana at the top, it analyzes the
16 exceptions, proposals for consideration today and
17 details all of those that have accumulations that are
18 over the cap. This is stipulated in Louisiana
19 Administrative Code where the cap for MCAs, it says
20 there's two routes that you can apply. The ordinary
21 route, which is advanced notice, and then the MCA route,
22 and those are an accumulation, which already in
23 aggregation can exceed 5-million. It identifies all of
24 the ones that in aggregation is over 5-million that we
25 think are invalid based on the old rules and the code



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1 that was in place when they were originally approved,
2 and this really open to the Board and to LED to
3 potential action by these parishes that are having their
4 tax resources exempted under a practice that unless you
5 have a really tortured interpretation of this code is a
6 violation of the code. The tortured interpretation of
7 the code is, "Well, we didn't mean that it would be a
8 cap. The intent was just to the have them package them
9 in groups under 5-million." What the intent for that
10 would be, why it would be -- serve any purpose is open
11 to question. The idea is that these are clearly being
12 packaged specifically and explicitly to avoid that cap.
13 It's pretty clear when you look at the numbers,
14 4.99-million, 4.99-million, 4.99-million. So the
15 attached includes, in the first section of applications
16 that raise concern, all of those that have aggregations
17 over the \$5-million cap for MCAs.

18 The second is just a little bit more
19 technical administrative. There are three applications
20 that are listed in and the agenda as having been
21 submitted timely by Hexion, Inc. Those are listed in
22 LED's documents that we received in June 2016 as having
23 already expired said because their renewal application
24 had not been received, so we just wanted to flag that
25 and see if they had been misplaced here.



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1 MR. WINDHAM:

2 What was the name again?

3 MS. CHENG:

4 The Hexion, there are three Hexion
5 renewals that I was processing as late. We expired the
6 renewals last year because we believed we didn't have
7 all parts to process that renewal. That's why it was
8 expired. I was processing it as a late renewal this
9 year, but found that they had all of the pieces. We had
10 the fee, we had the form. It was the annual report had
11 been filed, but it was under their previous name. There
12 had been a name change, so that's why we didn't find it
13 initially. Everything was there, and they were filed
14 timely.

15 MR. BAGERT:

16 And we would withdraw our concern around
17 those based on the documents we've received.

18 MR. WINDHAM:

19 Thank you, Mr. Bagert.

20 MR. BAGERT:

21 The final category that we had concern
22 about are those that lost jobs during the period of the
23 subsidy. We know that's not an official stipulation,
24 but in terms of matter of policy, industries that are
25 being subsidized with the tax exemption and lose jobs



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1 over that period of time certainly we think that that
2 deserves to be noted. One in particular, Blue Cube
3 Oppilations, which began the year or began the period of
4 subsidy with 1,388 jobs and ended with 186, so a loss of
5 1,200 jobs during that period. That appears to be a
6 subsidiary of DOW that, at least in terms of what's on
7 their website, doesn't appear to be a going concern.
8 Just on their website, it says that Blue Cube, which was
9 set up to handle the transport of chlorine, has been
10 phased out. So how that would be eligible is something
11 that we'd raise certain about.

12 And those are kind of the sum total of
13 our concerns. One, the MCAs that were over the
14 \$5-million cap and then the ones -- the applications
15 that lose jobs, in particular Blue Cube, the status of
16 which seems to be in question.

17 MR. WINDHAM:

18 Thank you, Mr. Bagert.

19 Are there any questions of Mr. Bagert by
20 any of the Board members?

21 MR. ADLEY:

22 Not of Mr. Bagert other than we have
23 probably marked some of the same ones that you -- at
24 least I have. And when we get to the in globo approval,
25 prior to that, I would ask that at least we have an



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1 opportunity to ask some of these companies some of the
2 same questions I think that you have raised and that the
3 rest of us have raised.

4 MR. WINDHAM:

5 Thank you, Mr. Adley.

6 Any other questions or comments for
7 either Ms. Hanley or Mr. Bagert?

8 (No response.)

9 MR. WINDHAM:

10 All right. So we have 117 renewal
11 applications. Is there an interest to approve them in
12 globo?

13 Made by Mr. Slone, seconded by
14 Representative Carmody.

15 And I believe Mr. Adley would like to
16 discuss some of them specifically as we move down and
17 has some questions, so please proceed.

18 MR. ADLEY:

19 If we can, and before the Board, it's
20 just going to be much better than it has been in the
21 past. I don't have questions for every one of them, but
22 there are several that have raised some issues, some of
23 that I think Together Louisiana recognized.

24 I want to know more about Blue Cube. I
25 need to know. I notice you have two applications.



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MR. WINDHAM:

Is there a representative for Blue Cube?

Mr. Zatarain, please step forward and identify yourself again.

MR. ADLEY:

What got my attention, one was filed apparently with advanced notice, one without advanced notice, but both of them show the exact same reduction in jobs, so 1,388 to 186, 1,200 lost jobs. Now, I noted that from the notes that was given us, that this had something to do with DOW. Can you explain what occurred with Blue Cube?

MR. ZATARAIN:

Yes, sir.

MR. ADLEY:

Is it still operational?

MR. ZATARAIN:

Of course.

I'm Charles Zatarain. I do represent Blue Cube, which is part of Olin Corporation.

DOW Chemical, and it was a very large plant, they sold part of that plant to Olin, who is Blue Cube Operations. So part of the facility was sold, and 186 people went to work for the new company. So the original application was DOW Chemical plant-wide, but



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1 the renewal asks for the employees that are now working
2 for Blue Cube, so no one lost any jobs. DOW Chemical is
3 still there with their 1,000-plus, but the asset were
4 sold to Blue Cube, and some old DOW employees are now
5 employed by Blue Cube. So that's why there's a big
6 discrepancy. And this was noted on the renewal
7 application itself, and it's a very common occurrence.
8 When a plant sells part of facility to somebody else,
9 some of the employees stay and some of the employees go.

10 Five years ago, the initial amount was
11 counted as a whole. The renewal application is for
12 those assets that were transferred to Blue Cube and
13 those employees.

14 MR. ADLEY:

15 I guess my only question would be to our
16 staff, and is when they transfer the assets, were any of
17 those assets already under ITEP provisions that are now
18 being put before us again? I'm trying to find out if
19 DOW had come before this Board and received any ITEP for
20 any of these facilities that have been transferred to
21 Blue Cube?

22 MR. ZATARAIN:

23 Let me give you a little background on
24 this transfer. Sometimes an entire plant gets
25 transferred and the entire exemption contract gets



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1 transferred. When part of a plant gets purchased and
2 there's an exemption on it, LED takes those assets that
3 are already under exemption and transfers part of that
4 contract.

5 MS. CHENG:

6 They only get the remaining.

7 MR. ADLEY:

8 They're transferring the renewal.

9 That's what you're telling me?

10 MR. ZATARAIN:

11 These are the assets that were purchased
12 in 2015. Those assets and that part of the exemption is
13 transferred to Blue Cube. Now, that renewal for those
14 assets are coming up. DOW separately will have its own
15 renewal on further assets. They're kept separate.

16 MR. ADLEY:

17 I got you. So it's a transfer of the
18 renewal?

19 MS. CHENG:

20 It was transferred previously and now
21 these belong to Blue Cube.

22 MR. ADLEY:

23 I got it. But when they transferred the
24 assets, the ITEP and anything associated with went with
25 it?



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MS. CHENG:

Yes.

MR. ADLEY:

That's what I need to know.

MR. ZATARAIN:

That's correct.

MR. ADLEY:

Okay. Thank you.

MR. ZATARAIN:

You've welcome.

MR. WINDHAM:

Any other questions regarding Blue Cube
for Mr. Zatarain?

(No response.)

MR. WINDHAM:

Thank you, Mr. Zatarain.

MR. ZATARAIN:

I'm sure I'll be back.

MR. ADLEY:

And the International Paper issue.

MR. WINDHAM:

Is there a representative from
International Paper?

Please come forward and identify
yourself.



1 MR. DRISCOLL:

2 Yes. I'm Kevin Driscoll. I'm the
3 General Manager for International Paper at the Mansfield
4 Mill up in DeSoto Parish representing 704 employees.

5 MR. ADLEY:

6 The applications at 4.9 each, and
7 there's about 12 of them, the projects associated with
8 that, I need to know if those projects were part of one
9 larger project. Okay? I need to find out, at least for
10 my perspective and at least for my Governor's
11 perspective, were you evading, intentionally evading
12 advance notification by filing 4.9? I need to know
13 that.

14 MR. DRISCOLL:

15 No. No. There was no intention
16 whatsoever. I mean, back in 2011, that's when we were
17 putting those projects together, we had a number of
18 projects that led to cost reduction opportunities, a
19 number of projects that led to better efficiencies to
20 allow us to, you know, produce a product in a very
21 competitive, global market.

22 MR. ADLEY:

23 But are you telling me 12 of those
24 projects all fell at the cost of 4.9-million? It just
25 seems like -- I saw one that was a little less at 3.3 --



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1 everything came in at 4.9.

2 MR. DRISCOLL:

3 There are multiple projects within each
4 one of those, that is correct.

5 MR. ADLEY:

6 So are you telling me there are projects
7 less than 4.9 each inside the 4.9?

8 MR. DRISCOLL:

9 There are multiple projects that allowed
10 us to improve efficiency in a particular process unit,
11 but, yes, there are multiple activities that took place.

12 MR. ADLEY:

13 Okay. Thank you very much.

14 MR. WINDHAM:

15 Any other questions for the
16 representative from International Paper Company?

17 (No response.)

18 MR. WINDHAM:

19 Do you have some other questions,
20 Mr. Adley?

21 MR. ADLEY:

22 Yes. I'm just curious, Laitram, LLC, is
23 there somebody here?

24 MR. WINDHAM:

25 Representative for Laitram, please step



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1 forward. Identify yourself.

2 MS. RAYMOND:

3 Deanne Raymond. I'm the Director of Tax
4 for Laitram.

5 MR. ADLEY:

6 I'm just curious, when I read the
7 application, it talked about how the company was growing
8 when it applied for the relief under ITEP, but over
9 time, there's been a decrease in jobs, and my -- I guess
10 my question was if the company was growing, why was
11 there a loss in jobs?

12 MS. RAYMOND:

13 Well, Laitram is the parent company of a
14 group of companies, and Laitram, one of the departments
15 under Laitram -- it's not a decrease in jobs, by the
16 way. Overall, Laitram has grown in the last five or six
17 years by 300 employees, and that includes the high five
18 companies that we have.

19 MR. ADLEY:

20 Are they in Louisiana?

21 MS. RAYMOND:

22 Yes.

23 MR. ADLEY:

24 All of them are in Louisiana?

25 MS. RAYMOND:



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1 Yes. We have, total in Louisiana right
2 now, 1,300 jobs, and the net increase over the last five
3 years has been 300. It's in two parishes, Jefferson and
4 Tangipahoa Parish. It's a newer place. We're expanding
5 right now.

6 But the issue was really transfer of
7 some people that were under Laitram and the advertising
8 group, and they move to Intralox.

9 MR. ADLEY:

10 Thank you, ma'am.

11 MR. WINDHAM:

12 Any other questions?

13 (No response.)

14 MR. WINDHAM:

15 Thank you.

16 MR. ADLEY:

17 Just a couple more.

18 Now, PPG.

19 MR. WINDHAM:

20 Mr. Zatarain, I believe you're back on
21 deck.

22 Identify yourself and who you represent.

23 MR. ADLEY:

24 Now, this is not --

25 MR. ZATARAIN:



1 Charles Zatarain.

2 MR. ADLEY:

3 This is PPG, and this is a reduction
4 from 1,242 employees to 204, and the exact same number
5 is included in all four of their applications, so can
6 you share with me what that's about?

7 MR. ZATARAIN:

8 PPG in Calcasieu Parish has been there
9 60, 70 years or more. Like DOW sold to Blue Cube, PPG
10 sold a large part of its business to Axiall, which used
11 to be Georgia Pacific or Georgia Gulf. So these are the
12 employees that remain on the PPG --

13 MR. ADLEY:

14 Hold on. I want to make sure I
15 understand that.

16 In the DOW sale, they moved 186
17 employees, and the PPG sale, they moved 1,000.

18 MR. ZATARAIN:

19 Correct. A large portion of PPG plant
20 was sold. A small portion employees stayed as PPG. A
21 thousand-plus employees from the plant was sold to
22 Axion, called Eagle US 2, LLC, but it's Axiall's
23 employees.

24 All employees are there, but, again,
25 when you have a sale of a plant and the one product is



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1 sold to another company, those people who work on that
2 side of the plant go with the new company, and these
3 remain. PPG sold a large portion of their Calcasieu
4 facility.

5 MR. ADLEY:

6 Okay. And I assume, staff, that with
7 this transfer, that Blue Cube is not receiving any of
8 the ITEP benefits that apparently PPG retained?

9 MR. ZATARAIN:

10 On these -- a very similar situation,
11 and maybe PPG had 50 contracts at that time. It was a
12 big transfer. So all of those contracts, they were
13 bought by -- this Axiall bought those. Not the Blue
14 Cute. The acquiring company, some of them, entire
15 contracts were transferred, and some of them part of the
16 contracts. So we worked with LED for a year, year and a
17 half to make sure the right assets once PPG stayed with
18 PPG, and the right assets that were transferred to
19 Axiall went to Axiall and the exemption contracts
20 covering those stayed with PPG and they went. And we
21 had to coordinate all of this with the Calcasieu
22 assessor's office. It took about a year and a half, but
23 everything worked out fine.

24 MR. WINDHAM:

25 So, Ms. Cheng; correct? I mean, they



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1 worked with you guys? And I know that you also work
2 with assessors. From my experiences, when these
3 transfers occur, it can be very laborious.

4 MR. ADLEY:

5 So we won't be hearing from Blue Cube
6 for the same ITEP? Okay.

7 MR. ZATARAIN:

8 Correct.

9 MR. ADLEY:

10 Thank you.

11 MR. WINDHAM:

12 Any other questions for Mr. Zatarain?

13 (No response.)

14 MR. WINDHAM:

15 Thank you, Mr. Zatarain.

16 MR. ZATARAIN:

17 Thank you, sir.

18 MR. ADLEY:

19 I guess my last one would be W.D. Chips.

20 MR. WINDHAM:

21 Is there a representative from W.D.

22 Chips, LLC in the audience?

23 MR. ADLEY:

24 And, Mr. Chairman, the only reason I'm

25 trying to find them is that they were creating all of



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1 these upgrades, but they lost jobs with the upgrades.
2 I'm just trying to find out what happened.

3 MR. WINDHAM:

4 Ms. Cheng, did you have any information
5 on W.D. Chips?

6 MS. CHENG:

7 I do not, and I requested that the
8 company representative --

9 MR. ADLEY:

10 I guess what I want to know is this one
11 of those situations where we created an upgrade that
12 cost us employees because of better efficiency? What
13 happened? That's what I need to know.

14 MS. CHENG:

15 I don't have an answer for that
16 question.

17 MR. WINDHAM:

18 Would you like to defer this one until
19 we can get an answer to that, Mr. Adley?

20 MR. ADLEY:

21 I would ask that you would do that so we
22 can at least know in the future exactly what went on
23 here and how it happened this way.

24 MR. WINDHAM:

25 So I'll take that as a motion to defer



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1 W.D. Chips' application.

2 Is there a second?

3 By Representative Carmody.

4 Any objection?

5 (No response.)

6 MR. WINDHAM:

7 Any discussion from the public?

8 (No response.)

9 MR. WINDHAM:

10 All in favor, indicate with an "aye."

11 (Several members respond "aye.")

12 MR. WINDHAM:

13 All opposed with a "nay."

14 (No response.)

15 MR. WINDHAM:

16 W.D. Chips is deferred.

17 MR. WINDHAM:

18 Are there any other questions?

19 MR. ADLEY:

20 I do not have any other questions on

21 your motion. Mr. Chairman, I would ask that as a

22 substitute that we would at least defer everything on

23 the International Paper until we can determine for sure

24 whether or not these things were part of one major

25 project. Our obligation is to approve everything



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1 renewals before us that have complied with the law.
2 It's pretty obvious to me and I think to other people
3 that these 12 applications at 4.9-million that were
4 submitted under the -- I assume -- were these under the
5 MCA? Were they submitted under an MCA? That's what I
6 need to know.

7 MS. CHENG:

8 Yes, sir.

9 MR. ADLEY:

10 They avoided advance notice.

11 MR. CHENG:

12 There were projects under 5-million. It
13 was allowed. I don't think they tried to avoid
14 anything.

15 MR. ADLEY:

16 But they were not required to do an
17 advance notice because it was below five; is that
18 correct?

19 MS. CHENG:

20 Yes, sir.

21 MR. ADLEY:

22 And it just appears to me that 12
23 projects were submitted clearly to go below five to
24 avoid any advance notice.

25 MR. MOLLER:



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1 If we're going to back out International
2 Paper, what about Graphic Packaging and CITGO and Sasol
3 and Syngenta? There seems to be several instances here
4 of MCAs that have been packaged to get under that
5 \$5-million limit.

6 MR. ADLEY:

7 From my perspective, and only mine, when
8 I went through this list, there was only one that stood
9 out at 4.9 consistently. There were several that were
10 at three and four, below the five. I get that. Even
11 International Paper had one at 3.3, but then they come
12 to 4.999882, 4.9999995, 4.997030. I mean, it appears to
13 me that at least -- and I hate to be saying this because
14 this is over in my neck of the woods, but clearly it
15 looks like these projects were submitted in an effort to
16 get around advanced notification under the old law.
17 These would not be allowed at all under the new law.

18 MR. WINDHAM:

19 That is correct.

20 Secretary Pierson.

21 SECRETARY PIERSON:

22 Just two points. Clearly we see what
23 you're illuminating here, and that's exactly why the
24 Governor took the action that he did. The --

25 MR. ADLEY:



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1 That's exactly why, as the Governor's
2 representative --

3 SECRETARY PIERSON:

4 Let me finish, please.

5 MR. ADLEY:

6 No. On those items, the rest of this
7 Board, Mr. Secretary, can vote any way they want to, but
8 the Governor clearly got rid of those MCAs because of
9 this very issue.

10 SECRETARY PIERSON:

11 We were --

12 MR. ADLEY:

13 And we voted on it to vote to renew
14 those that came before us and clearly followed the law,
15 we should do that. This, in my opinion, was clearly
16 intended to get around the advanced notice. And you're
17 right, that's exactly why he changed the law and that's
18 exactly why he did away with them.

19 SECRETARY PIERSON:

20 And so we both agree, I believe, that
21 those are in compliance with the law as it stood at the
22 time that they were submitted, and even our
23 representatives from Together Louisiana said, in a
24 tortured manner, you can justify this, and that's what's
25 happened and that's what's been changed and that's



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1 what's been cleaned up. But the real point that I have
2 is, as you have tried to bring forth this notion to the
3 Board, you said words to the effect that "so we would
4 know exactly," and that seems to me to be a very vague
5 attempt at a solution or trying to further illuminate
6 this. And it would domino from this company to many,
7 many, many. And so we would circle and we would come
8 back to the same point that they're in compliance with
9 the rules that were in effect at the time of this
10 execution.

11 We all agree that it needs to be changed
12 and it has been changed, but I'm not sure this
13 discussion is allowing us to move forward.

14 MR. ADLEY:

15 I don't disagree with you that they're
16 in compliance, and this Board needs to know that. Under
17 the rules that were in place, they can do exactly what
18 they've done and LED has done for years, and, in my
19 opinion, LED is as guilty as they are. You ought to
20 know when somebody sticks an application in front of you
21 and it's -- if they hit 5-million, they got to give you
22 advanced notice and they're sticking 12 of them in front
23 of you at 4.9, there's something wrong with that.

24 MR. WINDHAM:

25 Mr. Slone.



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1 MR. ADLEY:

2 If nothing else, at least from my
3 perspective, from the Governor's perspective, I'm going
4 to vote no. I'm not encouraging you to do that. You
5 just do what your conscious leads you to believe, but I
6 am convinced clearly that's what this looks like to me.
7 Maybe you can help with me with this thing, but that's
8 what it looks like.

9 MR. WINDHAM:

10 Mr. Slone.

11 MR. SLONE:

12 Senator Adley, I think we've gotten the
13 point. We understand that there's been some changes,
14 but we and the Governor said prior to 6/24, let's just
15 move on. So what we're saying -- you can vote any way
16 you want, but we got the point, and I appreciate your
17 tenacity about this, but we got the point.

18 MR. ADLEY:

19 The governor did not say, just for the
20 record, let's just move on. The Governor said --

21 MR. SLONE:

22 He said he would honor -- he would
23 honor.

24 MR. ADLEY:

25 -- if they honor all of the laws and



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1 rules that were there and their requirements --

2 MR. SLONE:

3 That's the thing. The staff and LED --
4 I'm just uncomfortable with the pointing at the staff
5 and LED. They did what they were supposed to do based
6 on the rules and the regulations at that time. We have
7 some new rules that are out there ready to be for the
8 public comment to get in place, so if the Governor's
9 going to honor prior to 6/24, I think we should move
10 with that. "Move on" was my statement. Okay? But
11 prior to 6/24, he said he would honor those.

12 The staff needs to be commended on the
13 fact that they have done what they were supposed to do.
14 And I just take a little pushback on pointing at the
15 staff and LED when those are the rules at that time and
16 we know that. None of this was created yesterday. This
17 was created years ago, and there's been a lot of folks
18 sitting out here in this audience, sitting around this
19 Board table that were probably -- had an opportunity to
20 correct it then. We are correcting it now. I say, just
21 my opinion, let's just move on.

22 MR. ADLEY:

23 I got it.

24 Let me ask this question if I can. I'm
25 not trying to point fingers at the staff, but I think



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1 the Board needs to understand that under the law at that
2 time, we said if you were less than \$5-million, you did
3 not have to do advanced notice. I'm just curious, when
4 these things come in to the staff and they're at 4.9,
5 did the staff ever sit down and say, "Look, there's 12
6 of them. There's a possibility it looks like somebody
7 is dividing these up"? Do y'all do that?

8 MR. WINDHAM:

9 Ms. Cheng? Ms. Clapinski? Mr. House?

10 MS. CLAPINSKI:

11 Under the old rules there was no
12 limitations of a single MCA per year for a company, so
13 our review was that it was under \$5-million, and as long
14 as they could divide up the assets into bundles or
15 groups under \$5-million, that's how we proceeded
16 forward. And that was in accordance with the rules at
17 that time.

18 MR. ADLEY:

19 So at the time, we really didn't make an
20 effort to determine whether or not this was one big,
21 major overhaul by the company or not; it was just a
22 matter of numbers that were submitted on the
23 application?

24 MS. CLAPINSKI:

25 There was no limitations to one, so



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1 that's correct. So they could divide up however they
2 could at that point time, and that's what has changed
3 through the process over the past six months. But at
4 the time that these were originally applied for and
5 originally approved, that was an approved methodology of
6 dividing up your assets allowed by the rule.

7 MR. WINDHAM:

8 Mr. House.

9 Please identify yourself.

10 MR. HOUSE:

11 This is Richard House, counsel for LED.

12 And those amounts and how this was done
13 under the MCA rules in 2010 and 2011, which is what all
14 of these rules speak to, were known to the Board and
15 approved by the Board. This Board.

16 MR. ADLEY:

17 So when it came before the Board, the
18 Board actually had the projects also, not just the
19 staff?

20 MS. CLAPINSKI:

21 That's correct.

22 MR. ADLEY:

23 Okay.

24 MR. WINDHAM:

25 Mr. Miller.



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MR. MILLER:

Just as it's reasonable to presume that these companies split up a big project, it's just as reasonable if they did several small projects and then bundled them under \$5-million; is that correct?

MS. CLAPINSKI:

That's correct as well. Yes, sir.

MR. MILLER:

Thank you.

MR. WINDHAM:

Mr. Moller.

MR. MOLLER:

What's the point of having a \$5-million cap if you can just subdivide it and have 20, 30, \$50-million worth of projects come up as MCAs?

MR. HOUSE:

That's a good question, and maybe if you had been on the Board in 2010 or 2011, you could asked it.

MS. CLAPINSKI:

I've been helping with this program since 2011, and long before I was here that was an allowable practice.

MR. WINDHAM:

But historically speaking, because I was



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1 there as administrator, advances were done for projects.
2 Miscellaneous capital additions were done in hindsight
3 for improvements to an existing operation. So if a
4 company had to have a new boiler unit put into a
5 facility and it cost them -- back in those days it was
6 3-million. If it cost them \$2.9-million, it wasn't a
7 project. It didn't require an advance. It was a
8 miscellaneous capital addition to an existing
9 manufacturing facility.

10 MS. CLAPINSKI:

11 And I would also point out that at the
12 previous Board meeting in October, we had several
13 bundles just like this, and those were also approved as
14 being part of old practice. So I would caution the
15 Board against any arbitrary and capricious decisions in
16 changing how you treat those similarly-situated
17 companies.

18 MR. ADLEY:

19 I got it. Of course, under the new
20 rules, these will not be allowed at all.

21 MS. CLAPINSKI:

22 That's right.

23 MR. ADLEY:

24 We're doing away with them altogether.

25 MR. WINDHAM:



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1 That is correct.

2 MR. ADLEY:

3 And we're doing away them altogether, as
4 Mr. Secretary said, this is the issue. Obviously those
5 of us who were not here in '10 or '11, it's pretty clear
6 what people were doing just to keep from giving you
7 advanced notice. It means, so that the Board
8 understands, if you don't give advanced notice, you go
9 up on the internet, you hit a button saying, "I'm going
10 to do this work," and you just qualified for the ITEP
11 before you got to the Board.

12 MS. CLAPINSKI:

13 If you were an eligible business after
14 vetting through LED, that is correct.

15 MR. ADLEY:

16 That's right. I get that. But before
17 you get to the Board or anybody else.

18 I'll withdraw my opposition just simply
19 because that's the way you've always done it. I've
20 heard your argument about you want to follow along. I
21 think we're wrong in doing that, and I don't think
22 that's what the Governor indicated. The Governor did
23 say that if you find any of these that did not comply
24 with their obligation to the state, and I assume they
25 complied with their obligation to us, but they clearly



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1 intended to violate that \$5-million rule.

2 MR. HOUSE:

3 Well, in terms of how the Board did
4 things or approved things, Senator, they didn't violate
5 anything. They went forward on an established practice.
6 And I would second what Ms. Clapinski said. We cannot
7 continue to litigate renewals.

8 MR. ADLEY:

9 I got you.

10 Okay. I'll withdraw my objection.

11 MR. WINDHAM:

12 Thank you, Mr. Adley. Thank you, Ms.
13 Clapinski, Mr. House and Ms. Cheng.

14 Is there any further discussion
15 concerning any of the renewals?

16 (No response.)

17 MR. WINDHAM:

18 Are there any additional comments from
19 the public?

20 (No response.)

21 MR. WINDHAM:

22 Is there a motion on the floor to
23 approve the renewals presented before us?

24 MR. CARMODY:

25 So moved.



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MR. WINDHAM:

By Representative Carmody, seconded by
Mr. Slone.

All in favor, indicate with an "aye."
(Several members respond "aye.")

MR. WINDHAM:

All opposed with a "nay."
(No response.)

MR. WINDHAM:

Motion carries.

MS. CHENG:

We have 10 late renewal requests.

MR. WINDHAM:

Please proceed.

MS. CHENG:

20110167, Hexion, Inc. in St. Charles
Parish; 20091231, Intralox, LLC in Jefferson; 20110612,
Bradken, Inc. in Tangipahoa; 20110358, Laitram Machine
Shop, LLC in Jefferson Parish; 20110357, Laitram
Machinery, Inc. in Jefferson Parish; 20110360, Lapeyre
Stair, Inc. in Jefferson Parish; 20110157, Newpark Mats
and Integrated Services, LLC in Lafayette Parish;
20110044, Voith Paper Fabric & Roll Systems, Inc. in
Ouachita Parish; and 20110198, Voith Paper Fabric & Roll
Systems, Inc. in Caddo Parish.



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MR. WINDHAM:

Ms. Cheng, I'm sorry. In the agenda, I didn't hear the first two. Did I? No advance notification filed renewal application. You read those?

MS. CHENG:

I read those.

MR. WINDHAM:

Okay. Thank you.

All right. These are late renewals. We have three options: Approval the five-year renewal, approve with a penalty or deny the request for renewal.

MR. CHENG:

I'm actually noticing a typo. On 20110358, Laitram Machine Shop, the initial contract expiration was actually 12/13/15, not '16.

MR. ADLEY:

Which company was that?

MS. CHENG:

Laitram Machine Shop, LLC.

MR. ADLEY:

In our last meeting when we had the late renewals knowing we had the three choices, I think we did make the decision as a Board we removed one year of the ITEP application for being late. Is that...

MS. CHENG:



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1 That's correct.

2 MR. ADLEY:

3 So if we did that here, we would be
4 doing exactly what we did at our previous meeting?

5 MS. CHENG:

6 Yes, sir.

7 MR. ADLEY:

8 And then with that, Mr. Chairman, I
9 would move for approval with reduction of all of these
10 applications by one year. That's basically an 80
11 percent cap.

12 MR. WINDHAM:

13 Thank you, Mr. Adley.

14 Is there a second for that?

15 Yes, Mr. Manny seconds the motion.

16 Is there any discussion from the public
17 regarding that motion?

18 Come forward. Identify yourself.

19 MS. RAYMOND:

20 I'm Deanne Raymond, Director of Tax for
21 Laitram, and that includes Intralox, Lapeyre Stair,
22 Laitram Machinery and Laitram Machine Shop.

23 I just wanted to give some additional
24 information on why this group was late. This is the
25 first time this has happened for us, and it actually was



1 not late, but my staff person, who is with me today as
2 well, filed on the wrong forms, but filed on time. She
3 didn't file it and include the check. So this was when
4 Lori Weber was there. And we did not get a call that
5 said that they were on the wrong forms and the check
6 wasn't included. It wasn't until this year when we were
7 doing the 2011 renewals that she realized she didn't
8 have the 2010 contracts, you know, renewal contracts as
9 well, and so that's when Tammy called Kristin and talked
10 to Kristin about, "Well, what do we do?" She said,
11 "Well, you would have to submit them like they were
12 never done before, like they were late." So we
13 submitted them again on the forms.

14 But we do have a certified mail back
15 from 2015 of when they were mailed the first time, but
16 we don't -- there's no canceled check because the check
17 was omitted, you know, when she -- she didn't know that
18 she needed to include it or just forgot to include the
19 check. So I just, you know, wanted to ask for a special
20 concession in this set of facts because it really was
21 not -- I mean, there's not a lot of money involved with
22 this, so if we're penalized, we'll have to take the
23 penalty, but they -- she did submit them on time, just
24 not in the total proper format that was expected, and we
25 were not -- we could have corrected it, but didn't know.



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1 She didn't know until we questioned it this year. So I
2 just respectfully request y'all to consider that.

3 MR. ADLEY:

4 Does the staff have any record of
5 receipt of something from the company on time?

6 MS. CHENG:

7 I do not. I do not, and we don't
8 consider anything "received" unless a payment is
9 received with it by rule.

10 MR. ADLEY:

11 So you sent whatever form, but you were
12 required to send a payment also?

13 MS. RAYMOND:

14 Yes.

15 MR. ADLEY:

16 And you did not send the payment?

17 MS. RAYMOND:

18 Yes. And we do have --

19 MR. ADLEY:

20 Yes, you did not send it?

21 MS. RAYMOND:

22 Yes, we did not send the payment, and
23 but we do have a certified mail receipt that, you know,
24 when in August of 2015. That's stamped "received."

25 MR. ADLEY:



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1 I just want to say the same thing that
2 I've said to everybody else when we've been in this.
3 These renewals are clearly to your benefit. It's
4 clearly upon you to get in place with whatever dollars
5 or required and whatever forms re required. I certainly
6 understand filing the wrong form. I mean, I think there
7 ought to be some forgiveness for that, but if staff
8 tells me that there should have been a check in it for
9 them to move forward at all and it was not included,
10 then it doesn't sound like to me you really have a valid
11 excuse.

12 MS. RAYMOND:

13 Well, it was a mistake. It was an
14 oversight and inadvertent omission. My staff person has
15 had some severe health issues and things she was dealing
16 with at that time, and, you know, frankly, we have a lot
17 of things, a lot of contracts and a lot of things that
18 were processing while, so it is definitely an oversight,
19 but, you know, I can just ask for your, you know,
20 concession.

21 MR. ADLEY:

22 For whatever it's worth, if the Board
23 decided to remove one year, you basically would be
24 capping your renewal at 80 percent, which is exactly
25 what the Board has decided to do for everybody going



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1 forward. So they would not -- the penalty would only
2 put you in a position where you would be treated just
3 like everyone else, except for those that are coming up
4 prior to 6/24, where you are.

5 MR. MILLER:

6 Mr. Chairman?

7 MR. WINDHAM:

8 Yes, Mr. Miller.

9 MR. MILLER:

10 I understand it's not received until
11 everything's not there, but they sent it off and
12 everything's not there, do you just set it to the side
13 and don't notify the company or do we notify the company
14 that something is missing or that the wrong forms are
15 used?

16 MS. CHENG:

17 We usually notify the company, but I'm
18 not sure how that one slipped through the cracks because
19 it was the previous administrator that was taking care
20 of it. I haven't seen it, so that's the best I could
21 speak of.

22 MR. WINDHAM:

23 Any further questions?

24 (No response.)

25 MR. WINDHAM:



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1 Thank you.

2 MS. RAYMOND:

3 Thank you.

4 MR. WINDHAM:

5 All right. There's a motion on the
6 floor. Any additional comments from the public?

7 (No response.)

8 MR. WINDHAM:

9 Are there any changes to the motion?

10 (No response.)

11 MR. WINDHAM:

12 Any further discussion from the Board?

13 (No response.)

14 MR. WINDHAM:

15 All in favor, indicate with an "aye."

16 (Several members respond "aye.")

17 MR. WINDHAM:

18 All opposed with a "nay."

19 MR. MILLER:

20 Nay.

21 MR. WINDHAM:

22 Mr. Miller votes nay.

23 Motion carries.

24 Next we have change in names.

25 MS. CHENG:



1 I have one change in name request from
2 Hunt Forest Products, Inc., Contract 20160743, to Hunt
3 Forest Products, LLC, and they're in LaSalle Parish.

4 MR. WINDHAM:

5 Any comments from the public regarding
6 name change?

7 (No response.)

8 MR. WINDHAM:

9 Any questions from any of the members?

10 (No response.)

11 MR. WINDHAM:

12 Is there a motion to accept the name
13 changed?

14 MS. ATKINS:

15 So moved.

16 MR. WINDHAM:

17 Made by Ms. Atkins, seconded by
18 Representative Carmody.

19 Any additional questions or comments?

20 (No response.)

21 MR. WINDHAM:

22 All in favor of the name change, please
23 indicate with an "aye."

24 (Several members respond "aye.")

25 MR. WINDHAM:



1 All opposed with a "nay."

2 (No response.)

3 MR. WINDHAM:

4 Motion carries.

5 MS. CHENG:

6 I have one partial transfer of tax
7 exemption contract request from DEL Corporation,
8 Contract 20140999A. DEL Corporation will retain
9 \$2,067,607 in Lafayette Parish, and will be transferring
10 to DEL-LA, LLC \$1,864,584 in Lafayette Parish.

11 MR. WINDHAM:

12 And, Mr. Adley, I'll make one out, this
13 is the kind of situation that can occur when a company
14 like DOW or like PPG or like any of the other companies
15 that exist in our state where there's a partial
16 transfer. So in the future, when we see this as a
17 renewal come in and it may show that there was a
18 reduction change -- and this is also for the benefit of
19 Mr. Bagert and Ms. Hanley -- that sometimes what you see
20 is not the entire picture.

21 MR. ADLEY:

22 I get that. And today was a great
23 example of how to get to the bottom of that.

24 The other thing that we don't clearly get to
25 see either is that when those transfers take place, you



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1 want to make sure that you have some record out there
2 that, say, when Blue Cube showed back up for something
3 that may have been already clear for ITEP and being hit
4 for a second time. You want to make sure that does not
5 happen. But the Blue Cube thing was a really
6 interesting example, but the reduction in jobs, when I
7 saw that, I just can't imagine what happened. I clearly
8 get that. You just want to make sure that sometimes
9 people are not creating a different entity to go pick up
10 benefits elsewhere that they may have received over here
11 already.

12 MR. WINDHAM:

13 Absolutely.

14 MR. ADLEY:

15 That's my point, and that's why I want
16 to make sure that we're very careful of that.

17 MR. WINDHAM:

18 Absolutely.

19 All right. Is there a motion to accept
20 the partial transfer?

21 By Representative Carmody, seconded by
22 Major Coleman.

23 Any additional comments from the public?

24 (No response.)

25 MR. WINDHAM:



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From the Board members?

(No response.)

MR. WINDHAM:

All in favor, indicate with an "aye."

(Several members respond "aye.")

MR. WINDHAM:

All opposed with a "nay."

(No response.)

MR. WINDHAM:

Motion carries.

MS. CHENG:

I have six cancelation of contracts:

CVD Incorporated, Contract 20120735 in Iberia Parish.

The company indicates that the unit will be

nonoperational as of March 2017. They're questing

cancelation; Dresser, Inc., 20120514, 20130496 and

20140561 in Rapides Parish. Manufacturing at this site

has ceased and all remaining assets are being sent out

of state or auctioned. Company is requesting

cancelation; and Enterprise Products Company, 20101152

and 20120424, company is no longer manufacturing or

operating at the site. Company is requesting

cancelation.

MR. WINDHAM:

Are there any comment from the public



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1 concerning cancelation of these contracts?

2 (No response.)

3 MR. WINDHAM:

4 Are there any comments from the Board?

5 Questions?

6 MR. MILLER:

7 Do these companies -- I'm kind of about
8 all of them. Do you know if they still own the
9 property? Will they continue to still pay or start
10 paying property tax on this they sell the property?
11 What have done with it; do you know, the real estate and
12 so forth that's still sitting there?

13 MS. CHENG:

14 Well, the ones that --

15 MR. WINDHAM:

16 Mr. Miller, the real estate, they're
17 paying property taxes on anyway because it's not exempt.

18 MR. MILLER:

19 That's correct.

20 MS. CHENG:

21 Anything that's remaining, it goes back
22 on the rolls.

23 MR. WINDHAM:

24 The assessors are notified that they've
25 been canceled, so then the next step is --



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MS. CHENG:

Yes, they are.

MR. WINDHAM:

-- and start charging taxes.

MR. MILLER:

Most of the companies are big enough
that they probably are still operational.

MR. WINDHAM:

Correct.

Any further questions regarding these
cancelations?

(No response.)

MR. WINDHAM:

All in -- oh, I'm sorry.

Is there a motion to accept them?

Mr. Slone.

Is there a second?

MR. WILLIAMS:

Second.

MR. WINDHAM:

By Mr. Williams.

All in favor, indicate with an "aye."

(Several members respond "aye.")

MR. WINDHAM:

All opposed with a "nay."



1 (No response.)

2 MR. WINDHAM:

3 Motion carries.

4 MS. CHENG:

5 We have 16 special requests.

6 MR. WINDHAM:

7 Sixteen?

8 MS. CHENG:

9 Yes. These were contracts that were
10 continued last year. They were originally approved by
11 the Board. They're all idled facilities and they're
12 requesting an additional year of continuing their
13 contract while they're idle.

14 MR. WINDHAM:

15 So let me ask this before you go through
16 all of them individually. I see one, two, three, four
17 groups that are by Halliburton. Is there a
18 representative for Halliburton in the audience?

19 Please step forward. There will be
20 questions.

21 Are there representatives from M-I
22 SWACO?

23 Please step forward. There will be
24 questions.

25 Quality Iron of Louisiana, LLC?



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1 Yes. Same thing. Please be available
2 for questions.

3 Quality Iron Fabricators. Same company?

4 Yes. Thank you.

5 All right.

6 MS. CHENG:

7 Halliburton Energy Services, Contracts
8 20100024 and 20100024A in Bossier Parish, a continuation
9 of those contracts was approved on December -- at the
10 December 8th, 2015 meeting of the C&I Board that an
11 annual update be submitted and that it would have to be
12 approved by the Board each year. The company indicates
13 that the facility remains idle. They have no intention
14 of permanently closing this manufacturing facility.
15 This is a temporary situation as the site being
16 maintained and will return to operations when the market
17 conditions improve. They have requested that the ITE
18 contracts be maintained for an additional year.

19 MR. WINDHAM:

20 And I believe this is the same reasoning
21 for all of the ones related to Halliburton? Yes?

22 Okay. Thank you.

23 Any questions by any of the Board
24 members?

25 MR. CARMODY:



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1 Yes, sir, Mr. Chairman.

2 MR. WINDHAM:

3 Yes.

4 MR. CARMODY:

5 Just a quick question for staff.

6 Halliburton being in Bossier Parish; right, Ryan?

7 And, of course, these are all statewide
8 requests, but one clarification for the Board, each of
9 those entities is basically saying that they want to
10 stop the industrial tax exemption for this year while
11 they are idle?

12 MS. CHENG:

13 They --

14 MR. CARMODY:

15 And, therefore, the tax assessors
16 understand that the exemption is not going to be given
17 for this year?

18 MS. CHENG:

19 They want the exemption to be given for
20 the year while they're idled because they believe that
21 they will come back into service at some point.

22 MR. CARMODY:

23 Okay. So it's not as if it's
24 suspending --

25 MS. CHENG:



1 No, it's not suspended. So it only goes
2 as far as when the original contract was set to expire.

3 MR. CARMODY:

4 Okay. So instead of canceling it,
5 they're just asking it to stay more or less intact?

6 MS. CHENG:

7 Yes.

8 MR. CARMODY:

9 Okay. Thank you, Mr. Chairman.

10 MR. WINDHAM:

11 Thank you.

12 Mr. Adley, any questions?

13 MR. ADLEY:

14 I think -- I'm trying to remember. This
15 is very much like, I guess, when Senator Thompson was
16 here with his plant that had been idle. It was part of
17 the energy business. I think that the Board eventually
18 acted to tell him that he had to go back to the police
19 jury and the school board and the sheriff to get
20 something from them to bring back to the Board saying
21 that they approved of continuing that exemption instead
22 of collecting the tax. It appears to me that would be
23 the best thing to do here for all of these, and then you
24 would be treating everybody the same.

25 MS. CHENG:



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1 The Myriant one y'all approved, the one
2 with Senator Thompson, but it was CARBO Ceramics that
3 you asked to go receive approval from their locals.

4 MR. ADLEY:

5 I'm sorry?

6 MS. CHENG:

7 Myriant that Senator Thompson brought,
8 you approved that one, but CARBO Ceramics was asked to
9 go receive approval from their locals.

10 MR. ADLEY:

11 That's correct.

12 MS. CHENG:

13 They were the same situation.

14 MR. ADLEY:

15 And what I'm suggesting is is that with
16 these, that we should do the same thing, that if they
17 come back and they have some resolution from the locals,
18 some -- it would be the school board, the sheriff and
19 the police jury, something saying that they agree with
20 allowing this to be tax exempt I think is a proper thing
21 to do.

22 MR. LABOYER:

23 Mr. Adley, my name is Scott LaBoyer
24 (spelled phonetically), and I represent Halliburton as a
25 consultant manager regarding the Industrial Tax



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1 Exemption.

2 I did want to clarify that the initial
3 request was made to the Board and it was approved, and
4 this is our annual report and in which we're giving an
5 update on where things are. We did not go to the local
6 authorities because the initial request had been
7 approved, and this is --

8 MR. ADLEY:

9 It was operational at that time; is that
10 right or wrong?

11 MR. LABOYER:

12 Well, we came before the Board and asked
13 that the facility -- that the contracts be continued,
14 the facilities at that point had been idle, and that
15 occurred last year in 2015. When we came before the
16 Board in December of 2015 and March of 2016, this year,
17 and did receive approval from the Board for the
18 continuation, and this is our annual report.

19 MS. CHENG:

20 The request does state it needs to be
21 reapproved every year for any additional --

22 MR. ADLEY:

23 Okay. It has to be reapproved every
24 year, and what we have done with the others is simply to
25 ask them to go back to the local governing authority to



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1 make sure that we as a Board are not usurping what would
2 have been theirs. I mean, we gave away the Industrial
3 Tax Exemption with the understanding that there will be
4 the jobs, there would be the business, there would be
5 the company, everything would be operational and
6 everything would be happening. Now what's happened is
7 nothing is happening. It's idle. And the issue is do
8 you pay property tax now, and I think what we have done
9 and what I think the best thing to do, based on the
10 direction we're now taking, is to ask people to go back
11 and get something from the local officials, to bring it
12 back, to say, "Look, we agree they're idle. We think
13 they're coming back. We're certainly willing to
14 continue to give the exemption." I mean, I think that's
15 what we did before.

16 MR. WINDHAM:

17 Are there any comments from any of the
18 Board members?

19 (No response.)

20 MR. WINDHAM:

21 Are there any representatives from
22 Bossier, Cameron, Plaquemines or Vermillion Parish?

23 Heather. I'm sorry.

24 MS. MALONE:

25 I was going to ask how many years are



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1 left on the contracts that you have?

2 MR. LABOYER:

3 I can go through each of those if you
4 would like.

5 The first contract for Bossier Parish
6 will end in 2021. Actually, both of those in Bossier
7 Parish. The Cameron Parish, they will be ending -- one
8 will be ending this year. Another will be ending this
9 year. One will be ending in 2018, one in 2019. In
10 Plaquemines Parish, 2017, 2019, 2017. And Vermillion
11 Parish, 2019 and 2019.

12 MR. WINDHAM:

13 Thank you.

14 Representative Carmody.

15 MR. CARMODY:

16 Just for a quick clarification, if we're
17 going to ask these businesses to go back to these
18 different parish entities and come back, are we asking
19 them for something the full length of the exemption?
20 Did we want acknowledgment of those entities that
21 they're agreeable for the full term of the exemption
22 that they be granted the continuation?

23 MR. ADLEY:

24 I think, at least my interpretation of
25 that, this is one of those that was prior to 6/24,



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1 didn't require any local approval, but now that it's
2 here saying, "We're inactive," I guess what I'm saying
3 is that at least for this inactive period, that they
4 would go back to the police jury, the school board and
5 the sheriff, which are the same three parties that we
6 ask everybody to go to in the future, to at least say,
7 "Yeah, we're willing to create this exemption." I know
8 what's going to happen when you go to Bossier Parish. I
9 mean, I clearly know what's going to happen. You're
10 going to come back with all of the resolutions you've
11 got to have.

12 MR. CARMODY:

13 But do they need to be for the length --

14 MR. ADLEY:

15 The idea is to get them involved.

16 MR. WINDHAM:

17 I believe, Mr. Adley, that
18 Representative Carmody's question is do you want to get
19 one that says, "We support unlimited" -- "We have
20 unlimited support," or do you want it be an annual
21 thing?

22 MR. ADLEY:

23 Mr. Chairman, they got their exemption
24 under the old rule. They clearly have it until 2021. I
25 heard that. But for this period where they are idle,



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1 we're not supposed to grant it unless the Board says,
2 "Here, you can have it." And for that special
3 exemption, for that special exemption while they're
4 idle, they should have to go back to the local governing
5 authorities, just like everybody else is going to have
6 to do in the future, and just bring back the resolution
7 to say, "We agree to that."

8 MR. WINDHAM:
9 Representative Carmody.

10 MR. CARMODY:
11 Thank you, and I appreciate it, Mr.
12 Chairman. I do think that we're giving some direction
13 to these business, if indeed they make a solicitation to
14 those deferent taxing authorities, to say that we're
15 asking that while we're idle, that to the term, the
16 remaining term on these exemptions, that you would grant
17 your support to us so we can take it back to Commerce &
18 Industry Board.

19 MR. WINDHAM:
20 Any further questions by any of the
21 Board members?

22 (No response.)

23 MR. WINDHAM:
24 Thank you.

25 MR. LEBOYER:



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1 Thank you for your consideration.

2 MR. WINDHAM:

3 Mr. Miller. I'm sorry. Do you want to
4 vote on those separately?

5 MR. MILLER:

6 That's what I'm asking.

7 MR. WINDHAM:

8 Do you want to defer them separately?
9 Do you want to defer all the Halliburtons? Is that a
10 motion?

11 MR. MILLER:

12 That's the question. Do them all
13 together?

14 MR. ADLEY:

15 Are they all in the same boat, they're
16 all idle?

17 MS. CHENG:

18 Yes.

19 MR. ADLEY:

20 They're all idle.

21 MR. WINDHAM:

22 Please step forward. Mr. Allison,
23 please step forward.

24 The next ones are for M-I SWACO.

25 We'll listen to everyone first.



1 Please identify yourself and who you
2 represent.

3 Are there any representatives from
4 Cameron Parish here?

5 (No response.)

6 MR. WINDHAM:

7 All right. Thank you.

8 MR. MURPHY:

9 I'm Richard Murphy with Phil Burton
10 representing M-I SWACO.

11 MR. BURTON:

12 Phil Burton. I'm the facility manager
13 for the M-I SWACO facility.

14 MR. WINDHAM:

15 Thank you.

16 MR. MURPHY:

17 I do have a letter from the Cameron
18 Parish Police Jury, the president.

19 MR. WINDHAM:

20 Okay.

21 MR. MURPHY:

22 Do you want me to give it to you?

23 MR. WINDHAM:

24 Sure.

25 Melissa, can you...



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1 It says, "To whom it may concern, Please
2 accept this letter of support for continuing
3 implementation of the Industrial Tax Exemption that is
4 in place for M-I SWACO. Cameron Parish feels as though
5 a one-year extension of the existing exemption is fair
6 due to the current downturn in activity of the facility.

7 Thank you for your time and
8 consideration, President Fountain, Cameron Parish Police
9 Jury."

10 So do they have -- Mr. Adley.

11 MR. ADLEY:

12 I think that's clearly helpful. I think
13 we're trying to move to the future with involvement by
14 the police jury, the sheriffs and the school board. As
15 you see how simple it was to get some letter out of the
16 police jury, I'm sure that it would be a simple matter
17 to go get resolutions from each one of those bodies
18 simply saying, "We agree to exempt them from the
19 property tax during this period of time that they're
20 idle."

21 MR. MURPHY:

22 I agree, and I think that will be very
23 helpful.

24 MR. WINDHAM:

25 All right. Any additional questions by



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1 the Board members?

2 (No response.)

3 MR. WINDHAM:

4 Thank you, Richard. Thank you.

5 MAJOR COLEMAN:

6 Is that a resolution?

7 MR. ADLEY:

8 A resolution.

9 MR. WINDHAM:

10 That would be resolutions from the
11 locals.

12 Quality Iron of Louisiana and Quality
13 Iron Fabricators, please step forward and identify
14 yourself.

15 Are there any Livingston Parish in the
16 audience?

17 (No response.)

18 MR. WINDHAM:

19 Thank you, Mr. Allison.

20 MR. LEONARD:

21 Jimmy Leonard, Advantous Consulting
22 representing Quality Iron on both their two
23 applications.

24 Absent the items on the police jury for
25 those specific situations, we did work with the local



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1 economic development authority and the parish assessor
2 and the parish president. And what we've passed out
3 here is a letter of support for one year of additional
4 exemption. This property is currently being marketed
5 and the company is working very closely with the
6 economic development group in Livingston Parish, and
7 there is a concern that placing this property back on
8 the tax roll might heed some of their efforts by
9 increasing the cost of the property to suitors. So this
10 is -- absent of what we're hearing today, this is the
11 support that we were able to land.

12 MR. ADLEY:

13 I mean, again, I guess, Don, that this
14 kind of letter, going around to the police jury and the
15 school board and the sheriff or resolutions from the
16 school board and the jury and, of course, a letter from
17 the sheriff's office that they're in support. Those are
18 the three bodies that we have tried to direct everybody
19 to under all of the new ITEP applications is the whole
20 reason that that will be the three that you got to bring
21 back resolutions from the school board, the jury and
22 some, I guess, representation from the sheriff.

23 MR. ALLISON:

24 Yes, sir.

25 Let me add a little clarification, too.



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1 My name is Don Allison from Advantous
2 Consulting representing Quality Iron.

3 I believe there's a little confusion
4 regarding what y'all have done in previous meetings on
5 these issues. I know Ms. Cheng was explaining it, but
6 I'm not sure there was a -- completely understanding
7 of -- I wasn't completely understanding what she was
8 saying. And you can correct me if I'm wrong, Kristin,
9 but I believe what she was saying is that in the past,
10 Myriant, a company from Lake Providence -- I believe
11 that was where they were from. I think I saw the --
12 this was a couple meetings ago. That they were
13 approved. Period. No questions asked. There was
14 conditions. There was no requirement to go get local
15 approval. Another company came forward, CARBO Ceramics,
16 maybe at that same meeting, if I'm not mistaken.

17 MS. CHENG:

18 Myriant was approved, but they were
19 asked to go back and get letters of support, but CARBO
20 was not approved. They need to bring the -- until they
21 get the resolutions.

22 MR. ADLEY:

23 Don, what happened up there was -- I
24 think you're correct. It was approved at that meeting
25 with them telling us that they had the support of the



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1 local entities. They left without approval. The very
2 next meeting, some of the local folks showed up and
3 said, "No, no, no. They didn't have our approval," and
4 so at that point, the Board took action of sending them
5 back to get those resolutions. So in an effort -- what
6 I'm trying to do here, in an effort to avoid all of that
7 confusion again, rather than just having the letters
8 floating around from here and yonder, is just take the
9 right process, go to those three bodies and bring back
10 just a letter from the sheriff and resolutions from the
11 other two bodies.

12 MR. ALLISON:

13 Okay. So the previous two companies
14 were both required to get the local approvals; is that
15 what you're saying?

16 MS. CHENG:

17 CARBO Ceramics was --

18 SECRETARY PIERSON:

19 The Board hasn't decided yet. It was
20 just discussion.

21 MR. ALLISON:

22 I'm talking about previous meetings. I
23 thought -- Myriant and CARBO. I thought they were
24 treated differently. Maybe they weren't.

25 MR. ADLEY:



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1 Just a second. I only remember one in
2 Providence as you were talking about it because I
3 remember at the time Robby was making an effort to get
4 done exactly what we're trying to do here now. And we
5 went ahead and sent it out and approved it only to find
6 out those was people who they said were for it weren't
7 for it, and so at the next meeting, we promptly sent
8 them back and said, "Before staff grants this at the end
9 of the day, we need those letters from local
10 authorities." That's's what I remember happening.

11 MS. CHENG:

12 They were approved, but you asked them
13 to get letters.

14 MR. ADLEY:

15 Yes.

16 MR. WINDHAM:

17 Did we get the letters?

18 MS. CHENG:

19 We received a few. They were sent back
20 to get more and they haven't --

21 MR. ADLEY:

22 I remember they came back with one
23 letter, and we explained -- sat there right there at
24 that table. We explained to them, "You need resolution
25 from each one of those bodies plus a letter from the



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1 sheriff."

2 MR. WINDHAM:

3 Are there any further comments?

4 MR. ALLISON:

5 So I want to make sure I'm clear of what
6 we're supposed to do going forward to come back and
7 request approval for next meeting, I hope.

8 So we have a letter from the parish
9 president and the parish economic development director
10 and from the assessor.

11 MR. ADLEY:

12 No. It's a resolution from jury and
13 resolution from the school board. And I assume from the
14 sheriff it would only be required some letter of
15 support.

16 MR. ALLISON:

17 Okay.

18 MR. WINDHAM:

19 Secretary Pierson.

20 SECRETARY PIERSON:

21 I've got some concerns just the way that
22 we're clouding some issues here. This is an existing
23 contract with an existing expiration date that this
24 group of maybe 12 or 14 contracts -- 16 to go back and
25 engage these public bodies. Number one, it wasn't a



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1 requirement at the time that these contracts were
2 entered into. I get that we're following a new
3 protocol. Part of my concern is this will be an initial
4 voyage for many of these public bodies, and we're going
5 to cloud the issue. Typically we will approach them in
6 the new manner to solicit a 5-plus-3 opportunity for
7 that parish.

8 This is a completely different set of
9 circumstances here where one of the parishes where the
10 existing industry with an existing contract that is
11 having what is believed to be a temporary disruption in
12 their business activities, and rather than fall out of
13 compliance with the program is asking for this one-year
14 window and then come back and sit here again in a year.
15 I think it's very helpful and instructive to the Board
16 to have the demonstration of local support, but the idea
17 of going back and -- and this is outside the rules that
18 they would be required to get these three documents in
19 order to secure a one-year bridge in their situation,
20 again, is going to lend itself towards bringing those
21 local bodies into every single transaction. I'm not
22 saying that's a good thing or a bad thing, but there is,
23 certainly at a time where we're trying to be instructive
24 here, solicit new, long-term agreements for either the
25 growth of a company or the recruitment of a new company,



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1 to go back to one of your existing companies that's in a
2 category right now of inactive, is going to introduce a
3 lot of confusion into the system. And, again, it
4 appears to be establishing a new rule without the real
5 process of establishing the rule.

6 MR. WINDHAM:

7 Mr. Miller.

8 MR. MILLER:

9 If you don't mind, indulge -- if I
10 switch to my parish president hat, and maybe I'm going
11 to speak for Major Coleman as a police juror in St.
12 Helena. If I'm, as the parish president, and a local
13 company goes idle and I don't agree with this, and under
14 the current rules, what is my recourse to stop it and
15 say, "No, no, they've not done" or "I don't agree with
16 this because I don't think they're going to come back if
17 the industries dead." "They're trying to sell it,"
18 whatever the reason is, we don't agree that this should
19 get the exemption, how do we then approach it if we
20 don't have the ability to come...

21 SECRETARY PIERSON:

22 Today you would indicate your position
23 and you would petition folks to call members of this
24 Board to vote against that particular item which is
25 coming before them. That's why we established new rules



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1 and new procedures for the new programs, but we're still
2 going to have to go back and -- and issues like this one
3 before us right now, as a Board, come to the
4 understanding of how to handle them.

5 MR. MILLER:

6 And I guess the follow-up question is if
7 we have a company in Tangipahoa Parish that goes idle,
8 am I notified that it's going to be on this agenda if I
9 wasn't sitting on the Board?

10 MR. WINDHAM:

11 Ms. Cheng?

12 MR. LEONARD:

13 Part of our application or, I guess, the
14 notice, we had received the letter from the assessor,
15 which is part of our package, so we have to go confirm
16 with the assessor that the property is not on the
17 property tax rolls and that we have his support for
18 continued property exemption.

19 MR. WINDHAM:

20 Then the assessor's notified.

21 MR. ALLISON:

22 The only -- hopefully you get this
23 letter in your packet. We didn't pass it out because we
24 think it's in the packet already attached to the
25 application that we're talking about, so these



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1 applications, the letter from assessor. That is what's
2 in the current requirements, and so we're following the
3 current requirements. I think the Secretary is adding
4 requirements that are not actually in the rules that we
5 go down the path that we're talking about.

6 MR. ADLEY:

7 I would think, Mr. Allison, you would
8 certainly like adding some change to the rules, because
9 under the current rules, all this Board can do, based on
10 what I just heard what Mr. Allison say --

11 MR. ALLISON:

12 Mr. Pierson --

13 MR. ADLEY:

14 -- is either approve it or disapprove
15 it. That's it. So would it be better for us to say
16 that, "Look, we think that local government ought to
17 have a say. If they don't, then we're just going to
18 disapprove this exemption for this idle period."
19 That's what I think the current rules gives us the right
20 to do, either approve it or we disapprove it.

21 -- the decision to do is get the
22 approval, but make sure that the local government knows
23 that this is occurring.

24 MR. ALLISON:

25 Okay. Well, I may have just discovered



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1 something else that needs to be made more clear to the
2 public because we thought, under the current rules
3 regarding the situation, by getting a letter from the
4 assessor, and so if there's going to be additional
5 requirements put on companies in this situation --

6 MR. ADLEY:

7 The Board clearly has the authority to
8 do that.

9 MR. ALLISON:

10 To do what?

11 MR. ADLEY:

12 Anyone who reads the statute creating
13 this Board, or the constitution, they clearly have the
14 right to do what they think is in the best interest of
15 the state on every one of these.

16 MR. ALLISON:

17 All right.

18 MR. ADLEY:

19 All I'm looking for is a reasonable way
20 out without having to be faced with a vote of approve
21 something the local government knows nothing about or
22 just vote to disapprove it period because you're sitting
23 there idle and not employing anybody and not doing
24 anything and drawing tax breaks. It just seems like, to
25 me, the logical approach is to go ahead and have those



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1 people that are not going to receive the taxes at least
2 give their approval for that.

3 MR. ALLISON:

4 I understand that. I just didn't
5 understand that it was this up or down, that was the
6 only choices.

7 MR. WINDHAM:

8 Mr. Slone.

9 MR. SLONE:

10 Yes. I was just trying to get some
11 clarity. So we're adding a rule or we're sticking to
12 what we already have? And then another question would
13 be for clarity, is it a resolution or a letter or a
14 combination?

15 SECRETARY PIERSON:

16 Well, the rule now is a letter from the
17 assessor, which is what Mr. Allision is noting that, A,
18 that is a public form of notification, and, B, it's in
19 compliance with current rules. If there are new
20 rules --yes, Mr. Adley is correct, we have the ability
21 to promulgate the new rules, but we need to make that
22 information known to the bodies that participation in
23 the programs, which you have these 16, that are in
24 midair right now.

25 MR. SLONE:



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1 Thank you.

2 MR. WINDHAM:

3 Thank you.

4 So what is the pleasure of the -- are
5 there anymore questions? I'm sorry. Are there anymore
6 questions for Mr. Allison and Mr. Leonard?

7 MR. LEONARD:

8 And I would just like to add before
9 closing here is that this specific situation, we did not
10 approach the three bodies that Senator Adley has
11 requested, but we have been working with the locals and
12 that this request is not occurring in a vacuum, per se.
13 We just can't on record say we had specific
14 conversations with specific entities.

15 MR. ADLEY:

16 I would move, Mr. Chairman, that we
17 approve all of these applications subject to the receipt
18 of a resolution from the school board impacted, the
19 police jury impacted and the sheriff or a letter from
20 the sheriff. I believe that's what we've requested of
21 people before, and I just think that's the reasonable
22 thing to do rather than for me to sit here and just vote
23 no because you're sitting idle.

24 MR. WINDHAM:

25 So to clarify that, it is a resolution



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1 that goes for all three bodies?

2 MR. ADLEY:

3 No. You can't get a resolution from the
4 sheriff. It's only a letter from the sheriff. A
5 resolution from the jury and the school board.

6 MR. WINDHAM:

7 Does everyone understand that, two
8 resolutions, one letter.

9 MR. ADLEY:

10 They would all be approved once they
11 receive that approval from them.

12 MR. WINDHAM:

13 Mr. Shexnaydre, you have a question?

14 MR. SHEXNAYDRE:

15 So with that understanding that the
16 assessor approves it and then you have proof of that in
17 the ap?

18 SECRETARY PIERSON:

19 The assessor is not a party to this. It
20 would be the sheriff, the school board and police jury
21 is what Mr. Adley's outlining.

22 MR. ADLEY:

23 They couldn't be here today if they had
24 not already received something from the assessor as I
25 understand it. So every one of these applications have



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1 included with it something from the assessor today.

2 MR. SHEXNAYDRE:

3 That would make it --

4 MR. ADLEY:

5 The assessor is not the one who -- he
6 may assess properties, but he's not the one that levies
7 the tax and necessarily gets hit by the loss of the tax.
8 That's why it's been the sheriff, the school board and
9 the police jury, but they will all be approved provided
10 they do that and bring it back to the staff.

11 MS. CHENG:

12 So do these need to come back to the
13 Board?

14 MR. ADLEY:

15 I don't see any need to come back if you
16 get the documentation from these three bodies with our
17 motion to approve them upon receipt of that.

18 MS. CHENG:

19 And within what timeframe are we
20 supposed to receive these resolutions and letter?

21 MR. ADLEY:

22 I can't hear you, ma'am.

23 MS. CHENG:

24 Within what timeframe are we supposed to
25 receive these resolutions and letter?



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1 MR. ADLEY:

2 I mean, I think that's clearly up to the
3 company.

4 MR. WINDHAM:

5 Mr. House.

6 MR. ADLEY:

7 If they're sitting, they're idle going
8 into this year.

9 MR. HOUSE:

10 In connection this, Mr. Windham, Mr.
11 Chairman, I would like the Board to take into account
12 the facts that we've just heard. You're asking her to
13 make the determination. Previously -- well, my
14 experience in and out of government is when you make a
15 negative determination with respect to anyone, you're no
16 longer a member of the staff. We call them bureaucrats.
17 So I do believe this Board needs to have some final
18 review if you're going to ask this on in this type of
19 manner. Otherwise, she is subject to making the
20 interpretation. She's subject to criticism if she
21 doesn't do it, and she's certainly going to be subject
22 to criticism if she does do it. So you got my
23 respectful request to you of you make the determination.

24 MR. WINDHAM:

25 All right. So can I amend your motion



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1 to say 60 days with the package brought back to the
2 Board for final approval? Is that all right to amend
3 your motion?

4 MR. ADLEY:

5 Sure. That's fine with me.

6 MR. WINDHAM:

7 Is there a second?

8 MR. ADLEY:

9 I second that. Sure.

10 MR. WINDHAM:

11 Major?

12 Thank you, Major Coleman.

13 Mr. Slone do you have a question?

14 MR. SLONE:

15 No.

16 MR. WINDHAM:

17 Are there any other questions or
18 comments?

19 I'm sorry. Mr. Pierson.

20 SECRETARY PIERSON:

21 The next Board meetings are 21 February
22 and 26 April. That wouldn't provide the ability to meet
23 that at the 4/1. I mean, you could have it dated end of
24 February.

25 MR. WINDHAM:



1 Okay. Let's say by the end of February,
2 February 28th.

3 Mr. LeBleu.

4 MR. LEBLEU:

5 Mr. Chairman, may I speak to that 60-day
6 quota?

7 MR. WINDHAM:

8 I just changed it.

9 MR. LEBLEU:

10 I'm sorry?

11 MR. WINDHAM:

12 I just changed the 60 days to the end of
13 February.

14 MR. LEBLEU:

15 Okay. I'd still like to address that if
16 it's okay.

17 MR. WINDHAM:

18 Okay.

19 MR. LEBLEU:

20 As Secretary Pierson mentioned, there's
21 going to be a lot of confusion with the locals. In our
22 discussions about this prior to meeting, we have four
23 parishes, 16 meetings we are going to need to attend,
24 and I feel very strongly that --

25 MR. ADLEY:



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1 That's not true. Well, yeah, you do.
2 You have four parishes.

3 MR. LEBLEU:

4 We have 16 different meetings we have to
5 attend in four parish.

6 I feel strongly there's going to be more
7 meetings than that, because I think what's going to
8 happen is we go to our first meeting, I suspect that
9 many of these are going to be deferred because of
10 confusion from the local governing authority in terms of
11 what we're actually asking. It's never been done
12 before. They're going to want to have clarification
13 from LED, and we don't have a process in place other
14 than just to pick up the phone and ask for a meeting
15 with the local to get something on the agenda. To
16 accomplish this by the end of February is just going to
17 be extremely difficult.

18 MR. ADLEY:

19 I got you. And when you applied for the
20 ITEP, you agreed to certain things to get that
21 exemption, and part of that was to be active in business
22 and employing people and doing things. You chose not to
23 do that.

24 MR. LEBLEU:

25 Well, Mr. Adley, we're not disagreeing



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1 with we should do this. I'm just talking about the
2 timeframe. We are perfectly willing to do this, and
3 we're not objecting to doing that, but --

4 MR. ADLEY:

5 All I know is this, and the only way --
6 I hear all of those arguments. I've heard them now
7 since this Governor took office. Louisiana is the only
8 state in America that does it this way. The only one.
9 And everybody else does, they get it done.

10 MR. LEBLEU:

11 Can I defer to your opinion --

12 MR. ADLEY:

13 And I'm sorry. I don't get that to say
14 about my local government that they're just confused all
15 of the time. Well, I'm not sure they are confused. I
16 think they've been out of the loop, and I think that's
17 wrong. I do.

18 MR. LEBLEU:

19 May I defer to your opinion, then,
20 because you've been around this process from the locals
21 all of way up to the state. If you think the end of
22 February is a reasonable time get this done, then we'll
23 move forward. I just wanted to --

24 MR. WINDHAM:

25 Let's do this. All right. Let me amend



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1 this one more time. We'll make it the April 26th
2 meeting. So that will give us till April. I will offer
3 my assistance if someone will pen a letter to each one
4 of those officials letting them know that this is being
5 required of them, I'll send it out as the chairman of
6 this commission -- I mean, of this Board, if no one has
7 a problem with that, and just tell them what they need
8 to do. Maybe that will clear up some of the confusion.

9 MS. CHENG:

10 I'm going to need it for the beginning
11 of April to be able to put it on the April agenda. I
12 can't just add something that day.

13 MR. WINDHAM:

14 Well, you can put it on the agenda. If
15 we don't have it, you can envision what could happen.

16 MS. CHENG:

17 Okay.

18 MR. WINDHAM:

19 I mean, right? If we don't get the
20 letters, they're going to be denied. That's going to be
21 the bottom line. If we don't get the resolutions or the
22 letters, they're going to get denied.

23 MR. ADLEY:

24 The exemption is for what year?

25 MR. LEBLEU:



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1 This will be for tax year 2017.

2 MR. ADLEY:

3 It doesn't make any difference if we get
4 it November or December. Just get it.

5 MR. WINDHAM:

6 So let's stick with the April 26th date
7 as the amendment to the motion, if I can still amend the
8 motion.

9 Mr. Adley; is that correct.

10 MR. ADLEY:

11 Oh, you can do whatever you want.

12 MR. WINDHAM:

13 All right. And there's still a second
14 by Major Coleman.

15 I still offer my assistance, not as
16 public register, but I'll help.

17 MR. LEBLEU:

18 I would like to get with staff
19 afterwards to get a sense of what the resolution should
20 say. Personally I would like to go to each of these
21 separate authorities and say, "Here's a template for a
22 resolution." --

23 MR. WINDHAM:

24 Oh, absolutely.

25 MR. LEBLEU:



1 -- "for you to approve."

2 MR. WINDHAM:

3 Absolutely. We'll all work together.
4 This is a team sport.

5 MR. LEBLEU:

6 Thank you for your consideration.

7 MR. WINDHAM:

8 It's a team effort.

9 I'm sorry. Richard. Mr. Murphy.

10 MR. MURPHY:

11 I would just like a little clarification
12 on the letter that I submitted. Is that a resolution or
13 a letter?

14 MR. WINDHAM:

15 Is that --

16 MR. MURPHY:

17 I know I have to get a resolution.

18 MR. WINDHAM:

19 The letter from the sheriff, resolution
20 from the police jury and the school board.

21 MR. MURPHY:

22 So two of those are going to be
23 resolutions and one's a letter from the sheriff?

24 MR. WINDHAM:

25 Correct, because the sheriff does not



1 issue resolutions.

2 MR. MURPHY:

3 Okay. The letter I gave, is that
4 considered a resolution?

5 MR. WINDHAM:

6 No.

7 MR. MURPHY:

8 No. So I need to all three?

9 MR. WINDHAM:

10 Correct.

11 MR. MURPHY:

12 Thank you.

13 MR. WINDHAM:

14 Thank you.

15 Mr. Leonard.

16 MR. ADLEY:

17 The letter is a vote by the full jury,
18 not a letter by one jury member.

19 MR. LEONARD:

20 Yes, sir.

21 And if we're only able to secure two of
22 the three, we're denied? If the police jury gives us a
23 supporting resolution and the school board gives us a
24 supporting resolution, but the sheriff says, "I refuse
25 to write the letter," I mean, what...



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1 MR. ADLEY:

2 I think they this motion now is going to
3 read as his request to bring it back it the Board. I
4 can tell you -- just me. Just me. Not anybody else.
5 But if you bring back, you get two out of the three, I'm
6 going to vote no. That's just me, but that's purely up
7 to the rest of them, but I think that you need to go to
8 them and get that authority. I can't imagine you're not
9 going to get it.

10 MR. WINDHAM:

11 Mr. Pierson. Secretary Pierson:

12 SECRETARY PIERSON :

13 I concur with Senator Adley. If you
14 come back with two out of three, in this case, because
15 this isn't up or down. We don't have the ability to
16 adjust the millage. It goes down. It's a contract.
17 And that's part of the confusion in this equation is in
18 the future, if you get two out three, then that body's
19 millage will be preserved, and the abatement approved by
20 the other bodies will become part of the equation and
21 will get your end number of abatement. But in this
22 particular case, it would appear to be an up or down.

23 MR. WINDHAM:

24 Any additional questions?

25 Mr. Allison?



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1 MR. ALLISON:

2 No.

3 MR. WINDHAM:

4 All right. We have a motion on the
5 table followed by a second.

6 Are there any additional comments by the
7 public?

8 (No response.)

9 MR. WINDHAM:

10 Are there anymore questions by any
11 members of the Board?

12 (No response.)

13 MR. WINDHAM:

14 All in favor, indicate with an "aye."
15 (Several members respond "aye.")

16 MR. WINDHAM:

17 All opposed with a "nay."

18 (No response.)

19 MR. WINDHAM:

20 Motion carries.

21 MS. CHENG:

22 This concludes the Industrial Tax
23 Exemption portion of the agenda.

24 MR. WINDHAM:

25 Thank you, Ms. Cheng.



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1 I guess I'll do my Christmas comments
2 before we finish.

3 It's been a wonderful year so far. I
4 hope everyone has a great and prosperous New Year and a
5 Merry Christmas.

6 With that, I will give it over to the
7 Secretary for his comments.

8 SECRETARY PIERSON:

9 This will be very brief.

10 Thank you to the Board members. I know
11 this is a busy time of the year, one with a lot going
12 on, so you carved out time to be here today on this
13 important occasion to move these contracts through.

14 I am somewhat concerned about a comment
15 that was made during the discourse today relative to the
16 LED staff. I want to be very clear, we are
17 administrators of the program. We follow the rules. We
18 don't write you a traffic ticket if you're doing 54. If
19 you're doing 56 in a 55, we do. We don't set these
20 rules; we don't set the laws. We administer the
21 programs. And so the staff is very diligent. The
22 staff's attorneys are very diligent, and what we bring
23 to you is very clear and in compliance in our opinion.
24 You're certainly here to challenge that, and we
25 appreciate that because that will make us better, but I



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1 don't want anyone to think that LED is guilty of
2 anything other than the proper execution of our duties,
3 and that's my responsibility to see that it happens. If
4 it doesn't, I want to be the first to know about it.
5 But we work long and hard to get it right. We will make
6 errors along the way, and that's part of this process to
7 help us when we don't have it right.

8 But that said, I know, also, along the
9 same lines is the Board has been accused of being a
10 rubber stamp in the past, and I don't concur with that
11 analysis either. The reason that things -- and this
12 Board will to that position because we're going to work
13 and make it into that position where the things that
14 will be coming to it are so thoroughly vetted, are so
15 appropriately documented that we don't have to spend a
16 lot of time figuring out new rules and new procedures
17 and how do we do it now after June 24th. We will,
18 during the course of this term, get to a point where
19 it's going to get very routine. It's going to get a lot
20 more accountable. It's going to be a lot more revenues
21 to go back to our parishes, and things will get better
22 over time, but we ask you to bear with us as we move
23 through that. We appreciate all of the input that's
24 provided. We're making every effort to be fair to our
25 companies and to also have the most attractive



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1 investment location so that we can build the important
2 jobs that we need to have to continue to be very
3 successful in the growth of our existing companies, the
4 success of our small business and certainly aggressive
5 recruitment of new business into our state.

6 So thanks to each of you that has played
7 an important role in that. It is our true and sincere
8 hope that we can continue to work in close partnership
9 with you and bring success and prosperity to everyone in
10 2017 and beyond.

11 So thank you for your support and
12 thank you for the staff's diligent work.

13 MR. WINDHAM:

14 Thank you, Secretary Pierson.

15 Final item on the -- it's not on the
16 agenda, but we have our meeting dates for next year. I
17 believe everyone has a copy of that in front of them,
18 and I believe that that will be made available to the
19 public immediately. I'm assuming they already have
20 been. So as you can see, there will be a February,
21 April, June and August, October and, again, in December.

22 With that, are there any other comments
23 from any other Board members?

24 (No response.)

25 MR. WINDHAM:



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Is there a motion to adjourn?
Made by Ms. Heather, seconded by Mr.
Slone.
All opposed?
(No response.)
MR. WINDHAM:
All in favor? I'm sorry. All in favor?
Motion carries.
(Meeting concludes at 11:36 a.m.)



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2 I, ELICIA H. WOODWORTH, Certified Court
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5 Commerce and Industry of the Louisiana Economic
6 Development Corporation, do hereby certify that this
7 meeting was reported by me in the stenotype reporting
8 method, was prepared and transcribed by me or under my
9 personal direction and supervision, and is a true and
10 correct transcript to the best of my ability and
11 understanding;

12 That the transcript has been prepared in
13 compliance with transcript format required by statute or
14 by rules of the board, that I have acted in compliance
15 with the prohibition on contractual relationships, as
16 defined by Louisiana Code of Civil Procedure Article
17 1434 and in rules and advisory opinions of the board;

18 That I am not related to counsel or to the
19 parties herein, nor am I otherwise interested in the
20 outcome of this matter.

21 Dated this 22nd day of December, 2016.

22

23

24

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