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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
LABELLE ROOM
BATON ROUGE, LOUISIANA
ON THE 12TH DAY OF SEPTEMBER, 2016
COMMENCING AT 10:04 A.M.

REPORTED BY: ELICIA H. WOODWORTH, CCR



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LEDC MEETING

- 1 **Appearances of Board Members Present:**
- 2 Robert Adley
- 3 Robert Barham
- 4 Mayor Glenn Brasseaux
- 5 Representative Thomas Carmody
- 6 Representative Phillip DeVillier
- 7 Rickey Fabra
- 8 Manual "Manny" Fajardo
- 9 Heather Malone
- 10 Charles R. "Robby" Miller
- 11 Jan K. Moller
- 12 Scott M. Richard
- 13 Daniel J. Shexnaydre, Jr.
- 14 Senator Frances Thompson
- 15 Anne Villa
- 16 Bobby E. Williams
- 17 Dr. Woodrow Wilson, Jr.
- 18 Steve Windham

- 19 **Staff members present:**
- 20 Eric Burton
- 21 Kristen Cheng
- 22 Danielle Clapinski
- 23 Frank Favaloro
- 24 Brenda Guess
- 25 Richard House
- 26 Becky Lambert
- 27 Joyce Metoyer
- 28 Mandi Mitchell
- 29 Melissa Sorrell



1 MR. WINDHAM:

2 Morning, everyone. It's 10:02. I'd
3 like to call this Board of Commerce and Industry to
4 order. Today's date is the 12th of September.

5 First of all, I'd like to thank everyone
6 for coming. Thanks again to the public for coming and
7 voicing your opinions as well as the Board members for
8 the service to the State.

9 With that, I would like to ask Melissa
10 to call role.

11 All right. Rollcall will be performed
12 by Brenda Guess.

13 MS. GUESS:

14 Robert Adley for Governor John Bel
15 Edwards.

16 MR. ADLEY:

17 Here.

18 MS. GUESS:

19 Robert Barham for Lieutenant Governor
20 Billy Nungesser.

21 MR. BARHAM:

22 Here.

23 MS. GUESS:

24 Representative DeVillier for
25 Representative Neil Abramson.



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LEDC MEETING

1 MR. DEVILLIER:
2 Here.
3 MS. GUESS:
4 Millie Atkins.
5 (No response.)
6 MS. GUESS:
7 Mayor Glenn Brasseaux.
8 MAYOR BRASSEAUX:
9 Here.
10 MS. GUESS:
11 Representative Thomas Carmody.
12 MR. CARMODY:
13 Present.
14 MS. GUESS:
15 Yvette Cola.
16 (No response.)
17 MS. GUESS:
18 Major Coleman.
19 (No response.)
20 MS. GUESS:
21 Rickey Fabra.
22 MR. FABRA:
23 Here.
24 MS. GUESS:
25 Manny Fajardo.



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1 MR. FAJARDO:
2 Here.
3 MS. GUESS:
4 Jerry Jones.
5 (No response.)
6 MS. GUESS:
7 Heather Malone.
8 MS. MALONE:
9 Here.
10 MS. GUESS:
11 Senator Thompson for Senator Danny
12 Martiny.
13 MR. THOMPSON:
14 Present.
15 MS. GUESS:
16 Charles Miller.
17 MR. MILLER:
18 Here.
19 MS. GUESS:
20 Jan Moller.
21 MR. MOLLER:
22 Here.
23 MS. GUESS:
24 Senator Chabert for Senator Morrell.
25 (No response.)



1 MS. GUESS:
2 Anne Villa for Secretary Don Pierson.
3 MS. VILLA:
4 Here.
5 MS. GUESS:
6 Scott Richard.
7 (No response.)
8 MS. GUESS:
9 Daniel Shexnaydre.
10 (No response.)
11 MS. GUESS:
12 Ronnie Slone.
13 (No response.)
14 MS. GUESS:
15 Bobby Williams.
16 MR. WILLIAMS:
17 Here.
18 MS. GUESS:
19 Steven Windham.
20 MR. WINDHAM:
21 Here.
22 MS. GUESS:
23 Dr. Woodrow Wilson.
24 DR. WILSON:
25 Here.



1 MS. GUESS:

2 Mr. Chairman, we have a quorum.

3 MR. WINDHAM:

4 Thank you, Ms. Guess.

5 Now, I'd like to ask for approval for
6 the minutes of the last meeting.

7 Moved by Mr. Carmody and then seconded
8 by Adley.

9 MR. WINDHAM:

10 All right. Quality jobs. Mr. Burton,
11 could you do the quality jobs presentation, please?

12 MR. BURTON:

13 I have three new applications to present
14 to the Board. First will be Application Number
15 20141379, ENQUERO, Inc., Lafayette Parish; 20141277,
16 iFAB Industrial, LLC in Caddo Parish; and 20141066.
17 Metalplate Galvanizing, LP in Jefferson Parish.

18 This concludes the new applications.

19 MR. WINDHAM:

20 All right. I believe Mr. Adley has a
21 question on one of them.

22 MR. ADLEY:

23 I think it's the first one and maybe the
24 third one, but the first one, just what caught my
25 attention, the company -- is it ENQUERO? How do you say



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1 that?

2 MR. BURTON:

3 I'm guessing ENQUERO, Inc.

4 MR. ADLEY:

5 Yeah. ENQUERO.

6 I'm trying to find out exactly what the
7 company does. That's all I wanted to know. It said
8 they are a technology solutions company delivering
9 business capability. I really just don't know what that
10 means.

11 MR. WINDHAM:

12 Is there someone here representing
13 ENQUERO?

14 MR. ADLEY:

15 And when you just explain what they do,
16 tell me the relationship with Agility and I guess it's
17 agile and immersive, if you will.

18 MR. WINDHAM:

19 Please state your name and who you
20 represent.

21 MR. LEONARD:

22 Jimmy Leonard. I'm with Advantous
23 Consulting. I represent ENQUERO.

24 ENQUERO is a software development
25 company located in Lafayette, Louisiana.



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1 MR. ADLEY:

2 Say it again.

3 MR. LEONARD:

4 Software development company. Their
5 relationship with Agility is Agility has a software that
6 they're using, and they add additional features,
7 dropdown menus and features to the software programs for
8 them on a consulting basis.

9 MR. ADLEY:

10 Thank you. When I read it, I just
11 couldn't figure out what it was. Thank you.

12 MR. LEONARD:

13 Yes, sir. Thank you.

14 MR. WINDHAM:

15 Thank you.

16 I believe you had a question about the
17 third one.

18 MR. ADLEY:

19 Yes. The last one is Metalplate.

20 MR. BURTON:

21 Metalplate.

22 MR. ADLEY:

23 Metalplate. I just need an example of
24 what their product is.

25 MR. WINDHAM:



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1 Is there an example for Metalplate
2 Galvanizing? If so, please step forward and state your
3 name.

4 MS. BOATNER:

5 Rhonda Boatner with Didier Consultants
6 representing Metalplate Galvanizing.

7 They take pieces of metal and galvanize
8 it for their clients.

9 MR. ADLEY:

10 Just give me an example. I know I've
11 seen it in my boathouse. I'm just curious what y'all
12 do.

13 MS. BOATNER:

14 What the client does is they take, like
15 I said, just pieces of -- whether it be stair treads for
16 a storage tank or whatever, they hot dip that into
17 galvanizing material and galvanize it.

18 MR. ADLEY:

19 Okay. Thank you.

20 MR. WINDHAM:

21 Thank you.

22 Any other questions? Comments or
23 questions from the public?

24 (No response.)

25 MR. WINDHAM:



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Is there a motion?

DR. WILSON:
So moved.

MR. WINDHAM:
Dr. Wilson moved for approval.

MR. ADLEY:
Second.

MR. WINDHAM:
Robert Adley seconded the motion.
Any discussion?
(No response.)

MR. WINDHAM:
All right. All in favor, please
indicated with an "aye."
(Several members respond "aye.")

MR. WINDHAM:
All opposed.
(No response.)

MR. WINDHAM:
Passes. Motion passes.

MR. BURTON:
Next we have our Quality Jobs Renewals.
We have three of those. Contract Number 20110154,
Associated Wholesale Grocers, Inc. in St. Tammany
Parish; 20110760, LD Commodities Services, LLC in West



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1 Baton Rouge Parish; and 20111119, West Sanitations
2 Services, Inc. in East Baton Rouge Parish.

3 This concludes the renewals.

4 MR. WINDHAM:

5 Are there any questions concerning the
6 renewals?

7 MR. MILLER:

8 Just for clarification, just so that
9 everyone understand, renewal means they've maintained
10 their jobs, they have the same number of jobs or they
11 created the amount of --

12 MR. BURTON:

13 It means they met the Quality Jobs
14 contract, which is going to be five jobs by the third
15 fiscal year and a minimum payroll threshold in their
16 third fiscal year.

17 MR. MILLER:

18 Thank you.

19 I make a motion.

20 MR. WINDHAM:

21 All right. Robby Miller, seconded by
22 Robert Adley.

23 Any comments from the public?

24 (No response.)

25 MR. WINDHAM:



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1 Any questions by the Board members?
2 (No response.)
3 MR. WINDHAM:
4 All in favor, please indicate with an
5 "aye."
6 (Several members respond "aye.")
7 MR. WINDHAM:
8 All opposed.
9 (No response.)
10 MR. WINDHAM:
11 Motion passes.
12 MR. BURTON:
13 Next item we're going to have is request
14 in change of name only for the following contract:
15 200110760. They're going from LD Commodities Services,
16 LLC to Louis Dreyfus Company Services, LLC in West Baton
17 Rouge Parish.
18 MR. WINDHAM:
19 Any comments from the public?
20 (No response.)
21 MR. WINDHAM:
22 Any questions?
23 (No response.)
24 MR. WINDHAM:
25 Accept a motion for approval?



1 DR. WILSON:

2 So moved.

3 MR. WINDHAM:

4 Dr. Wilson.

5 MR. FAJARDO:

6 Second.

7 MR. WINDHAM:

8 Seconded by Manny.

9 MR. ADLEY:

10 I am curious, when you made the name
11 change and you move the employees from one company to
12 another, I'm just curious how you track -- how does LED
13 track to ensure the quality jobs remain, they don't get
14 blended in with another company?

15 MR. BURTON:

16 It's just going to be the name change
17 itself that changes. With this one, they're still going
18 to have the same unemployment insurance number, so
19 everything is going to be tracked under that same
20 insurance number that's listed.

21 MR. ADLEY:

22 I get that, but I'm reading your notes,
23 and your notes say that the March 1, 2016 NuStar
24 Services, LLC required all employees of NuStar --

25 MR. BURTON:



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1 That's going to be --

2 MR. ADLEY:

3 -- to move to that organization.

4 MR. BURTON:

5 That's for the change in ownership, the
6 next item. It's not for the change in name that --

7 MR. ADLEY:

8 So how do you track them?

9 MR. BURTON:

10 How do we track them for the change in
11 ownerships? We're going to have a baseline spreadsheet
12 on it. They're going to have all of the prior companies
13 and employees on there and we're going to keep that,
14 maintain that spreadsheet from the beginning. So if
15 there's any kind of change in ownership, let's say
16 there's two companies that come together, we are going
17 to have to have them adjust that baseline spreadsheet
18 that this -- let's say this new company has an
19 additional 100 employees in the state, we are going to
20 have to have that spreadsheet adjusted to take account
21 for that from that point going forward.

22 MR. ADLEY:

23 I got you. Thank you.

24 MR. WINDHAM:

25 Any other questions and discussions? I



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1 believe I already asked for comments from the public.

2 Is there a motion to accept the name
3 change?

4 All in favor, please indicate with an
5 "aye."

6 (Several members respond "aye.")

7 MR. WINDHAM:

8 All opposed.

9 (No response.)

10 MR. WINDHAM:

11 Motion carries.

12 MR. BURTON:

13 The final item for Quality Jobs is going
14 to be, at the last Board meeting, we had requested for
15 the reason or the change in ownership only of the
16 following contracts presented at the June 24th board
17 meeting. We had 2010085, NuStar Logistic, LP and NuStar
18 GP, LLC, they're going from that name to NuStar
19 Logistics, LP and NuStar Services Company, LC in St.
20 James. We also have 20131067, LEEVAC Shipbuilders, LLC
21 going to Gulf Island Shipyards, LLC in Jefferson Davis.

22 I think the Board wanted to know the
23 reason for these changes, and that is going to be on
24 there. For 2010085, the company stated the change
25 request is because of the reorganization to move



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1 employees into a separate service company. On March
2 1st, 2016, NuStar Services Company, LLC acquired all of
3 the employees from NuStar GP, LLC as a result of an
4 internal reorganization. Both entities are commonly
5 controlled by the same organization.

6 And 20131067, the company stated the
7 change in ownership is due to the fact that Gulf Island
8 Shipyards, LC purchased LEEVAC Shipbuilders, LLC.

9 MR. WINDHAM:

10 All right. Well, I believe that answers
11 the question. Mr. Adley, does that answer the question?

12 MR. ADLEY:

13 I'm sorry. Go ahead. Yes.

14 MR. WINDHAM:

15 Thank you.

16 All right. So with that, we will move
17 on to -- first of all, thank you, Mr. Burton.

18 Now, we'll move on to Restoration Tax
19 Abatement Program by Becky Lambert.

20 MS. LAMBERT:

21 Good morning. Restoration Tax Abatement
22 Program has six new applications. First one is
23 Application Number 2015968, 3-9-11 Charters Development,
24 LLC in Orleans Parish; 20161411, 3322 Hessmer, LLC in
25 Jefferson; 20130920, NOCCA Real Estate, LLC in Orleans;



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1 20131245, Shreveport CV Housing, LLC in Caddo Parish;
2 20161452 Susan Danielson in St. Tammany; and 20131334,
3 Twin Oak Investments, LLC in Caddo Parish, for a total
4 of six new applications, \$19-million investments.

5 MR. WINDHAM:

6 Thank you, Ms. Lambert.

7 Are there any comments from the public
8 related to the Restoration Tax Abatement Program?

9 (No response.)

10 MR. WINDHAM:

11 Any questions or comments from the Board
12 members?

13 (No response.)

14 MR. WINDHAM:

15 Is there a motion to accept these
16 Restoration Tax Abatement applications?

17 MR. WILLIAMS:

18 Motion.

19 MR. WINDHAM:

20 So moved by Mr. Williams, seconded by
21 Dr. Wilson.

22 MR. WINDHAM:

23 All in favor, please indicate with an
24 "aye."

25 (Several members respond "aye.")



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MR. WINDHAM:

All opposed with "nay."

(No response.)

MR. WINDHAM:

Motion carries.

MS. LAMBERT:

We have one renewal, Application Number
20071301, Donovan Archote in Jefferson Parish.

MR. WINDHAM:

All right. Are there any comments from
the public regarding the renewal of Restoration Tax
Abatement Program application?

(No response.)

MR. WINDHAM:

Any comments from the Board members?

(No response.)

MR. WINDHAM:

Is there a motion --

MR. ADLEY:

Before you do that, I just noticed on
all of the others, we had a pretty good explanation of
what the project was. When I look at the renewal, where
do I find the description of that project?

MS. LAMBERT:

I believe on the first page. I don't



1 have the application in front of me. I can get it if I
2 need to if anyone has it or but this is for a personal
3 residence.

4 MR. ADLEY:

5 Okay. That's all I need to know. It
6 just doesn't say what it is.

7 MS. LAMBERT:

8 Right.

9 MR. WINDHAM:

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

12 (Several members respond "aye.")

13 MR. WINDHAM:

14 All opposed with a "nay."

15 (No response.)

16 MR. WINDHAM:

17 Motion for the renewal of the
18 Restoration Tax Abatement application is approved.

19 Thank you, Ms. Lambert.

20 All right. Next we have the Enterprise
21 Zone Program by Ms. Metoyer.

22 MS. METOYER:

23 We have 18 new applications this morning
24 for EZ: 20141398, Bart's Office Furniture,
25 Incorporated, Jefferson Parish; 20131283, FSC



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1 Interactive, LLC, Orleans Parish; 20131358, Hotel
2 Ambassador NOLA, LLC, Orleans Parish; 20141345, Joseph
3 A. Yale, DDS, LLC, Livingston Parish; 20121128,
4 Lafayette General Medical Center, Incorporated,
5 Lafayette Parish; 20151044, Lagenstein's of River Ridge,
6 LLC, Jefferson Parish; 20150143, Leading Healthcare of
7 Louisiana, Lafayette Parish; 20140873, Oil Center
8 Surgical Plaza, LLC, Lafayette Parish; 20150273, Parc
9 Lafayette, LLC, Lafayette Parish; 20140155, Placid
10 Refining Company, LLC, West Baton Rouge Parish;
11 20131059, RCS, LLC, Lafayette Parish; 20131409, Sai
12 Deva, LLC, Jefferson Parish; 20130799, Turner
13 Specialties Services, LLC, Jefferson Parish; 20131359,
14 USA Travel Plaza, LLC, Ouachita Parish; 20131140,
15 Westlake Polymers, LP, Calcasieu Parish; 20130905,
16 Willis Knighton Medical Center, Incorporated, Bossier
17 Parish; 20130904, Willis Knighton Medical Center,
18 Incorporated, Caddo Parish; and 20130902, Willis
19 Knighton Medical Center, Caddo Parish.

20 And that concludes the EZ applications.

21 MR. WINDHAM:

22 Thank you, Ms. Metoyer.

23 I believe Mr. Adley has some questions
24 regarding these applications.

25 MR. ADLEY:



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1 As I went through them, your first
2 application is for a dental office, and I just -- am I
3 to interpret that that just anything inside the
4 Enterprise Zone qualifies regardless of what it is?
5 Some guy's a dentist and he builds a new building, now
6 he qualifies for the Enterprise Zone?

7 MS. METOYER:

8 As long as they meet all of the
9 requirements of the program and their NAICS Code has not
10 been excluded, yes.

11 MR. ADLEY:

12 So in this application, it shows new
13 jobs, three. I assume it was some existing job if this
14 is a new building. Do you know how many were there
15 before?

16 MS. METOYER:

17 I would have to look at their
18 application to be sure, but as long as they met the
19 minimum of either a 10 percent increase within the first
20 12 months of their contract or a minimum of five in the
21 first 24 months, they would meet it.

22 MR. ADLEY:

23 Let me ask you this, as Parc, P-A-R-C,
24 Lafayette, LLC, the description of the business is mixed
25 used office, retail and restaurant.



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1 MS. METOYER:

2 Yes.

3 MR. ADLEY:

4 I didn't think restaurants were
5 eligible.

6 MS. METOYER:

7 Parc Lafayette is not listed as --
8 that's a -- I think that's an entire office group and
9 not just a retail space. I think they're renting out
10 space, but I would need to review their application.

11 MR. ADLEY:

12 Okay. I'm looking in that section of
13 the agenda and it's got an Enterprise Zone Program
14 application. Maybe I'm misreading it, but they give the
15 name of the company and then they ask a description of
16 the business and it's mixed used office, retail and
17 restaurant, and so I'm trying to find out, I thought --
18 I mean, I certainly could be wrong about that. I
19 thought the legislature had put some --

20 MS. METOYER:

21 I show their NAICS Code is 531120. That
22 code has not been excluded.

23 MR. ADLEY:

24 I'm sorry.

25 MS. METOYER:



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1 Their NAICS Code is 531120. That code
2 has not been excluded.

3 MR. ADLEY:

4 Share with me, please.

5 MS. CLAPINSKI:

6 Sure.

7 I believe that when the Enterprise Zone
8 did the exclusions by statute, they're done may NAICS
9 Code, so if you are not in that NAICS Code, then you are
10 eligible for the program. I believe 41, 44 --

11 MS. METOYER:

12 44, 45, 722, 721. All of those are
13 being excluded, but not 53.

14 MS. CLAPINSKI:

15 So the statute itself lists NAICS --

16 MR. ADLEY:

17 So restaurants are not excluded?

18 MS. CLAPINSKI:

19 Well, no, sir. Restaurants are excluded
20 from the program, so one of two things happened, I would
21 guess, here, either the NAICS Code is incorrect, and we
22 can check on that if that's the case, but there was a --
23 you know, there was a grandfathered language when that
24 was changed, so if you had an advanced notification in
25 to LED prior to the effective date of that legislation,



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1 you are still eligible for, you know, that one contract,
2 even if you are a restaurant or a hotel or --

3 MR. ADLEY:

4 Do we know that this is one of those
5 grandfathered? If we don't allow restaurants, I don't
6 want to vote for it. If we do allow restaurant in some
7 fashion, then it's certainly okay with me.

8 MR. WINDHAM:

9 Is there anyone here representing the
10 company?

11 (No response.)

12 MS. CLAPINSKI:

13 We can go back and look at that for you
14 if you want.

15 MR. WINDHAM:

16 We can defer that to the next meeting.

17 MS. CLAPINSKI:

18 Sure. We can defer that to the next
19 meeting and come back to you with all of the
20 information.

21 MR. WINDHAM:

22 So, with that, we will defer Number
23 20150273-EZ, Parc Lafayette from any further discussion
24 or motions until the next meeting and we can have a
25 representative here or Ms. Metoyer can gather some



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1 additional information.

2 Are there any questions or -- I'm sorry.

3 Are there any comments from the public?

4 MR. ADLEY:

5 Let me get my last -- the other
6 applications that really caught my attention was USA
7 Travel Plaza, and it lists a payroll of 300,000 with 30
8 employees. Am I to interpret that that all of those are
9 either minimum wage or no more than \$14-an-hour jobs?

10 MS. METOYER:

11 There's not an income stipulation for
12 Enterprise Zone.

13 MR. ADLEY:

14 I'm sorry?

15 MS. METOYER:

16 There's not any income or hourly wage
17 stipulation for EZ.

18 MR. ADLEY:

19 Okay. But I'd like to know this
20 particular company --

21 MS. METOYER:

22 What their wage is?

23 MR. ADLEY:

24 Yeah.

25 MS. METOYER:



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1 That's not information I would have.

2 MR. ADLEY:

3 Is there anybody here that can just tell
4 me -- they've an even number of 30 employees and an even
5 number of 300,000. I'm looking at --

6 MR. WINDHAM:

7 I'm sorry, Robert. We have, on the
8 agenda, there's 40 and \$420,000 salaries.

9 MR. ADLEY:

10 I'm looking at 2016, and maybe I'm
11 looking at the wrong thing. Am I? Annual new permanent
12 jobs, 30; gross payroll, 300,000.

13 MR. WINDHAM:

14 That has been --

15 MR. ADLEY:

16 I don't have that. Mine says 30.

17 MR. WINDHAM:

18 Well, one thing that, I believe, to keep
19 in mind about this program is their benefits are only
20 based upon the amount of people that they hire.

21 MR. ADLEY:

22 I get that. I'm just --

23 MR. WINDHAM:

24 Is there someone here that --

25 MR. ADLEY:



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1 Is it 30 employees and 300,000 or is it
2 something else?

3 MS. METOYER:

4 That's their projected hiring.

5 MR. ADLEY:

6 I'm sorry?

7 MS. METOYER:

8 That's their projected hiring. You're
9 looking at Section 7, "Anticipated Permanent Full-Time
10 Jobs"?

11 MR. ADLEY:

12 Yes.

13 MS. METOYER:

14 That's the anticipated over the life of
15 the contract, the five years.

16 MR. ADLEY:

17 I got you. So they're anticipating
18 hiring 30 --

19 MS. METOYER:

20 Yes.

21 MR. ADLEY:

22 -- at 300,000?

23 MS. METOYER:

24 Yes.

25 MR. ADLEY:



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1 Okay. That's 10,000 each. It don't
2 look too good. There's something missing here, ma'am.
3 I'm just telling you.

4 MS. METOYER:

5 I understand what you're saying, but we
6 don't capture the income of prospective employees.
7 That's not something our application captures.

8 MR. ADLEY:

9 Just for me, my thought processes are,
10 when you say Quality Jobs --

11 MR. WINDHAM:

12 This is not the Quality Jobs Program.

13 MS. METOYER:

14 This is EZ. This is EZ.

15 MR. ADLEY:

16 This is Enterprise Zone. I apologize.
17 When you enter the Enterprise Zone, you're trying to
18 hire people of need, more often than not. That's what
19 it is.

20 MS. METOYER:

21 Yes.

22 MR. ADLEY:

23 And this looks like, when I just look at
24 what they submitted -- now, I will admit to you, the
25 couple meetings I've been to, it appears sometimes



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1 people are very loose with what they just put down
2 there. When I saw that, I mean, that don't look too
3 good.

4 MS. METOYER:

5 I understand.

6 MR. WINDHAM:

7 Is there anyone --

8 MS. METOYER:

9 I can definitely go back and review this
10 application and we can postpone this one as well.

11 MR. WINDHAM:

12 Is there anyone here representing the
13 company, USA Travel Plaza, LLC?

14 (No response.)

15 MR. WINDHAM:

16 All right. I believe in order to move
17 along, we'll defer this one, gather some more
18 information, find out if they're full time or part time
19 jobs and --

20 MS. METOYER:

21 They would have to be full time.

22 MS. CLAPINSKI:

23 They're full time.

24 MR. WINDHAM:

25 I'm sorry. They're full time.



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MS. METOYER:

They're full time.

MR. WINDHAM:

We're going to defer from the vote for further discussion USA Travel Plaza Number 20131359-EZ in Ouachita Parish.

Are there any other questions related to any of the Enterprise Zone applications before us?

MR. ADLEY:

No.

MR. WINDHAM:

Is there a motion for action?

So moved by Dr. Wilson for motion for approval, and Ms. Adley, Ms. Malone seconded.

All right. Any questions or any comments from the public?

(No response.)

MR. WINDHAM:

All right. All in favor, please indicate with an "aye."

(Several members respond "aye.")

MR. WINDHAM:

All opposed, please indicate with a "nay."

(No response.)



1 MR. WINDHAM:

2 All right. Motion passes for the
3 Enterprise Zone applications.

4 Next we have 12 contract terminations,
5 and we also have a question or comment from the public
6 regarding this, these terminations. So Mr. Boyd...

7 MS. CLAPINSKI:

8 No.

9 MS. METOYER:

10 That's regarding a previously-canceled
11 contract.

12 MR. WINDHAM:

13 That's regarding a specific one?

14 MS. CLAPINSKI:

15 That's Item Number 8 under Business.

16 MR. WINDHAM:

17 I'm sorry. That will be later on the
18 agenda.

19 Ms. Metoyer, please proceed.

20 MS. METOYER:

21 Okay. The contract terminations are
22 20091068, 717 Conti, LLC, Orleans Parish. The requested
23 term date is 12/31/14. The hiring requirements have
24 been meet and no additional jobs are anticipated;
25 20091067, 730 Rue Bienville, LLC, Orleans Parish.



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1 Requested term date 12/21/14. Hiring requirements have
2 been met, no additional jobs are anticipated; 20100780,
3 Berry Contracting, LLC, Plaquemines Parish. Requested
4 term date is September 12, 2014. Hiring requirements
5 have been met, no additional jobs are anticipated;
6 20100781, Berry Contracting, LP, St. Mary Parish.
7 Requested term date 12/31/2014. Hiring requirements
8 have been met, no additional jobs anticipated; 20100783,
9 Berry Contracting, LP, St. Mary Parish. Requested term
10 date 12/21/2014. Hiring requirements have been met, no
11 additional jobs anticipated; 20080700, Dupre Logistics,
12 LLC, Caddo Parish. Requested term date 12/31/2013.
13 Hiring requirements have been met, no additional jobs
14 are anticipated; 20100773, Dupre Logistics, LLC,
15 Lafayette Parish. Requested term date April 12, 2014.
16 Hiring requirements have been met, no additional jobs
17 anticipated; 20120049, Mike Anderson's-Central, LLC,
18 East Baton Rouge Parish. Requested term date
19 12/31/2015. Hiring requirements have been met, no
20 additional jobs anticipated; 50773, MW III Hospitality,
21 LLC, East Baton Rouge Parish. Requested term date
22 September 30th, 2014. The hiring requirements have been
23 met, no additional jobs anticipated; 20100503,
24 Mr. Mudbug, Incorporated, Jefferson Parish. Requested
25 term date December 31, 2014. Hiring requirements have

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1 been met, no additional jobs anticipated; 20110236,
2 Spire Hospitality, LLC, Orleans Parish. Requested term
3 date 12/31/2014. Hiring requirements have been met, no
4 additional jobs anticipated; 20111031, St. Ann Lodging,
5 LLC, Orleans Parish. Requested term date 12/31/2014.
6 The hiring requirements have been met, no additional
7 jobs are anticipated.

8 MR. WINDHAM:

9 Thank you, Ms. Metoyer.

10 Are there any comments from the public
11 regarding the terminations of these contracts?

12 (No response.)

13 MR. CARMODY:

14 Mr. Chairman, very quickly, for the
15 benefit of the Commerce & Industry Board, when these
16 contracts are terminated, will there be ability to print
17 what financial incentives that company had gotten over
18 the term of that contract being terminated?

19 MS. METOYER:

20 I'm sorry?

21 MR. CARMODY:

22 The benefits that have been received by
23 those that have taken advantage of Enterprise Zone, when
24 they come to us and request cancelation, I guess now
25 they've filled the jobs, that we would have some sort of



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1 a statement in front of us --

2 MS. METOYER:

3 There's a difference in cancelation and
4 termination.

5 MR. CARMODY:

6 I'm sorry?

7 MS. METOYER:

8 Termination has no penalty or no
9 clawback, but cancelation does.

10 MR. CARMODY:

11 All right. But is there a way for us to
12 see the financial benefit, the incentives that have been
13 given to that company when they come requesting this?

14 MS. CLAPINSKI:

15 What we can give you is the amount of
16 jobs tax credits the company has received. However,
17 they also could receive the sales and use tax rebate or
18 the refundable investment tax credit. That is filed
19 directly with the Department of Revenue, so LED does not
20 have that information, but we can absolutely provide you
21 the jobs tax credit numbers.

22 MR. CARMODY:

23 Well, I think it would be interesting
24 for us as we see what benefits are being provided by the
25 company when they say, "We've now finished our



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1 contract," so that we would know.

2 Thank you, Mr. Chairman.

3 MR. WINDHAM:

4 Do you want to get that on these, on
5 these specific ones?

6 MR. CARMODY:

7 Going forward, yes, if you don't mind.
8 I'm not trying to put any homework on you for today's
9 the test, no.

10 MR. WINDHAM:

11 So Ms. Metoyer, going forward, we'll
12 start indicating the amount of job tax credits that have
13 been certified I think is appropriate.

14 MR. CARMODY:

15 Thank you, Mr. Chairman.

16 MR. WINDHAM:

17 Certainly.

18 Dr. Wilson makes the motion to approve
19 to cancel the terminations. Is there a second?

20 MR. MILLER:

21 Second.

22 MR. WINDHAM:

23 Mr. Miller seconds the motion.

24 Any further discussion?

25 (No response.)



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1 MR. WINDHAM:
2 All in favor, please indicate with an
3 "aye."

4 (Several members respond "aye.")

5 MR. WINDHAM:
6 All opposed with a "nay."
7 (No response.)

8 MR. WINDHAM:
9 Motion passes.
10 Next we have one application
11 cancelation.

12 MS. METOYER:
13 Yes. 20141128, Keithville Well Drilling
14 & Service, LLC, Caddo Parish. The client has requested
15 cancelation of this application due to the company has
16 filed bankruptcy.

17 MR. WINDHAM:
18 Are there any comments from the public?
19 (No response.)

20 MR. WINDHAM:
21 Any questions from the Board?
22 (No response.)

23 MR. WINDHAM:
24 Is there a motion to accept this
25 cancelation?



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MR. BARHAM:
So moved.
MR. WINDHAM:
Moved by Robert Barham, seconded by Mr.
Wilson. Thank you. Dr. Wilson.
Any further discussion?
(No response.)
MR. WINDHAM:
All in favor, please indicate with an
"aye."
(Several members respond "aye.")
MR. WINDHAM:
All opposed with a "nay."
(No response.)
MR. WINDHAM:
Motion passes.
MS. METOYER:
That concludes EZ.
MR. WINDHAM:
Thank you, Ms. Metoyer.
Next we have Industrial Tax Exemption by
Cheng.
MS. CHENG:
Good morning.
MR. WINDHAM:



1 Good morning.

2 MS. CHENG:

3 I have nine new Industrial Tax Exemption
4 applications for y'all today.

5 MR. ADLEY:

6 Can you speak up a little bit for me?
7 I've got hearing aids, but I'm still having trouble.

8 MS. CHENG:

9 I have nine new applications. 20160706,
10 Cleco Power, LLC in St. Mary Parish -- and they do
11 have -- they have advanced notifications filed, and they
12 were filed prior to June 24th, 2016. 20141453, Sasol
13 Chemicals USA, LLC in Calcasieu Parish.

14 And then the following did not have
15 advanced notifications filed, but the applications were
16 filed prior to June 24th, but they are MCAs.

17 MR. WINDHAM:

18 All right.

19 MR. ADLEY:

20 So everything that we're looking at
21 today was filed prior to or on the 24th of June?

22 MS. CHENG:

23 Correct.

24 MR. ADLEY:

25 Is that correct? Okay.



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1 MS. CHENG:
2 20161366, Motiva Enterprises, LLC in St.
3 James Parish; 20161367, Motiva Enterprises, LLC in St.
4 James Parish; 20161371, Motiva Enterprises, LLC in St.
5 James Parish; 20161098, Noranda Alumina, LLC in St.
6 James Parish; 20161104, Noranda Alumina, LLC in St.
7 James Parish; 20161102, Noranda Alumina, LLC in St.
8 James; and 20161269, Textron Marine & Land Systems in
9 St. Tammany Parish.

10 MR. WINDHAM:
11 All right. Thank you, Ms. Cheng.
12 Are there any comments from the public
13 regarding the new applications filed?

14 We have one. Please come forward, state
15 your name and who you represent.

16 MS. HANLEY:
17 My name is Dianne Hanley and I represent
18 myself as well as Together Louisiana. I had to come
19 here today because I have five houses in my family that
20 were completely devastated by this flood, and when I
21 heard that on June 24th that this executive order was
22 signed and I read it personally and saw it, I believed
23 in it that day. But after the flood, I believe in it
24 all the more because my family is personally affected;
25 my parish is personally affected; my school district is



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1 personally affected, and the first responders are
2 personally affected themselves with their own houses and
3 with their vehicles and with their stations. So I had
4 to come forward and just speak to what I read in this
5 document.

6 When you're talking about no advanced
7 notification filed, even though they're filed before
8 June 24th, I read in this document, that's the executive
9 order, for all had pending contractual -- pending
10 contractual applications for which no advanced
11 notification is required under the rules of the Board of
12 Commerce & Industry, except for such contracts that
13 provide for new jobs, and I see the listing of how many
14 new, permanent jobs is zero on all but one. I'm talking
15 about the MCAs, the no advanced notification. I see
16 there's no new. So except for such contracts that
17 provide for new jobs at the completed manufacturing
18 plants or establishment, this order is effective
19 immediately. For all contracts for which advanced
20 notification is required under the rules of the Board of
21 Commerce & Industry, this order is effective for
22 advanced notifications filed after the date of the
23 issuance of this order.

24 Now, I'm just a little mom, you know,
25 but it's pretty clear to me what it's saying, and so my



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1 understanding is that no advanced notification filed --
2 it's no -- this applies effective immediately. So I'm
3 here as a citizen to say my understanding is that it's
4 supposed to be effective immediately, and I'm just here
5 to watch you have that happen, to watch that happen
6 today.

7 I believe in the Board that is sitting
8 before me. It's not the Board that's been here for all
9 of these years. It's a new board. This is a new day
10 and we're under a disaster and my family's personally
11 affected, and so I need the local tax dollars that we
12 can get to restore my parish and my school board and my
13 families' homes. So I ask you today to please implement
14 this. I am implore you. I don't ask. I implore you,
15 and I have an expectation because I believe in the
16 democracy that I'm living. I'm here as a citizen to see
17 that it's done and I believe in you as a part of that
18 democracy following through on the order that was
19 signed.

20 Thank you so much for listening.

21 MR. WINDHAM:

22 Thank you, Ms. Hanley.

23 Are there any questions by the Board
24 members of Ms. Hanley?

25 (No response.)



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1 MR. WINDHAM:

2 Thank you, Ms. Hanley.

3 Any further public comments regarding
4 the new applications and consideration?

5 Please come forward and state your name.

6 MR. BAGERT:

7 Good morning. Broderick Bagert with
8 Together Baton Rouge and Together Louisiana, and I want
9 to thank the Board and staff for the work that they've
10 done on this, the evidence of more diligence in terms of
11 beginning to assess some of the things that we all care
12 about now which is jobs and performance.

13 I would reinforce Ms. Hanley's point
14 that this seems clearly to fall in the category for
15 which the new guidelines under the executive order is
16 intended to apply. It's an MCA that did not require
17 advanced notification, and there are no new permanent
18 jobs with the exception of Textron Marine & Land
19 Systems, and I wanted to talk specifically to that one.

20 The criteria of jobs ought to be whether
21 jobs are created, not merely the claim, and we'll be
22 going into this in a bit more detail around the new
23 renewals. I gave each of you a packet that looks like
24 this that looks specifically at the renewals and the
25 extent to which they met the job creation that they



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1 claim in their applications. Now, we understand there
2 has not been a jobs requirement in the past, but the
3 jobs requirement is significant right now because it's
4 the only criteria by which an MCA can receive
5 consideration right now under the new executive order.

6 In one of the previous subsidy contracts
7 for Textron, this is 20111078, ITE. That's, if you've
8 got our document here, it's the last entry on the first
9 table of ITEP renewals. There was a time of the
10 application in 2011, a 370 full time employees. They
11 claimed that they would create five jobs, which is a
12 modest number. During the term of the subsidy, the five
13 years, they reduced their payroll dramatically by 126
14 people. So we basically subsidized a company to lay off
15 126 people, because currently, their number of full time
16 employees is 244. There were 131 jobs short of their
17 modest requirement or claim that they would retain five
18 jobs. That gives us some concern that these 94 jobs are
19 going to be a real thing, too. It's a different
20 application. It could be different considerations, but
21 it does give a pause that, yes, we think this one -- the
22 other ones we think ought to just not even be under
23 consideration. A company that has a track record of not
24 only not meeting the job creation under contracts that
25 this Board in the past has given, but dramatically



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1 falling short of, in fact, laying people off, we think
2 ought to really take a pause and take a close look at
3 what they're doing and make sure that they are going to
4 deliver the jobs because we will not have clawback
5 procedures, we will not have Exhibit A. We will not
6 have all protections that the executive order is
7 intended to apply. Why not wait and not have this one
8 apply based on the track record of previous failure
9 around job creations?

10 Thank you.

11 MR. WINDHAM:

12 Thank you, Mr. Bagert.

13 Are there any questions for Mr. Bagert
14 from the Board members?

15 (No response.)

16 MR. WINDHAM:

17 No questions. Are there any other
18 comments from the public regarding these applications
19 for renewal? And, again, these are new -- there are two
20 advances files. They were filed prior to June 24th.
21 The miscellaneous capital additions were filed timely as
22 of March 31st.

23 MS. CHENG:

24 Right.

25 MR. WINDHAM:



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1 They're due -- for the public as well as
2 for the Board members, miscellaneous capital additions
3 are for capitalizable expenditures for the preceding
4 year, January to December 31, and they have to be filed
5 timely, which means they have to be filed by March 31st.
6 So the companies were in compliance with that.

7 Mr. House.

8 MR. HOUSE:

9 Mr. Windham, if the companies, if these
10 applications for miscellaneous capital additions do not
11 include new jobs at the facility, then under the
12 executive order, the Governor has said he will not
13 approve them. So to the extent that you have
14 miscellaneous capital additions before you, it's
15 certainly your right to vote up or down on them, but
16 under the executive order, if miscellaneous capital
17 additions do not include new jobs at the facility, then
18 the Governor has said he will not sign the contract.

19 MR. ADLEY:

20 Even if they came in before the June
21 24th?

22 MR. HOUSE:

23 Even if they came in. With respect to
24 advanced notifications, that's not the case. With
25 respect to miscellaneous capital additions as of the



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1 date of the executive order, if they don't have jobs, he
2 will not sign them. He will consider those that do have
3 jobs, new jobs at the facility.

4 MR. WINDHAM:

5 All right. Thank you, Mr. House.

6 Any questions by the Board members?

7 I'm sorry.

8 MR. MILLER:

9 I noted that some of these were, back in
10 April and so forth, were filed for the MCAs. Was there
11 any contact made back to the company to ask if they
12 wanted to update their records being that the history
13 has been kind of send in your applications and there's
14 been no need for most of this information? Has there
15 been a request for this information?

16 MS. CHENG:

17 Yes, we did ask them for additional
18 information. I believe the companies are here to answer
19 any question if y'all have questions for them.

20 MR. WINDHAM:

21 All right. Do we have any other
22 questions of staff by the Board members?

23 DR. WILSON:

24 I've got a question.

25 MR. WINDHAM:



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1 Yes, sir.

2 DR. WILSON:

3 Mr. Chair, apparently these items are on
4 the agenda for today. Do they meet the spirit or the
5 attempt of the executive order in the staff's opinion,
6 legal opinion of staff?

7 MR. HOUSE:

8 I'm sorry, sir. I couldn't hear you.

9 MR. WILSON:

10 The question I have is, since these
11 items are on the agenda today for us to consider, do
12 they meet the spirit of the executive order at this
13 point?

14 MR. HOUSE:

15 Well, I think what I just pointed out is
16 that if there is a advanced notification --

17 DR. WILSON:

18 In this case, there were no advanced
19 notification.

20 MR. HOUSE:

21 Excuse me. If you're considering
22 something with an advanced notification, the answer is,
23 yes. If you're considering something with a
24 miscellaneous capital addition that includes new, direct
25 jobs at the facility, the answer is yes. If you're



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1 considering a miscellaneous capital addition that does
2 not have a new job at the facility, then the answer is
3 no. It doesn't meet the letter of it or the spirit of
4 it. So, I mean, I've -- that's the way it is.

5 DR. WILSON:

6 Thank you.

7 MR. WINDHAM:

8 Dr. Wilson --

9 MR. ADLEY:

10 Let me, if I can, Representative John
11 Bel, I've been sending texts back and forth to the
12 Governor's office as we sit here trying to make sure
13 that I'm clear about what direction I'm supposed to take
14 here today. Now, I think you're right. The two of
15 them, if you look at page that lists all of them, those
16 two that have advanced notification, those certainly,
17 you know, depending on all of the data, all of the
18 information with it, that that's within the spirit.
19 When you look at those items below that, all of those
20 that require no advanced notice, it is the Governor's
21 position he will not sign nor approve any of those that
22 have not created jobs, and hopefully we would take the
23 same action, but that's clearly up to you to do that.

24 There is one, that MCA, that does create
25 some jobs. Pending everything being correct with that,



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1 I'm certain that he will take that into consideration.

2 For me, I'm going to vote no on every
3 MCA that does not create jobs because that is clearly
4 his wishes, and if --

5 (Applause.)

6 MR. WINDHAM:

7 Is there --

8 MR. ADLEY:

9 Y'all really shouldn't be doing that.

10 MR. WINDHAM:

11 Is there a representative from the
12 company from Motiva (sic) Alumina or Motiva Enterprises?

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

15 MS. ANTONO:

16 Good morning. My name is Mandy Antono.
17 I represent Motiva Enterprises, LLC.

18 The three applications that you see on
19 this list that are MCAs are filed in March. They're for
20 a refinery. These are miscellaneous capital additions
21 that are true additions of our assets. And you don't
22 see an actual jobs permanent listed here, but if you
23 look at our pseudo report, and, unfortunately, I don't
24 remember what the abbreviations are of that, but it's
25 essentially reporting our payroll and our number of head



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1 count for the whole Motiva Enterprises, LLC. We tracked
2 back. This particular refinery actually added 27 jobs,
3 permanent jobs at this site. We do not have an advanced
4 notification, but we do have miscellaneous capital
5 additions. These jobs are not tied directly, but by
6 doing these projects, we maintain operations of the
7 refinery, and maintaining operations of refinery means
8 we can hire more people, maintain the refinery, do more
9 maintenance, do more things that we need to keep the
10 operations running.

11 So when I do fill out these
12 applications, we do not put in the permanent jobs that
13 are tied into these particular projects, but we do have
14 permanent jobs on site that we hire as a result of being
15 able to do these projects, and we are very much grateful
16 for all of the tax incentives that we do receive, so it
17 is not unnoticed.

18 MR. WINDHAM:

19 Thank you, Ms. Mandy Antono.

20 MR. WINDHAM:

21 Let me ask a question of you,
22 Mr. Chairman, before we move forward.

23 I'm looking a Motiva and I have
24 questions about it, but before I address that, I'm
25 asking you, do you want to take these things up in order



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1 or do you want -- you jumped straight to the MCAs, so
2 I'll move in whatever direction you want to move.

3 MR. WINDHAM:

4 Well, I want to make sure the public had
5 the opportunity to ask their questions, make their
6 statement --

7 MR. ADLEY:

8 Are you representing Motiva?

9 MR. WINDHAM:

10 Motiva Enterprises.

11 MS. ANTONO:

12 Yes.

13 MR. WINDHAM:

14 So we, the pleasure of the is to make a
15 motion and take action on the ones where the advanced
16 notifications wer filed. I'll entertain a motion for
17 that.

18 MR. CARMODY:

19 So moved.

20 MR. ADLEY:

21 Can we ask a couple questions before you
22 do that?

23 MR. WINDHAM:

24 Sure.

25 MR. ADLEY:



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1 There were two of them. There was
2 Cleco, and I guess the staff is the best one to answer
3 this for me.

4 MR. WINDHAM:
5 Cleco and Sasol.

6 MR. ADLEY:
7 Cleco and Sasol.

8 What I noted with the Cleco application,
9 they're not the manufacturer. They're creating some
10 heat recovery process that's used in the manufacturing.
11 I got that. What really got my attention was is that
12 the estimated 10-year ad valorem exemption was
13 \$12-million. The number of new jobs was 12. That's the
14 cost of a million per job, and I assume that's an ad
15 valorem tax. I assume that's a fair way to look at it.
16 And if I try to figure out what it's going to cost me to
17 get back, whether I'm local government or whether I'm
18 state government, state government through a six percent
19 income tax or local government through a sales tax,
20 you're going to have to collect \$16.6-million per job to
21 recover what's given here.

22 Now, that's not to say it's a bad
23 application, but I'm just saying that those are the
24 things that this Board, at some point, is going to have
25 a legitimate responsibility on that. You're never going



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1 to recover. It's never going to happen. It just won't.
2 That's what I noted when I looked at Cleco.

3 And when I looked at Sasol, Sasol
4 clearly fits inside the executive order, but creates
5 zero jobs. What surprised me about it -- I know that's
6 fairly new over there, and is this a continuation of
7 what they started with when they had the full 478 jobs
8 when they started? Their application here shows zero.

9 MR. WINDHAM:

10 Are the representatives here from Cleco?
11 Is there a Cleco representative here?

12 Please come forward.

13 Is there a representative from Sasol?

14 MR. ADLEY:

15 And ask our staff, Mr. Chairman, too,
16 someone -- I'd like to know how y'all calculate when
17 you're looking at, is it your ORI you call it or
18 whatever that is? You've got an acronym for it, how you
19 determine whether or not you're going to get any money
20 back on these things. How do y'all calculate that?

21 MR. WINDHAM:

22 I believe you're referring to the ROI,
23 Return on Investment.

24 MR. ADLEY:

25 Yes.



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1 MS. CHENG:

2 That's not anything we've ever analyzed.

3 MR. WINDHAM:

4 They don't do the ROIs on the tax based
5 on the incentives.

6 MR. ADLEY:

7 Okay. And I ask that, Mr. Chairman, as
8 you know, the rules committee's been meeting to try to
9 change these rules about how we do this, and that is an
10 issue. When you sit down and legitimately say, you
11 know, if you're giving this break, what are you getting
12 back for it?

13 MR. WINDHAM:

14 Certainly.

15 MR. ADLEY:

16 Anyway, am I reading that right? It's
17 12-million ad valorem abatement over a 10-year period
18 for the creation of 12 jobs, am I reading that right?

19 MR. WINDHAM:

20 Please state your name and who you
21 represent.

22 MR. STUBBS:

23 My name is Stacy Stubbs, and I represent
24 Cleco Power.

25 MR. BENNETT:



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1 And I'm Mike Bennett, and I also
2 represent Cleco.

3 MR. ADLEY:

4 And the last time I looked, Cleco had
5 about 164 ITEP in play, and I assume that's because
6 you're a utility and you provide utilities and various
7 services to all of these multiple plants, but the last
8 time I looked, it was about 164 of them. Does that
9 sound right to you?

10 MR. BENNETT:

11 I would have to go back and look at our
12 records to confirm that.

13 MR. ADLEY:

14 But it's 12-million in property tax
15 abatement for 12 jobs; that is correct, I mean, that is
16 what you put on your application?

17 MR. BENNETT:

18 We are going to hire 12 new employees to
19 operate this facility, that is correct. We're going to
20 have around 200 construction jobs during the
21 construction phase of it.

22 MR. ADLEY:

23 Just so you know, representing the
24 Governor, I'm going to vote for it. I'm not so for sure
25 that we would be voting for these things in the future.



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1 Now, I'm going to vote for it with everybody
2 understanding that this 10-year provision does not come
3 into play. There is no such thing as a 10-year tax
4 exemption in the State of Louisiana. It's nonexistent,
5 and every time we look at one of these forms, you give
6 it to us in form of 10 years and I would ask that you
7 start giving it to us in five because they're going to
8 be coming up for a renewal.

9 And while I'm mentioning the renewal,
10 there's been some discussion we had at our rules
11 committees and some discussion before, I'm sitting here
12 looking at a message from the Governor is going to at
13 least send a letter to all of you pointing out that he
14 is not going to support 100 percent renewals anymore.
15 So my position will be to try to cap them. They had
16 asked me today, because of the process that we're in
17 with these renewals, that we need to set a definitive
18 date when we will do that, and that date has not yet
19 been set. So I will not be objecting to those renewals
20 now, but we're setting a date in the very near future
21 that that, at least for me, will become effective.

22 And let me just share this with you.
23 It's very important for everybody and the public to
24 understand that 51 percent of the state general fund
25 this legislators deal with goes to local government, and



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1 it goes to local government because we under ITEP had
2 taken away their property tax. At the end of the day
3 that's a large reason why that has occurred. So the
4 state has an explicit interest in the ITEP, and we
5 cannot identify a legitimate revenue stream to the local
6 government without a cap. And we can look at all of the
7 renewals representative and we can forecast a stream of
8 dollars that we know that is going back to local
9 government.

10 So with that said, I'm not going to
11 object to your application, but I have to tell you,
12 \$12-million for 12 jobs, that's not pretty. To me.
13 Sixteen-million dollars to get back to the money that
14 they've given up. It's never -- it will never come
15 back. That means one taxpayer puts up money to give you
16 a break to give another person a job, but there's no
17 money left over or the infrastructure of your schools.
18 I mean, that's a problem. That is the issue. It's that
19 simple. This one really caught my attention because
20 it's a great example, and some of the MCAs are actually
21 worse than this one.

22 Thank you.

23 MR. STUBBS:

24 One thing I would like to point out is
25 that an electricity manufacturing plant has an estimated



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1 useful life around 40 years. The \$12-million, the
2 estimated property tax, is over a 10-year period. So
3 after the -- if the renewals is successful the second
4 five years, it will still -- the plant will still be
5 there for approximately another 30 years in which we
6 will pay property taxes as well as the 12-million --

7 MR. ADLEY:

8 Let me ask you this question. It's
9 really important. Let's say you went through the
10 initial five years and you got the renewal. Now you're
11 at 10. At 10, have you had any instances where Cleco
12 came back in for additional ITEP on existing facilities
13 where you were reworking them, doing whatever you had to
14 do, and then getting additional ITEP on top of that?

15 MR. BENNETT:

16 Only if there was a significant upgrade
17 to the plant or a miscellaneous capital addition.

18 MR. ADLEY:

19 Okay. My point is you don't always pay
20 property taxes in the next 20 or 30 years. You don't.

21 MR. WINDHAM:

22 Mr. Adley, one thing to remember with
23 those, and all of the Board and the public should know
24 this, if they replace something, it goes on -- I mean,
25 if they replace something, this \$12-million is reduced



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1 from what they spend that day or that period for that
2 replacement, so that's 12 million off, and that new
3 equipment goes on at 100 percent, then the \$12-million
4 investment, so-- oh, I'm sorry. The original investment
5 amount. The original investment amount. So at that
6 point in time, it's new equipment. It goes under the
7 100 percent as opposed to a depreciated value if they
8 replace it during that time.

9 MR. ADLEY:

10 I got you.

11 MR. WINDHAM:

12 So they get those benefits when they
13 replace it. So it doesn't perpetuate forever on that
14 equipment.

15 MR. ADLEY:

16 I'm not so for sure I agree with you
17 just based upon what I've seen come through here only at
18 two or three meetings I've been able to attend. My
19 guess is if we went back and -- let me just ask the
20 staff, for future reference, with this company, because
21 they have so many ITEP applications, go back for me and
22 just give me a history of what happens beyond the
23 initial application and if there's any property tax
24 brace breaks that occur beyond that, that would be very
25 helpful because if the Chairman's right, it makes a big



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1 difference in our decision-making process. If it turns
2 out they're picking up some additional exemptions along
3 way, that makes a big difference in our decision-making
4 process. I would ask you, if you would, just do that
5 for us between now and the next meeting so we would at
6 least have it.

7 MR. WINDHAM:

8 Ms. Cheng, you understand that?

9 MS. CHENG:

10 Yes.

11 MR. WINDHAM:

12 Mr. Miller.

13 MR. MILLER:

14 Yeah, couple of questions, I believe.

15 Well, for Cleco, one I think I can
16 clarify that, but I'll just let the staff do it.

17 Do you happen to know the amount of
18 property tax you pay today?

19 MR. BENNETT:

20 Yes, sir. This year, it should be
21 around \$34-million.

22 MR. MILLER:

23 You will pay \$34-million in local
24 property tax to your parish, St. Mary -- well, all over
25 the state.



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1 MR. BENNETT:
2 To our service territory, yes, sir.
3 MR. MILLER:
4 Thank you.
5 MR. WINDHAM:
6 Any other questions?
7 Yes, Mr. Richard.
8 MR. RICHARD:
9 Good morning. Prior to coming or since
10 you requested the abatement, have you had any
11 conversations with local government in St. Mary Parish
12 on this application?
13 MR. BENNETT:
14 Not on the escrow application, no.
15 MR. RICHARD:
16 Are you aware that St. Mary Parish
17 School Board just closed two schools this school year
18 due to financial difficulty and consolidated two
19 schools?
20 MR. BENNETT:
21 No, sir, I wasn't aware of that.
22 MR. WINDHAM:
23 Thank you, Mr. Richard.
24 Mr. Man- -- Manny.
25 MR. FAJARDO:



1 Just say Manny. It's fine.

2 MR. WINDHAM:

3 Thank you, Mr. Manny.

4 MR. FAJARDO:

5 I just want to clarify here because of
6 the, you know, the 1-million-8 that you were saying, did
7 you say you were basing it on a 10-year span? I mean,
8 from what I'm thinking, because the application, I guess
9 that you guys turn in, you're saying it was based on 10
10 years or it was the initial five?

11 MR. STUBBS:

12 I believe the number we had, the
13 \$12.2-million in tax abatement was based on a 10-year
14 term.

15 MR. FAJARDO:

16 Okay. I'm just wondering based on --
17 you know, because we do these thing five years and
18 five-year renewal, would it be to say to reduce that to
19 half, you know. This is just my thought process right
20 now, based on five years and then the decision to make
21 it -- you know, they renew it in another five years. I
22 mean, that's just something I was thinking about.

23 MR. WINDHAM:

24 All right. Thank you, Mr. Manny.

25 Are there any other questions by the



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1 Board members for Cleco?

2 (No response.)

3 MR. WINDHAM:

4 Thank you, gentlemen.

5 I think now we'll have the Sasol
6 representative step to the table.

7 Please state your name and who you
8 represent.

9 MR. HARRIS:

10 Jim Harris on behalf of Sasol. Forgive
11 me, I did not know this meeting was coming up today and
12 I just got some information and I don't know if it's
13 totally complete. However, this is on the Legacy
14 facility, the existing Sasol facility that has been
15 there, has 400-and-some-odd employees not the -- I mean,
16 in the new construction that is part of cooperative
17 endeavor agreement, my understanding is that 43 jobs
18 involved. I do not have any details and I can't back
19 that up as I sit here because I just got this
20 information.

21 MR. ADLEY:

22 Jim, what got my attention, maybe you
23 can answer this, the initial application for Sasol, I
24 mean, I've been over, like everybody else. It's an
25 incredible facility. I get it. Is this part of, this



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1 particular project, is this part of what the original
2 ITEP was for? What is this? I don't understand this?
3 The reason I don't understand is it comes to us with
4 zero jobs and I was very surprised by that.

5 MR. HARRIS:

6 Well, I mean, my understanding is all of
7 the new jobs included in the application because -- I
8 don't know why quite frankly. That 42 jobs were
9 associated with this, but, again, it's not on a new
10 project. This is their existing facility that has
11 already been there for years at Sasol and the upgrades
12 they did and then applied for the 10 year on it. I'm
13 sorry I don't have more detail.

14 MR. ADLEY:

15 And obviously you may not have the
16 answer to this. In the application -- maybe staff can
17 help him with that -- it has an effective tax rate and
18 then it has rate. I was trying to understand what those
19 two items were. The effective tax rate is 0.165, and
20 then it's got the rate at .005. What are those two
21 items?

22 MS. CHENG:

23 The effective tax rate is the millage
24 rate for the parish, and then the .005 I think is
25 just --



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1 MR. ADLEY:

2 Speak up. I couldn't hear you.

3 MS. CHENG:

4 The .005 is what we use to calculate the
5 fee, I believe, but the effective tax rate, the .1662 is
6 the millage rate.

7 MR. ADLEY:

8 That's the millage rate. Okay.

9 MS. CHENG:

10 Yes.

11 MR. ADLEY:

12 Thank you very much. Jim, thank you.

13 MR. WINDHAM:

14 Mr. Richard, you have a question?

15 MR. RICHARD:

16 Yes, sir.

17 MR. WINDHAM:

18 Mr. Harris?

19 MR. ADLEY:

20 Mr. Harris? Jim?

21 MR. HARRIS:

22 Oh, I'm sorry.

23 MR. RICHARD:

24 Good morning.

25 MR. HARRIS:



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1 Yes, sir. I'm sorry.

2 MR. RICHARD:

3 Earlier in your discussion when we got
4 to this item on the agenda and given the heightened
5 sense of awareness that's been made since the Governor's
6 executive order was issued, it was noted -- and, please,
7 staff, correct me if I'm wrong in the discussion that I
8 heard coming in a little tardy, but was it not stated
9 that you-all had reached out to the folks, the entities
10 requesting industrial tax exemption abatement today and
11 letting them know and making them aware of putting them
12 on notice that there would likely be some issues or
13 questions about the coupling of the applications to the
14 requirement of new, permanent jobs?

15 MS. CHENG:

16 That's correct.

17 MR. RICHARD:

18 So that's correct, you did reach out to
19 those folks?

20 MS. CHENG:

21 Yes. Those had advances filed prior to
22 June 24th, so there wasn't a job requirement at that
23 time.

24 MR. RICHARD:

25 I understand. And just so we can all



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1 hear, that there wasn't a job requirement at that time,
2 but you did -- when they were filed, but you did, the
3 staff did reach out to these entities on the agenda
4 today --

5 MS. CHENG:

6 I did, yes.

7 MR. RICHARD:

8 -- notifying them that there would
9 likely be some discussion about the couple of them to
10 permanent jobs?

11 MS. CHENG:

12 Right.

13 MR. RICHARD:

14 And I understood from the gentleman at
15 the table about you mentioned about 43 permanent jobs.

16 MR. HARRIS:

17 That's my understanding. And, again, I
18 have to get back to you, and I will, to make sure that's
19 correct.

20 MR. RICHARD:

21 Yes, sir. And the meetings were
22 properly noticed, this meeting, and large corporate
23 entities that are worldwide entities are certainly aware
24 that this meeting was coming up, and we're hearing from
25 those companies that they have some information about



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1 some permanent jobs, but it's not in -- or we can go on
2 as a Board is what we're seeing that they've submitted
3 in writing in their original application even after
4 you've reached out to those folks or the staff have
5 reached out and notified them.

6 MR. HARRIS:

7 But if I might, I'd like to point out
8 that these were notifications prior to the effective
9 date on the executive order.

10 MR. RICHARD:

11 I understand completely.

12 MR. HARRIS:

13 Thank you.

14 MR. WINDHAM:

15 Any other questions by the Board
16 members?

17 (No response.)

18 MR. WINDHAM:

19 Any other comments from the public?

20 I think what we'll do is take each one
21 of those individually on the ones that were filed prior
22 to June 24th, the effective date of the executive order,
23 and vote on those individuals.

24 MR. ADLEY:

25 Let me ask you something, I thought the



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1 staff that everything we had before us was filed before
2 the 24th. We have some here that were not?

3 MS. CHENG:

4 Yes. The applications were filed --
5 these two were filed, they had advanced filed prior to
6 June 24th and they were filed before June 24th. The
7 applications themselves were also filed before June
8 24th.

9 MR. WINDHAM:

10 So these were the ones, as Kristen just
11 said, they filed before June 24th, and these were new
12 applications.

13 I'm sorry.

14 MR. HOUSE:

15 I just want to emphasize for the Board,
16 there's a distinction between advanced notifications,
17 which were just discussed by Cleco and Sasol. They have
18 advanced notifications, so, therefore, they are here
19 today and under the -- and not subject to the executive
20 order, whether they have new permanent jobs or not, they
21 have given you additional information. So that's -- I
22 want you to be fully aware of that distinction.

23 MR. ADLEY:

24 That's correct.

25 MR. WINDHAM:



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1 All right. So on the Cleco, is there a
2 motion to approve the application that was filed with an
3 advanced notification prior to June 24th?

4 MR. ADLEY:

5 I will move for approval, and I will
6 say, Mr. Chairman, reluctantly, that at some point, we
7 have to stop this process of a million dollars a job.
8 It can't go on, and I'm going to move that approval
9 because the Governor, acting in good faith, said
10 exactly, Richard, what you said, and we'll support that
11 position and I will move for approval of Cleco. And if
12 I'm allowed, we'll move for approval of the second one,
13 of Sasol.

14 MR. WINDHAM:

15 Thank you, Mr. Adley.

16 MAJOR COLEMAN:

17 Second.

18 MR. WINDHAM:

19 Major Coleman has seconded the motion.

20 Are there any other questions? Are
21 there any comments from the Board?

22 (No response.)

23 MR. WINDHAM:

24 All in favor, please indicate by saying
25 "aye."



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1 (Several members respond "aye.")

2 MR. WINDHAM:

3 All opposed, please say "nay."

4 (No response.)

5 MR. WINDHAM:

6 Motion carries.

7 All right. And the second one is Sasol
8 Chemicals, USA, LLC. Is there a motion for approval of
9 their application? It was filed prior to June 24th with
10 an advanced notification.

11 Mr. Adley moved for the motion and
12 Mr. Barham seconded it.

13 Are there any further questions or
14 discussion?

15 (No response.)

16 MR. WINDHAM:

17 All in favor, please indicate with an
18 "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 All right. Now we will go to the ones



1 where there were no advanced notifications filed for the
2 MCAs that were filed prior to June 24t of 2016.

3 What is the pleasure of the Board?

4 MR. ADLEY:

5 It is my position that anything,
6 according to the Governor's executive order what he will
7 sign, if it didn't create a job, he will not sign it.
8 And that applies to all of them but the last one, I
9 believe, for Textron. And depending on how you want to
10 handle it, Mr. Chairman, whether you want to take them
11 one at a time or whatever, at least representing him, my
12 position will be to vote no on all of these.

13 MR. WINDHAM:

14 All right. I believe we should take
15 them one at a time.

16 MR. MILLER:

17 I do want to ask you one more time.
18 I've asked this once and Mr. Richard asked it. All of
19 these companies have been given notice that it would be
20 best if they sent updated information with permanent
21 jobs or a compelling reason to retain jobs?

22 MS. CHENG:

23 Well, these are new, permanent directly
24 related to this project.

25 MR. MILLER:



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1 Or retention of jobs, a good argument
2 for retention of jobs; is that correct?

3 MR. WINDHAM:

4 Mr. House.

5 MR. HOUSE:

6 Let me address that. These have to be
7 new, permanent jobs at the facility and not be subject
8 to projective order. When we get into discussing
9 protective order -- executive order. That's the old --
10 you know, I can't do away with the fact that I was a
11 trial lawyer for a long time. The executive order. So
12 in terms of whether something is or is not subject to
13 the executive order. If it's new, permanent jobs, MCA,
14 they're not subject to the executive order. If they
15 don't have permanent jobs, under the executive order, he
16 said he's not going to sign it.

17 Now, when we get to the executive order,
18 discussing the executive order, that's when we get into
19 compelling reason for retaining jobs. That has nothing
20 to do with what we're talking about right here. And
21 I'll be glad to explain that to you further. I realize
22 it's a little bit complicated. But in terms of
23 discussing the issue of whether or not the Governor will
24 sign something, it has to be a new, permanent job at the
25 facility and an MCA. If you find that to be the case



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1 and you approve it and he finds that to be the case, he
2 said he will approve it in the executive order. That's
3 going to be the last of MCAs. You won't be considering
4 MCAs anymore.

5 MR. MILLER:

6 Okay. Let me rephrase my question then.
7 All of these companies for MCAs prior to -- no advanced
8 notification, but MCA prior to June 24th were notified
9 and asked if they want to give us -- provide us more
10 information about these particular projects?

11 MS. CHENG:

12 Yes.

13 MR. MILLER:

14 And this is what we have from them?

15 MS. CHENG:

16 Yes.

17 MR. MILLER:

18 Thank you.

19 MR. WINDHAM:

20 Is there a representative from Motiva
21 Enterprises or Noranda Alumina?

22 (No response.)

23 MR. WINDHAM:

24 All right. Motiva. Now, we're
25 specifically speaking about the miscellaneous capital



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1 additions.

2 MR. RICHARD:

3 Mr. Chairman?

4 MR. WINDHAM:

5 Yes, Mr. Richard.

6 MR. RICHARD:

7 Along the lines of previous questions,
8 and, again, I think when the representative from Motiva
9 was up at the table earlier, she made a statement that
10 there were 27 new jobs tied to these applications today,
11 but, yet, we have nothing in front of us.

12 MS. CHENG:

13 Those 27 new jobs are not tied to these
14 projects, but they're new jobs at the facility.

15 MR. RICHARD:

16 Which one is it?

17 MS. ANTONO:

18 Let me clarify. We don't have an
19 advanced notification for the Convent refinery in St.
20 James. So everything that we file on our projects are
21 under MCA for that year because they fall below the
22 \$5-million level for the requirements. Prior rules, not
23 current rules. So when you look at the additional jobs,
24 they're not tied directly to these projects that fall
25 under MCA, but we do know we hire 27 permanent jobs at



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1 the site for all of the different operations, including
2 some of which -- they are maintenance to maintain these
3 new additions, but they're not permanently -- not
4 directly tied to it. So I'm trying to find a better
5 comparable --

6 MR. WINDHAM:

7 Ms. Mandy, is it fair to say, think
8 about it this way, if you increase the production of --
9 you may not increase the number of people that work that
10 unit, but because you have more product going through,
11 it requires more items be packaged and it also requires
12 that more people handle the good to get them out the
13 door to get them to the consumer, but a job may not
14 necessarily be tied to that production unit. So those
15 are new jobs that are created as a result of an
16 investment. Period.

17 MR. WINDHAM:

18 That's not -- no. That's not correct.
19 The problem here is this: What you said makes logical
20 sense, but now this department that you're operating
21 under, you have to create jobs. They have to have a way
22 to track that, and if they put on this application zero,
23 there is no way in the world for us to track that.

24 MR. WINDHAM:

25 Mr. Adley, I don't think --



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1 MR. ADLEY:

2 Mr. Chairman, bear with me. Let me just
3 finish.

4 What I'm going to suggest to you, ma'am,
5 if you believe that you have clearly created jobs -- and
6 I listened to Robby and very concerned about that. What
7 I would suggest that at least we defer this application
8 to give you time to create your application. If you
9 have filed your application incorrectly, I get it, but I
10 do have questions about your application beyond the
11 jobs.

12 MS. ANTONO:

13 I understand. So if, you may, Mr. Adley
14 and Mr. Chairman, the application requests the direct
15 permanent jobs as a result of the projects. So for me
16 to say and write 27 jobs on that application and sign my
17 name on it, I feel uncomfortable, but I do know -- I'm
18 sorry -- but I do know my refinery continues to run and
19 do their best to maintain the local -- excuse me -- the
20 local force, labor force.

21 And just to be clear, we did respond.
22 We have a correspondence with the LED. We did mention,
23 we showed the reports that we have, that we have an
24 increase in jobs and where and which area it is. But,
25 again, I can't write it on the application, but we do



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1 know and we have communicated that, that we have these
2 jobs at the refinery.

3 MR. ADLEY:

4 Clearly I get that. I understand being
5 uncomfortable with that, but some of us are very
6 uncomfortable with just giving people tax breaks and not
7 being able to confirm that they did what they said they
8 would do. That's why these applications are made this
9 way.

10 I do need to know from you, you have
11 three applications here and all dealing with, it looks
12 like, the new diesel circulation system and then a set
13 of arms and then some independent tracking source. Tell
14 me how these relate to each other.

15 MS. ANTONO:

16 They are within the same facility, but
17 these are --

18 MR. ADLEY:

19 I'm sorry?

20 MS. ANTONO:

21 They are within the same facility. They
22 don't necessarily relate to each other directly.

23 MR. ADLEY:

24 Okay. When you say they relate to the
25 same facility, what do you mean by that?



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1 MS. ANTONO:

2 I'm sorry. They are within the same
3 refinery in the whole production unit, but they are not
4 tied as in they might be on different units within that
5 production line.

6 MR. ADLEY:

7 One of the things that's created a great
8 deal of concern is that the advanced notification -- I
9 think most of you would know this, but the advanced
10 notification requires a great deal more paperwork and a
11 great deal more investigation for the staff and us to
12 know exactly what's going on out there. If you come in
13 with a project under \$5-million, it doesn't require
14 that. You just get to go spend money and then come here
15 for approval. But by what you just told me, all three
16 of these projects conveniently falling below 5-million,
17 but all part of this same manufacturing process, in my
18 view, should have been an advanced notice application
19 period. It appears that -- and I'm not saying you did.
20 It just appears of all of the applications we've seen,
21 this MCA process, this miscellaneous capital
22 expenditure, if you go look at them, they all
23 conveniently fall right under that \$5-million, but
24 they're all part of the same process.

25 The truth is, it should have been, at



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1 least on my perspective, it should have been filed in
2 one application with what you were doing to your
3 facility and then an advanced notice so you hopefully
4 wouldn't even have these problems today. But it does
5 require more paperwork on your behalf.

6 So that was my question. I think you've
7 answered it. They are all part of the same
8 manufacturing facility, which, in my mind, means it's an
9 attempt of an attempt just to avoid the advanced notice.

10 MR. WINDHAM:

11 Well, Mr. Adley, I think as we go
12 forward with this process, there are a lot of moving
13 parts, and I think the companies, as a result of your
14 questions and as a result of this Board's rules
15 committee, will prepare the applications differently in
16 the future. I believe they will accumulate their
17 information differently in the future, and it will be a
18 learning experience for all of us, the staff as well as
19 the companies as well as the consultants. So it's a
20 learning -- like I say, it will be a learning experience
21 and we'll have growing pains for a couple of years.

22 MR. RICHARD:

23 Mr. Chairman?

24 MR. WINDHAM:

25 Yes, Mr. Richard.



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1 MR. RICHARD:

2 I certainly dont want to engage in a
3 back and forth for the sake of the Board protocol and
4 the person representing the company, and I'll just make
5 my statement and stop on this item.

6 I certainly really appreciate your
7 explanation to me in answering what I believe is a
8 question that the company, Motiva, should be answering
9 to the Board. I've listened carefully, done my own
10 work. I tried to do my best to understand the process.
11 Here's where I'm at as a member of this Board: Motiva
12 is requesting a \$10-million abatement of taxes. They
13 were notified post-executive order that if they had any
14 additional information to provide to the Board that will
15 be deciding on this issue, some additional documentation
16 to reference a coupling to permanent jobs. In the
17 testimony today, the representative of the company
18 mentioned that there was some reference to additional
19 jobs, and given your explanation as well, and I
20 understand all of that. As a Board member, I would hope
21 there's some type of mechanism in place that would allow
22 Motiva to submit at least some type of summary document
23 on their letterhead, per se, at a very simple, high
24 level to the members of the Board of Directors or this
25 Board, that of Commerce & Industry, that would help



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1 explain that they would be comfortable with putting
2 their name attached to it and the company's affiliation
3 with the creation of new jobs if the information that we
4 have in front of us says zero.

5 And I hope I'm not oversimplifying the
6 process, but it's the struggle that we deal with. And I
7 understand the level of awareness that has been brought
8 to this issue. We sat here at the last Board of
9 Commerce & Industry meeting and there was a great deal
10 of media exposure and communication about the entire
11 process changing. And even after contacting the
12 companies, they didn't feel comfortable, according to
13 what I'm hearing today, in providing this Board and the
14 Board members, individually or collectively, or LED or
15 the State or whoever with some additional explanation in
16 writing that they would feel comfortable with, and
17 that's the challenge that I think we face.

18 Thank you.

19 MR. HOUSE:

20 Mr. Windham.

21 MR. WINDHAM:

22 Mr. House.

23 MR. HOUSE:

24 Can I briefly add to what's been said,
25 and that in putting together this executive order, it



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1 was made clear to us in putting together this executive
2 order that the Governor did not favor MCAs, and, quite
3 frankly, the department has had quite a few questions
4 about it. It's maybe something that should have been
5 tended to before. But at the end of the day, the
6 exception to going forward or the ability to go forward
7 on the MCAs under -- not being under the executive order
8 is premised upon a very, what I try to make as narrow as
9 possible a definition, which is provide for new jobs at
10 a completed manufacturing plant or establishment. So
11 someone's going to have to come before you and link a
12 new job to the particular MCA, not say we have a series
13 of -- at least, in my opinion, not say we have a series
14 of MCAs and we have employees over here who continue to
15 benefit from it. The Governor wanted this to be very
16 narrow, and that's what we tried to reflect in drafting
17 it. And that's from meetings with the Governor, and
18 Senator Adley was present.

19 So, again, I'm not telling the Board you
20 shouldn't make as many inquiries. If there's anything
21 that you want to know, take as much time as you want to
22 take to make a decision, but this is a narrow exception
23 for MCAs.

24 When we get to other discussions under
25 the executive ordered, that's going to have some



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1 different interpretations, but on this one, I'm just
2 telling you this is a very narrow exception.

3 MR. WINDHAM:

4 Thank you.

5 Are there any other question related to
6 the Motiva applications for Ms. Mandy from the Board?

7 (No response.)

8 MR. WINDHAM:

9 All right. Mr. Adley, would you like to
10 make a motion?

11 MR. ADLEY:

12 In the sense of fairness, ma'am, to what
13 you have testified in difference to what you've
14 presented to the Board, I'm going to move to defer
15 action to give you time to clarify your position, but I
16 really hope you listen to what Mr. House had to say.
17 You better be able to truly tie jobs to this MCA.

18 And so everybody knows, MCAs for the
19 future, they're pretty much going to be gone. And if
20 you had put it in an advanced notice application, you
21 wouldn't have had any problem here at all, instead of
22 avoiding the advance notice.

23 I move to defer.

24 MR. RICHARD:

25 Second.



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1 MR. WINDHAM:
2 Motion on the floor by Mr. Adley;
3 seconded by Mr. Richard for deferral of these
4 applications for Motiva Enterprises. There are three of
5 them. The numbers are 20161366, 67 -- I'm sorry. 67 is
6 a separate one. And 20161371. So those are being --
7 action to have a deferral on those.

8 Is there any further discussion on this
9 motion?

10 (No response.)

11 MR. WINDHAM:
12 All in favor, please indicate by an
13 "aye."

14 (Several members respond "aye.")

15 MR. WINDHAM:
16 All opposed with a "nay."

17 (No response.)

18 MR. WINDHAM:
19 Motiva's applications are deferred.

20 MOTIVA REPRESENTATIVE:

21 Thank you.

22 MR. WINDHAM:
23 Next we have three more for Noranda
24 Alumina, LLC. I believe we have a representative of the
25 company.



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1 MR. BARRETT:

2 Yes. I'm Todd Barrett. I'm controller
3 at Noranda Alumina, LLC.

4 MR. WINDHAM:

5 Please get a little closer to the mic.

6 MR. BARRETT:

7 These are exemptions for an unloading
8 system that actually saved the plant from closing down.

9 MR. WINDHAM:

10 Start over, please.

11 MR. BARRETT:

12 I'm Todd Barrett, the controller from
13 Noranda Alumina, LLC. These exemptions are related to a
14 large unloading system that actually saved the plant
15 from closing down. These are related to the main -- our
16 main raw material comes from Jamaica. We refine out the
17 alumina in that raw material and we were doing so with
18 gantry cranes that were original to the plant from 1956.
19 To replace those cranes in the docks would have been
20 over \$80-million, which, right now, with the pressure
21 that China's putting on the aluminum industry, we would
22 never have been able to spend that to keep the plant
23 open.

24 So we were able to find a solution to
25 bring in, because where we are on the river, a midstream



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1 unloading system where we basically put hoppers on our
2 dock, kind of like basketball hoops in a sense and an
3 outsource company comes in to unload these large bauxite
4 vessels, and in doing that, we were able to keep the
5 plant open.

6 No jobs were reduced because of this
7 project. We were able to maintain the job count. The
8 biggest issue was we would absolutely 100 percent would
9 have closed the facility if we could not have come up
10 with a solution.

11 MR. ADLEY:

12 Tell me, what is the Dolphin system?
13 What is that?

14 MR. BARRETT:

15 So previously ships have anchored to the
16 dock, which was creating a situation here where the dock
17 was pulling away and we would have had to replace the
18 dock if that would have kept happening. We actually now
19 have a system that the ship does not touch the dock. It
20 anchors against this Dolphin system and then the barge
21 comes in between the ship and the dock to unload the
22 vessel.

23 MR. ADLEY:

24 And how does the Hopper 1 and 2 relate
25 to that?



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1 MR. BARRETT:

2 The hopper is basically the barge
3 mounted cranes come in between the ship and the oil dock
4 we have and these hoppers sit on the dock, and the
5 barge-mounted cranes are grabbing dirt from the ship,
6 they load the hoppers.

7 MR. ADLEY:

8 Is it safe to say that that's part of
9 the Dolphin system?

10 MR. BARRETT:

11 No. It's different from the Dolphin
12 system. The hoppers are two separable assets that sit
13 on the dock.

14 MR. ADLEY:

15 So your position is that if you had not
16 done this, you would have had to close the facility?

17 MR. BARRETT:

18 Absolutely. If you look at our eval
19 over the last three years --

20 MR. ADLEY:

21 Can we get -- Richard, can I get you
22 back up here again? I want to make sure we're correct
23 on this executive order as it relates to MCA dealing
24 with the retention of jobs. I want to find out if I'm
25 dealing with one in your view that's different than the



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1 one I dealt with a moment ago, and then ask the staff
2 what they did to be able to tell us -- not the company
3 tell us, but you tell us that this facility would close
4 if this were not done. I'd like to know if anybody at
5 LED did any of that, and if you didn't, just say you
6 didn't do it.

7 Richard.

8 MR. HOUSE:

9 Okay. What the executive order says is,
10 under Section 2, with respect to where there is a
11 pending advanced notification, they're, except for such
12 contracts that provide for new jobs at the completed
13 manufacturing plants or establishments. New jobs are
14 different from retained jobs.

15 MR. ADLEY:

16 Okay. But as it relates to this MCA, in
17 that executive order, does the Governor give room for
18 approval for an MCA if we believe that clearly it was
19 done to retain jobs and keep the plant open or not?
20 That's what I've got to know.

21 MR. HOUSE:

22 No.

23 MR. ADLEY:

24 Okay. Thank you.

25 MR. RICHARD:



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1 Mr. Chairman?

2 MR. ADLEY:

3 I'm going to suggest, at the appropriate
4 time, and I want all of the Board members to speak.
5 What I'm going to suggest that the proper thing for us
6 to do at this point, in my opinion, would be to defer if
7 the Board's willing to do that to give this department,
8 unless they've already done it, the information needed
9 to find out what the real problem is out there and was
10 this place really at risk or not.

11 MS. MITCHELL:

12 Secretary Adley, this is Mandi Mitchell,
13 Assistant Secretary of LED. I'm coming to the table
14 just to make the Board aware that I was directly
15 involved with an effort with the company to appeal to
16 members of our congressional delegation to assist
17 Noranda Alumina in its efforts to raise awareness of the
18 impact of the Chinese practice of dumping alumina on
19 industries, in our alumina industry in Louisiana and the
20 country as a whole. So this was just several months
21 ago. We know that -- I could only say that I can attest
22 to the company is or has been subject to some pressures
23 as a result of that, and so I think it would kind of
24 support this gentleman's comment about the company being
25 under some pressure and having to upgrade their



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1 equipment. So I did want to put that on record, and,
2 Senator, it's something I did share in previous meetings
3 with the Governor.

4 MR. ADLEY:

5 Thank you.

6 MR. WINDHAM:

7 Thank you, Mandi.

8 Mr. Richard, I believe you've got some
9 questions.

10 MR. RICHARD:

11 Yes, sir. Thank you, Mr. Chairman.

12 And, again, I understand the circumstances, appreciate
13 the explanation today from the company representative.
14 Thank you for being here.

15 In the documents that we have in front
16 of us and, you know, I'm looking at them as we speak,
17 "Product manufacturing requirement: Manufacturing
18 process activities: Detailed description required. If
19 more space is needed, attach a separate sheet." If such
20 a significant set of circumstances exists for a request
21 of about \$6-million in tax abatement, it seems to me
22 that there would be a detailed document provided, and
23 maybe I'm off on the -- I'm looking at the investment
24 column. I'm sorry. But it's still a significant amount
25 of money to discuss to not have a detailed document in



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1 front of us to help us make those determinations.

2 MR. BARRETT:

3 We did, last month, provide the LED
4 office a letter basically describing the project. One
5 thing that I can't do with regards to the construction
6 jobs is tell you how much the people we contracted out
7 were getting paid. I can tell you how much we spent,
8 but I don't know how much of that went to the actual
9 contractors versus the businesses, and how it's worded
10 is how much are the people working on the project
11 getting paid. We provided a chart of the project, and
12 then we've been working with LED significantly since
13 late last year on making people aware of what's happened
14 in the aluminum industry which has caused major stress
15 on both aluminum smelters and aluminum refineries. For
16 example, there were three major refineries in the U.S.
17 to start the year. That's it. We're the only one left.
18 The two in Texas have closed. This is a desperate time
19 for this industry, and there's no way we can commit
20 \$80-million to a project to put new cranes on our
21 facility, so we invested in this project which allowed
22 us to keep the plant open and running. And we're now
23 the last man standing.

24 There's benefits to being where we are
25 on the river, but we don't -- our total cap ex budget in



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1 a usual year is about \$20-million. That's a very high
2 year. Last year, we spent 15. \$80-million would close
3 down the plant.

4 MR. ADLEY:

5 The Governor has been adamant about not
6 giving ITEP to people who are having to do things due to
7 environmental concerns, but based on what I just heard
8 from you and from Mandi, was this is an environmental
9 issue that caused this to happen? It sounds like --

10 MR. BARRETT:

11 When you say "environmental," I usually
12 relate that to, you know, pollution or something like
13 this. What has happened is the Chinese government has
14 subsidized the Chinese aluminum industry. The single
15 largest cost of the aluminum industry is electricity and
16 natural gas, and the Chinese government is giving it its
17 plants free. They're also providing cap ex dollars
18 without any method of paying back. They're looking the
19 other way on taxes and terrace when they export the --

20 MR. ADLEY:

21 I got that, but your whole purpose of
22 the project development with I thought loading and
23 offloading, and that's, when I listened to what she had
24 to say and then listening to you, I'm just trying to
25 find out was this an environmental issue that caused



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1 this problem.

2 MR. BARRETT:

3 No. The main reason -- we had to make a
4 decision because we had 60-year-old equipment. It was
5 originally scheduled to last 25 years. It lasted almost
6 60 years. The maintenance dollars to maintain these two
7 cranes were over a million dollars a year and they just
8 were not efficient in unloading the ships anymore. So
9 we had to make a choice, and the choice was basically
10 building a dock with cranes on top of it, coming up with
11 this midstream solution or closing the plant down, and
12 we were able to justify keeping the plant running by
13 going to this midstream solution.

14 MR. ADLEY:

15 Now, are you telling us that this, if
16 this exception is not granted, you will close the plant?

17 MR. BARRETT:

18 No. The project is already in, but one
19 of the reasons we did the project was the fact that the
20 State had the tax exemption process, so we --

21 MR. ADLEY:

22 But it's economically viable without the
23 exemption?

24 MR. BARRETT:

25 The plant?



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1 MR. ADLEY:

2 Yes.

3 MR. BARRETT:

4 Right now it's scratching by, getting
5 by. We actually filed for Chapter 11 bankruptcy in
6 February, the beginning of February. We're in the
7 process of selling the plant, which we do have
8 interested parties, but we have interested parties
9 because we're the last man standing. If there's
10 continued pain to the aluminum industry, our plant could
11 definitely close.

12 MR. ADLEY:

13 All right. Okay. Thank you.

14 MR. CARMODY:

15 Mr. Chairman, I think this scenario
16 brings up a good questions, and I was going to ask
17 Mr. Adley if would check with the Governor. In this
18 situation, if the applicant were to come back to this
19 board bringing a letter from St. James Sheriff, I guess
20 the St. James -- a resolution from the St. James Police
21 Jury or commission as well as their school board seeking
22 the approval of this Board for that function and, again,
23 not bringing any new permanent jobs, where is that going
24 to fall under the executive order?

25 MR. ADLEY:



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1 That's why I asked the question of
2 Richard. In fairness, I'm going to vote in line with
3 the executive order.

4 MR. CARMODY:

5 Right.

6 MR. ADLEY:

7 What I've suggested was is that it would
8 be, in my view, a smart thing for this Board to do is to
9 defer action on this, similar to what we did with the
10 other. If there's some other circumstances out there --
11 I know that the Governor is reasonable. I'm not
12 speaking for him, but know that he is reasonable. He
13 is. And if there is some documentation or something
14 there beyond what's in front of us now, I personally
15 would like to see it. I think that's a smart thing to
16 do.

17 MR. CARMODY:

18 Okay.

19 MR. ADLEY:

20 But if this thing comes down to just
21 purely jobs, then certainly he won't sign it. Based on
22 what I've heard here, I think there's a possibility
23 he'll consider it. I do. And I would think that would
24 probably be the appropriate thing for this Board to do
25 is to defer action, give them time to gather more



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1 information, allow the department to do it so that we
2 can bring forth to him everything we have.

3 MR. CARMODY:

4 Yes, sir. And I'm not going to oppose
5 your motion to defer, but I'm just trying to make sure
6 that other companies that are in similar scenarios, it
7 sounds to me like what this Board is moving toward is
8 telling these companies, "If you are in a dire situation
9 of trying to keep the doors open, you need to get in
10 line, get in touch with the sheriff, get in touch with
11 the police -- excuse me -- whoever the police jury or
12 commission is in that parish as well as the school board
13 to get their resolutions in support and come back and
14 say, "We're in a situation to say without the assistance
15 of the state, we are going to have to close this
16 facility and we have the support of these entities,
17 which the Governor has asked us to bring forward." So,
18 again, it will be up to the Governor to make that
19 decision.

20 MR. ADLEY:

21 Look, I think that's very wise.

22 MR. CARMODY:

23 Yes, sir.

24 MR. ADLEY:

25 I do. I think that's the right



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1 approach. I would like to also make sure that should we
2 defer it and they come back, I want to make sure it's
3 not some environmental requirement.

4 MR. CARMODY:

5 Yes, sir. And I think that it sounded
6 economic is I think what the gentleman had said, that
7 this was an economic environmental situation.

8 MR. WINDHAM:

9 Thank you, Representative and Mr. Adley.
10 Richard, Mr. House.

11 MR. HOUSE:

12 I would say that under the executive
13 order, if it were operable, all of these things could be
14 considered. So going forward, we do have that in place.
15 It has a very high burden, too, but they could all be
16 considered.

17 One other thing is there may be other
18 programs in the department and under the jurisdiction of
19 this body that this company may be eligible to pursue or
20 at least be reviewed for that may accomplish close to
21 the same thing. So we're going to look at all of those
22 alternatives.

23 MR. ADLEY:

24 And that's wise, also. And when you
25 bring that list or whatever y'all find, should we defer



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1 it, I think that would be helpful.

2 MR. HOUSE:

3 Yes, sir.

4 MR. WINDHAM:

5 Any other questions?

6 (No response.)

7 MR. MILLER:

8 I make a motion --

9 MR. ADLEY:

10 I would make a motion, if I can, if it's
11 in order to defer, to give everyone time to do that.

12 MR. WINDHAM:

13 All right. Mr. Adley made a motion to
14 defer the three for Noranda Alumina, and Mr. Miller
15 seconded it. The applications are 20161098, 20161104
16 and 20161102.

17 Any further discussion?

18 (No response.)

19 MR. WINDHAM:

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

21 (Several members respond "aye.")

22 MR. WINDHAM:

23 All opposed with a "nay."

24 (No response.)

25 MR. WINDHAM:



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1 Motion carries. Those three are
2 deferred. Look forward to seeing you in a couple
3 months.

4 MR. BARRETT:

5 Thank you.

6 MR. WINDHAM:

7 All right. The last one that we have to
8 consider for no advanced -- filed no advanced
9 notification filed, but miscellaneous capital addition,
10 otherwise known as an MCA, was filed prior to June 24th
11 is Textron Marine & Land Systems.

12 Is there someone here that represents
13 Textron?

14 MR. ADLEY:

15 I have some -- I do have several
16 questions for them. Albeit they're creating some jobs,
17 there are some questions about the relationship of the
18 building to the facility and I just -- are they here?

19 MR. WINDHAM:

20 I don't think so.

21 MS. CHENG:

22 I did notify them to be here.

23 MR. ADLEY:

24 I'm sorry? Say that --

25 MS. CHENG:



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1 I did notify them to be here.

2 MR. ADLEY:

3 Then let me suggest before -- we did
4 this, I think, at our last meeting when people were not
5 here to ask questions, we deferred them until they could
6 get here, and I would ask the Board that we defer action
7 on this until we can ask them. I've got some questions
8 for them that I think they ought to answer.

9 MR. WINDHAM:

10 I'll take that as a motion to defer
11 Textron Marine, seconded by Mr. Manny.

12 Any discussion?

13 (No response.)

14 MR. ADLEY:

15 Any additional comments from the public?

16 (No response.)

17 MR. WINDHAM:

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

20 (Several members respond "aye.")

21 MR. WINDHAM:

22 All opposed with a "nay."

23 (No response.)

24 MR. WINDHAM:

25 Motion carries. Textron Marine & Land



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1 Systems, Application Number 20161269 is deferred.

2 MS. CHENG:

3 That concludes the new application
4 portion of the Industrial Tax Exemption Program agenda.

5 I have 16 renewals.

6 MR. WINDHAM:

7 All right. Before we start on listing
8 each one of them, there are a number of people that want
9 to speak about renewals, and I believe some of them are
10 specific and some of them are general, so I think it
11 would be best to proceed with general comments about the
12 renewals for anyone that would like to discuss in
13 general the issues of renewals for the Industrial Tax
14 Exemption Program. Then we will go through them
15 individually, and if people have comments or
16 observations about the specific entities that are
17 applying for the renewal, we'll bring those individuals
18 up.

19 MR. CAGE:

20 Good morning. My name is Edward Cage.
21 I'm with Together Louisiana. First of all, we want to
22 thank the commission for this opportunity to speak
23 before you on Industrial Tax Exemption renewals.

24 First of all, I'd like to repeat
25 something that Senator Adley said earlier, there's no



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1 10-year automatic renewal. So what that means to me,
2 after the initial five years, it's a new application, so
3 it should go through a new process and not be automatic.

4 And I want to apologize for my voice. I
5 was at the Saints game yesterday. Heartbreaking loss,
6 but, you know, I thought about the ITEP and renewals and
7 thought about the Saints game and what the NFL is doing
8 now. You know, Roger Goodell issued, let's say, an
9 executive order saying now when an extra point is
10 kicked, the ball is placed on the 20 yard line and not
11 the 2 yard line, so it's a new rule. Now, the teams in
12 the NFL have to go by this rule. They can't say, "Well,
13 wait a minute. My kicker -- I only got this kicker
14 because it was the 2 yard line where the ball was
15 placed." You have to go by the new rules. And this
16 executive order that the Governor signed -- first of
17 all, under your old rule, there's no automatic renewal,
18 so it's treated as a new application that should go
19 under the executive order that the Governor issued.

20 And, Senator Adley, you said hopefully
21 sometime soon that executive order will go into full
22 effect. We hope that soon is today. We need that soon
23 to be today or sooner than next year, because as stated
24 earlier, our parishes or local governments are hurting
25 and they should have a say so and a voice. And the



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1 longer we wait, the more they will hurt. So we're
2 asking, demanding, that the renewals go under the
3 executive order and not any of the old rules because of
4 circumstances have changed.

5 Thank you.

6 MR. WINDHAM:

7 Thank you, Mr. Cage.

8 Are there any questions for Mr. Cage?

9 MR. THOMPSON:

10 A question I wanted to ask you -- I
11 agree with you. You and I go way back, but when we're
12 talk about exemptions for parishes and for -- Senator
13 Adley made a good point a while ago. Parishes need --
14 and others. Thomas made that suggestion. Parishes need
15 to be able to speak out on this, because, you know, like
16 I know, up in the River Parishes along the river, some
17 places have not been developed in 40 years and you
18 almost have to buy into allowing them some leeway to get
19 them to invest in those parishes. And I know you know
20 that. But I would like us, as a legislative body, also
21 as this Board to have as much information as we can so
22 we can make the best decision. It's not a one size fits
23 all. That's the point I'd like for us to remember.
24 Every area. Some people would turn their back and not
25 be very happy maybe on 25 or 50 jobs, but in my area, as



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1 you know, we look for every one job. And so we need to
2 do a better investigation of this, and I think that's
3 what the Governor is about.

4 We don't want to mistreat anybody or
5 mishandle them. We want them all to prosper. But I get
6 your point, and I'm for it.

7 MR. CAGE:

8 I just want to respond to that. And
9 appreciate that, Senator Thompson, and that's exactly
10 why we're here. We want the executive order to be in
11 full force. Part of it is Exhibit B where the locals
12 give their input on whether they want to grant the
13 exemption to what extent. That is missing. And the
14 longer we delay it, we're hurting them more. We're not
15 giving them a voice at the table, supposedly, in this
16 democratic process.

17 MR. THOMPSON:

18 Thank you, Mr. Cage. Thank you, Senator
19 Thompson.

20 Another comment from Mr. Adley.

21 MR. ADLEY:

22 I just, I have to say something about
23 that, particularly in the Governor's defense. It's very
24 difficult to be Devil's advocate against the very thing
25 that you and I and the Governor are trying to accomplish



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1 here. We both and all of us agree that timing is the
2 issue. After lengthy meetings with LED and with the
3 Governor looking at what liabilities that might be in
4 front of the state pending when we move and how we move
5 is how he came to these decisions on timing. We both
6 agree with you that we're not necessarily opposed to
7 renewal. We are opposed to renewals for 100 percent of
8 the tax base. And so the issue is when and how do you
9 get implemented a cap on that. Moving on that today,
10 the Governor's legal counsel and the Governor believes
11 that we need a definitive date set for that. That date
12 will be, as I said, soon. And that's --

13 But I think you need -- I think
14 everybody here needs to understand we're for what you
15 want to do, but listen to this: 1936, that's when this
16 started, this mess we find ourselves in, and thanks to
17 you and your research -- this would be of interest to
18 everybody on this Board. In 1936, this provision was
19 inside a constitution amendment down deep below the
20 homestead exemption and not a single newspaper article
21 written anywhere that we can find promoting this idea,
22 but it started and it has been running like a choo-choo
23 train ever since.

24 And in the Governor's defense, he's
25 taken more steps than anyone in this state to get



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1 control of it, has in all of this time, and we are going
2 to do that. I am convinced we are going to do that, but
3 I'm going to say, don't give up your fight, don't give
4 up your voice. Keep hard. We're for you. We want you
5 to do it, but it is a timing issue that we're
6 desperately working every day to try to work through it.
7 If you've been to our rules committee meetings, you know
8 how specifically we dig and dig and dig to try to fix
9 these problems. It takes some time. It does.

10 MR. CAGE:

11 Thank you, sir.

12 MR. WINDHAM:

13 Thank you, Mr. Cage. Thank you, Mr.
14 Adley.

15 I believe next we have Ms. Rene
16 Singleton.

17 MS. SINGLETON:

18 Good morning. I'm with together
19 Louisiana.

20 MR. WINDHAM:

21 Please state your name, too.

22 MS. SINGLETON:

23 My name is Rene Singleton. Thank you
24 for letting me speak before you. I would just like to
25 support what my colleague, Dianne Hanley, is saying and



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1 Mr. Cage. We appreciate all that you do. We especially
2 appreciate the changes that this Governor is trying to
3 enact for the benefit of the State of Louisiana.

4 And the two points that really do matter
5 to me are the points where local governments, local
6 entities, the school boards, the sheriffs, the police,
7 the police juries would have a say in whether or not
8 companies get tax exemptions that will negatively impact
9 them. And I think they ought to be able to weigh
10 whether or not there's a negative impact, and I think
11 it's very, very critical that you reach out to them and
12 let them have some say so, they have a place at the
13 table, that they have valuable input. They're going to
14 be very, very careful in how they do it, and I think
15 they could do it -- I think they could do it more
16 efficiently than anybody else because they're right
17 there. They have an understanding of the immediacy of
18 their problems and what's needed.

19 And the other thing I think is very,
20 very important, and I heard you talking about it
21 specifically, and I really do appreciate what you said,
22 Senator Adley, job creation. It ought to be directly
23 tied to job creation. I would love one of those
24 million-dollar jobs, one of those \$12-million jobs, but
25 I just think that's excessive. I appreciate the fact



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1 that you do, too. So thank you.

2 MR. WINDHAM:

3 Any questions of Ms. Singleton?

4 (No response.)

5 MR. WINDHAM:

6 Thank you, Ms. Singleton.

7 MS. SINGLETON:

8 You're welcome.

9 MR. WINDHAM:

10 All right. Next I believe we have Cathy
11 Rhorer Wascom.

12 Please come forward and introduce
13 yourself.

14 I notice, Ms. Wascom, are you speaking
15 on specific or is this general?

16 MS. WASCOM:

17 I can speak in general and in specific
18 if you want to break...

19 MR. WINDHAM:

20 I'm going to take up the specific ones
21 when those applications come up.

22 MS. WASCOM:

23 Okay. I can -- well, I'm just go ahead
24 and speak right now since I'm at the table.

25 Kathy Rhorer Wascom. Today I'm



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1 representing myself. I do work in the legislative arena
2 on behalf of environmental issues and am a member of the
3 local board that has taxing authority in East Baton
4 Rouge Parish, so I come from a lot of, you know,
5 different arenas on this issue. But I really think it
6 is vitally important after the Governor signed the
7 executive order that the anticipation of local input on
8 these tax exemptions needs to be implemented as quickly
9 as possible, especially in our local school boards. I
10 believe we're the only state that actually allows
11 exemptions to be applied to school boards. Our school
12 boards desperately need money and they need to be able
13 to make the decision on these exemptions.

14 Also, our sheriffs, especially in East
15 Baton Rouge Parish, are in desperate need of money, and
16 they would need a voice, also, in the exemptions.
17 Whether or not it is applicable to East Baton Rouge
18 Parish, our parks and our libraries and our
19 transportation system are also have funding through
20 local property taxes that we have to ask the citizens to
21 pay these property taxes. When the companies have
22 exemptions from the property taxes, we have to go to our
23 local citizens to vote for this, so I think it's vitally
24 important that the local input on these industrial tax
25 exemptions be implemented as soon as possible, and when



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1 you look at these, that you consider that. Thank you.

2 MR. WINDHAM:

3 Any questions for Ms. Wascom? Any Board
4 members?

5 (No response.)

6 MR. WINDHAM:

7 Thank you, Ms. Wascom.

8 All right. I believe next we have Ms.
9 Carmen Weisner.

10 MS. WEISNER:

11 I'll waive.

12 MR. WINDHAM:

13 All right. She waives. Thank you.

14 All right. So --

15 MR. ADLEY:

16 Are there people here today for these
17 renewals? Are the companies here?

18 MR. WINDHAM:

19 Some of them are here, yes.

20 Ms. Cheng, do you want to go down the
21 list? First we'll do the advanced notification filed
22 with an original application.

23 MS. CHENG:

24 20100679, Baker Hughes Oilfield
25 Operations, Inc. in Bossier Parish; 20100924, CAP



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1 Technologies, LLC in Livingston Parish; 2000- --

2 MR. ADLEY:

3 Before you just bounce on to -- can we
4 find out, when you go through the list, do they have
5 people here? Does Baker Hughes have somebody here?

6 MR. WINDHAM:

7 Baker Hughes?

8 Yes.

9 CAP Technologies?

10 Yes.

11 MS. CHENG:

12 20100879, Folder Coffee Company in
13 Orleans Parish and 20100878, Folger Coffee Company in
14 Orleans Parish.

15 MR. WINDHAM:

16 Representative from Folgers here?

17 No.

18 MS. CHENG:

19 20110805, K&W Patten's Metal Express,
20 LLC in Livingston Parish.

21 MR. WINDHAM:

22 Representative from K&W?

23 Yes.

24 MS. CHENG:

25 20110818 Kennedy Rice Mill, LLC, doing



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1 business as Kennedy Rice Mill in Morehouse Parish.

2 MR. WINDHAM:

3 Representative from Kennedy Rice Mill in
4 the audience?

5 (No response.)

6 MR. WINDHAM:

7 No.

8 Senator Thompson will speak to that.

9 MR. ADLEY:

10 Can we deal with these as a group before
11 we move to the notice?

12 MR. WINDHAM:

13 The ones that have no representatives?

14 MR. ADLEY:

15 Well, I was going to suggest, I was
16 going to suggest is approval of those that are present
17 and deferring those are that are not. I would do that
18 throughout this process, and the reason for that is
19 this: These renewals are for the benefit of the
20 company. I mean, they're not the benefit of anybody
21 else, and it just seems to me that they ought to at
22 least show up for these hearings.

23 MR. WINDHAM:

24 All right. I'll take that as a motion
25 then, but the only one we have that has no



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1 representation is Folger Coffee Company. So those, the
2 motion that you --

3 MR. ADLEY:

4 No. You had rice mill and Folger, I
5 think were the two.

6 MR. WINDHAM:

7 I believe Senator Thompson wants to
8 speak on behalf of the rice mill.

9 MR. THOMPSON:

10 I'll speak to Kennedy Rice if you have
11 any questions.

12 It's one of the largest employers in
13 Morehouse Parish and built just recently in the last
14 five years. One of the largest rice mills in the state.
15 And I'm like others here, if they were not adding jobs,
16 I would not be for that.

17 MR. WINDHAM:

18 Thank you, Senator Thompson.

19 MR. THOMPSON:

20 I might be for the company, but I'd be
21 wanting jobs.

22 MR. WINDHAM:

23 Certainly. I understand that,
24 especially in the area that you represent.

25 All right. With that, the motion is to



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1 defer the Folgers one; correct?

2 MR. ADLEY:

3 Yes.

4 MR. WINDHAM:

5 Is there a second?

6 MR. THOMPSON:

7 Second.

8 MR. WINDHAM:

9 Seconded by Senator Thompson.

10 We've had discussion on the renewals
11 from the audience.

12 MR. BAGERT:

13 We'd like to speak --

14 MR. WINDHAM:

15 No. That was the general. Now we are
16 going to the specifics. I believe Mr. Bagert wants to
17 address specifically one of the applications.

18 Please state your name and who you
19 represent.

20 MR. BAGERT:

21 Again, I'm Broderick Bagert with
22 Together Louisiana and Together Baton Rouge. These are
23 renewals, and I'd like to, before sharing some analyses
24 that we've done, the constitutional provision of the
25 Industrial Tax Exemption is the 7th Article, Paragraph



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1 21, "Notwithstanding any contrary provision of the
2 section the State Board of Commerce & Industry or its
3 successor, with the approval of the Governor, may enter
4 into contracts for the exemption from ad valorem taxes
5 for a new manufacturing establishment or to an
6 additional manufacturing establishment on such terms and
7 conditions as the Board, with the approval of the
8 Governor, deems in the best interest of the State. The
9 exemption shall be for an initial term of no more than
10 five calendar years and may be renewed for an additional
11 five years." The notion that that creates liability if
12 the discretion of this Board that any particular
13 application or range of applications is not in the best
14 interest of the state is one that's confusing. Why when
15 the constitution says its the responsibility and the
16 obligation of this Board with approval of the Governor
17 would the use of that discretion be deemed a cause for
18 liability? You clearly have the discretion, and we
19 would encourage you to take a look at some of the
20 details or the track record, in particular around jobs
21 creations, of these applications.

22 I'd like to direct your attention to two
23 places. One is in the agenda from the Board's
24 material -- I mean, from the staff's material, under
25 Baker Hughes Oilfield Operations, Inc., in the column



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1 all of the way to right-hand side, it says the "Number
2 of full-time employees as reported by company." The
3 first year off exemption, 214 full-time employees, and
4 then the current is 105. If you were to go back to
5 their application, which they filed in 2012 and the
6 Board approved December 11th, 2012, there was a
7 provision for job creation. They said that they would
8 create 138 new jobs. Now, nobody's saying that that was
9 a requirement for acceptance. They said at the time
10 that they had 214 jobs plus 138 is 352 jobs. Right?
11 Later in that meeting on a separate application, they
12 said, well, we have 352 jobs now. That's in 2012.
13 Three-hundred fifty-two full-time jobs. In 2013, the
14 same company in the same location sent in another
15 application and they see that their existing number of
16 jobs was now 219. One year later. So 133 permanent,
17 full-time jobs have disappeared from the company's
18 payroll in under one year. At the time of this
19 application, they claimed again that they're going to
20 create 133. That's an extraordinary coincidence.
21 One-hundred thirty-three permanent, full-time jobs, to
22 them again to 352 full-time jobs. And then in 2014,
23 they came back before you and said now we have 196 jobs.
24 So this time 133 permanent, full-time jobs disappeared
25 off the face of the earth with no recognition.

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1 Looking at employment then, employment
2 now, was an incredibly helpful addition by the staff.
3 Looking at how many jobs they said they would create and
4 assessing whether or not they did that had to be a
5 criteria for whether you give a company a renewal.
6 Otherwise, their gaming this Board and gaming the
7 citizens of the state. We have to look at whether they
8 created the jobs. Otherwise, anyone would be
9 incentivized to come before you and have less integrity
10 than the woman from Motiva and make stuff up because
11 there's no consequences for not doing so.

12 We ran the numbers on every single one
13 of these applications --

14 MR. WINDHAM:

15 Mr. Bagert --

16 MR. ADLEY:

17 Allow me to stop you for just a second.
18 On this entire list, do you have other companies other
19 than on Baker Hughes that we can get into that also?

20 MR. BAGERT:

21 Yes, I do.

22 MR. ADLEY:

23 Okay. Before you do that -- I couldn't
24 agree with you more. This information is very helpful,
25 and I have to tell you, I don't think any of us up here



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1 have been given any of that. And so can I get someone
2 from LED at the table? I'll get to Baker in a minute.
3 I will. But can someone from LED tell us why we have
4 not tracked things in the manner that they have? I
5 think I know the answer, but can you tell us why that
6 hadn't happened? I mean, it would be very helpful to
7 know when somebody comes up here for renewal that --

8 MS. CHENG:

9 Jobs were never a requirement for the
10 exemption. They were reported by the company.

11 MR. ADLEY:

12 Okay. So the department just never --
13 it was not a requirement for you to do it, so you just
14 didn't do it?

15 MS. CHENG:

16 Correct.

17 MR. ADLEY:

18 Okay.

19 MR. WINDHAM:

20 Okay. Mr. Bagert, do you have anything
21 else related to Baker Hughes?

22 MR. BAGERT:

23 They were not required, but a more basic
24 requirement is truth and integrity, and if a company
25 writes a number down and says, "We're going to create



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1 this many jobs with this," and then the next year, they
2 have precisely the number of jobs that they had when
3 they applied and then continue to do that, we're now in
4 a world where job creation has become significant. It's
5 become the criteria by which we may consider things as
6 grandfathered under the executive order that
7 miscellaneous capital additions who have advanced
8 notification will be considered if they have job
9 requirement. The standard can't be they should be
10 considered if somebody pretended like they had a job
11 requirement and for which there is not a single shred of
12 documented evidence that they fulfilled that job
13 requirement because that incentivizes lying.

14 MR. WINDHAM:

15 All right. Thank you.

16 Let me ask if there's someone here from
17 Baker Hughes?

18 MR. BAGERT:

19 And let me just finish this one -- this
20 has the number of Baker Hughes. They claimed in the
21 application they would create 291 jobs over a period of
22 our subsidy. That facility lost a net 533 jobs, so
23 they're 824 jobs short of the claim they made to you in
24 writing. We think that is -- if there exists a reason
25 not to grant a renewal, we think that's it.



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1 MR. WINDHAM:

2 Thank you, Mr. Bagert.

3 Sir, please identify yourself and state
4 who you represent.

5 MR. BRODERICK:

6 Thank you. My name is Jesse Broderick
7 representing Baker Hughes and a few other companies here
8 as well.

9 I think one of things that would help is
10 to have a little bit of an understanding as to the
11 background of the company in Bossier. There are
12 actually two sites at the time in Bossier, and so some
13 of the applications and some of the things they
14 mentioned are commingling those two sites. So hopefully
15 I can help alleviate that confusion for you. My goal is
16 just share with you the facts and the information that I
17 have, and then its up to you, obviously, to make a
18 decision from there.

19 So the company, Baker Hughes, had two
20 sites in Bossier when things were very well at the
21 Haynesville Shale and the Barnett Shale. They were
22 growing. And they created a whole new site near an
23 existing site within a couple few 100 yards from the
24 other site, but they were separate sites. The first
25 site that they had, they were actually building a new



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1 facility in Caddo Parish. So when you look at the
2 applications, it could be very confusing because all it
3 shows is the parish because it doesn't show you there
4 are two different sites, two different income numbers.
5 And so the old site, after it was completely actually
6 moved --

7 MR. ADLEY:

8 I don't mean to interrupt you, but
9 that's Caddo.

10 MR. BRODERICK:

11 Caddo. All right. I'm not from here.

12 MR. ADLEY:

13 I thought you were from Bossier until
14 you said that word.

15 MR. BRODERICK:

16 I apologize.

17 But I guess to just to kind of give you
18 the full story is that the company, with the -- had the
19 two applications for Quality Jobs purposes and then
20 transferred to one site over into Caddo Parish and they
21 did create those jobs, but as a result of the oil and
22 gas industry, things have gone down significantly. And
23 head count for this company has gone down as a result of
24 the industry.

25 And this is the statement that, you know



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1 I was asked to share with you-all. I mean, there's no
2 question that the jobs at the facility in question are
3 lower than when the exemption was originally granted.

4 MR. WINDHAM:

5 Are there any questions --

6 MR. WINDHAM:

7 And just to make sure, the company said
8 that head count at some Baker sites have dropped due to
9 drastic reduction in demand for oilfield services
10 resulting in reduction in the manufacturing, assembly,
11 repair and improvement of oilfield service equipment.
12 Okay? This has resulted in contraction and
13 consolidation throughout multistate region for this
14 company. Despite a reduction in head count, these sites
15 remain operational while other sites within the
16 multistate region have closed.

17 The property tax exemption on the
18 manufacturing equipment at this site helps keep cost
19 down and competitive against other peer sites that have
20 a fairness.

21 MR. WINDHAM:

22 Thank you.

23 Mr. Adley, do you have a question?

24 MR. ADLEY:

25 Quickly explain to me under the



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1 definition of manufacturing how the industry fits in a
2 manufacturer.

3 MR. BRODERICK:

4 Their industry does not fit in
5 manufacturer; however, they do have operations that are
6 manufacturing. Cementing operations where they're
7 mixing cement for the Haynesville South facility. They
8 also do manufacture some of their own drill bits and
9 some of the equipment that is used in their industry,
10 but the main part of their industry is oilfield
11 services, but they do manufacture the equipment they use
12 for it.

13 MR. ADLEY:

14 I got that. I'm familiar with Bossier.
15 I mean, that's my hometown, and I don't know that we
16 manufacture any bits, pipe or anything up there. So
17 what is being manufactured there?

18 MR. BRODERICK:

19 This particular facility is just the
20 cement, mixing of cement.

21 MR. ADLEY:

22 Strictly for fracking?

23 MR. BRODERICK:

24 Blending. I'm sorry. Not mixing.
25 Blending. There's a difference.



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1 Fracking, yes, sir.

2 MR. ADLEY:

3 You're mixing material for fracking and
4 that sort of thing?

5 MR. BRODERICK:

6 Yes, sir.

7 MR. ADLEY:

8 So under the definition, it's kind of
9 like making coffee; you take one thing and make it into
10 something else, take water and make into something else,
11 that's what this is?

12 MR. BRODERICK:

13 In a very narrowed down sense, yes, sir.

14 MR. ADLEY:

15 I want to ask the staff, when you look
16 at these things like that, in my mine, that's not what I
17 see manufacturing to be. Over the years, can any of you
18 tell me how that evolved to where -- a guy in the cement
19 business is entitled to ITEP, I assume, because he mixes
20 water with something else to create cement. Would you
21 agree with that or not?

22 MR. WINDHAM:

23 Ms. Clapinski, please.

24 MR. WINDHAM:

25 I've been in the oil business my whole



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1 life, it's in my hometown. I want to take care of you,
2 but the truth is, I want to understand why in the world
3 this is part of ITEP.

4 MS. CLAPINSKI:

5 Yes, sir. If you look at the language
6 of the constitution, it's discussing the change in
7 shape, form or substance, I believe, something like
8 that. I don't have it sitting in front of me. And I
9 think over the years, that definition has been expanded
10 and utilized to include various types of industries.

11 MR. ADLEY:

12 Inside the department?

13 MS. CLAPINSKI:

14 Yes, sir.

15 MR. ADLEY:

16 And so as we move through the rules
17 process --

18 MS. CLAPINSKI:

19 Well, and I would say the Board as well
20 the Governor who have signed off on those.

21 MR. ADLEY:

22 I got it's. Part of the growth that
23 occurred in this interpretation.

24 MS. CLAPINSKI:

25 Yes, sir.



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1 MR. ADLEY:

2 If you're not manufacturing, do the
3 exemption that you're getting, that is solely for the
4 property value out there? Is that what the exemption's
5 for?

6 MR. BRODERICK:

7 Yes, sir. There are obviously a number
8 of additional assets at that site that are not
9 manufacturing in that exemption. Those were not applied
10 for an exemption.

11 MR. ADLEY:

12 It appears to me that, for the staff,
13 that if we look at these rules in the future, in your
14 industry, when you're creating oil and jobs when the
15 prices are higher, the truth is, that's not when you
16 need an exemption. You assistance, as a business man,
17 needs to occur when prices are lower and you're
18 decreasing jobs, which is not helpful to us either.

19 Richard, they fell inside this June 24th
20 date? They did or they did not, this renewal?

21 MR. WINDHAM:

22 Mr. Adley, these are renewals.

23 MR. ADLEY:

24 I got it. I want to know the
25 interpretation of that, Mr. Chairman, and let them



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1 handle the question.

2 MR. WINDHAM:

3 Okay.

4 MR. ADLEY:

5 Thank you.

6 MR. HOUSE:

7 Renewals are not subject to the
8 executive order, Senator.

9 MR. ADLEY:

10 So we can do with them...

11 MR. HOUSE:

12 You can, under the state constitution,
13 you may make determinations, you may ask the staff for
14 information, you could form a committee to work with the
15 staff in terms of getting information on all of these
16 renewals, and you could then, at that point in time,
17 make your determinations.

18 MR. ADLEY:

19 Why would you interpret that it doesn't
20 have anything to do with the executive order as a
21 renewal of ITEP?

22 MR. HOUSE:

23 Because --

24 MR. ADLEY:

25 It is our Industrial Tax Exemption.



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1 It's an application for Industrial Tax Exemption.

2 MR. HOUSE:

3 Because the executive order deals with
4 the terms and conditions regarding applications for a
5 new contract.

6 MR. ADLEY:

7 Say that again.

8 MR. HOUSE:

9 The executive order deals with the terms
10 and conditions regarding applications to renew a
11 project, and that's exactly what I stated it was on June
12 the 24th here when the Governor introduced me to
13 interpret the executive order for the Board. So it was
14 meant to deal with new contracts, not renewals. We know
15 what a renewal is of a contract. In fact, there's a
16 reference later on in there to when you get to -- when
17 you have the new contracts under the executive order,
18 what you should look at with respect to renewals of
19 those contracts. So it's pretty clear --

20 MR. ADLEY:

21 It's your position then, if the Governor
22 wanted to make his position clear as it relates to
23 renewals, if he was supplied some additional
24 documentation, a letter or order, you believe that's
25 needed?



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1 MR. HOUSE:

2 I believe if the Governor wants to do
3 that, it's needed, certainly.

4 MR. ADLEY:

5 I got it. But, I mean, for you to sit
6 there and say that you think that it applies to
7 renewals, in your opinion, it requires some additional
8 guidance; is that correct or not?

9 MR. HOUSE:

10 Right. It does not apply to renewals.

11 MR. ADLEY:

12 You believe it does not?

13 MR. HOUSE:

14 Yes, sir. It does not apply to renewals
15 if the Governor wants to provide you a letter. But I
16 would also say this, the Board, under the constitution,
17 has its own function, too.

18 MR. ADLEY:

19 I got it.

20 MR. HOUSE:

21 So the Board also has the duty or
22 discretion to determine whether or not to renew the
23 contracts, and how you want to do that and what you want
24 to instruct the staff to do, that's a Board function.
25 If the Governor wants to send you a letter with his



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1 perspective on it and what he wants to do or have
2 another executive order, that's fine, too. But I know
3 what this executive order seeks to deal with, and it is
4 not this renewal process.

5 MR. ADLEY:

6 Okay. Thank you.

7 MR. WINDHAM:

8 Thank you, Mr. House.

9 MR. CARMODY:

10 Mr. Chairman, I just want to point out
11 that the Governor still has the discretion of not to
12 sign off on what this Board decides to do, so, again, I
13 don't know that he needs an executive order. He makes
14 the decision.

15 MR. HOUSE:

16 I don't think he needs -- he didn't need
17 an executive order that he gave you, but in point of
18 trying to go forward with what is a very important job
19 creation tool to the state. The jobs that we're talking
20 about here that this Board considers are some of the
21 best jobs in Louisiana.

22 MR. CARMODY:

23 Amen.

24 MR. HOUSE:

25 So this is an economic development tool.



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1 So the Governor, in his executive order, gave you a
2 guideline of how he wanted it to be implemented in terms
3 of job creations. In terms of renewals and whether
4 those falls within what he or you as a Board member and
5 as an entire Board want to do, that's something that
6 still needs to be determined. That's what I'm telling
7 you now. I'm not telling you how to determine it. I'm
8 just telling you when we get into this category of
9 contracts that were entered into in 2011 before this
10 Governor -- and I might also add, I was in economic
11 development with Mr. Windham under Governor Foster and
12 under Governor Blanco, and we did, in fact, you know,
13 use this incentive and we did, in fact, spell out that
14 it was a five-year contract with a five-year renewal.

15 But very definitely, those receiving
16 that information -- and if Mr. Pierson were here today,
17 he would back this up -- were told that the odds were
18 very good that we were going to back a 10-year
19 exemption, "we" meaning the department of development.
20 The term in that is still up to the Board and the
21 Governor.

22 MR. CARMODY:

23 Can I ask for clarification on what you
24 just said? The Louisiana Economic Development is
25 backing a 10-year exemption, but what we're talking



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1 about here are renewals of a five that's already in
2 place with an additional five.

3 MR. HOUSE:

4 Well, in the past we specified exactly
5 what it was, five years and five years, with the idea
6 that if the companies were good citizens, if they went
7 forward, if they didn't have, for example, environmental
8 violations, if they paid the taxes, if et cetera, et
9 cetera, we would support the second five years. That's
10 now changed by the executive order. That's not the
11 position of Louisiana Economic Development anymore, but
12 it was the position of Louisiana Economic Development
13 for many, many years and many, many different governors
14 and administrations and you're dealing with a contract
15 that was entered into in 2011, where I'm pretty sure
16 that was the position of the administration at that
17 time. So...

18 MR. CARMODY:

19 Thank you for clarifying that.

20 MR. WINDHAM:

21 And I will point out, this issue will be
22 coming up for the next five years, so because this is
23 timing. Renewals are going to be ongoing.

24 MR. HOUSE:

25 Right.



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1 MR. WINDHAM:

2 Okay. Any --

3 MR. BAGERT:

4 Can I just speak to the renewal
5 question?

6 MR. WINDHAM:

7 Sure. Certainly, Mr. Bagert. Just
8 briefly.

9 MR. BAGERT:

10 The constituents that we represent have
11 a different understanding than that if that is the case
12 because the executive order speaks to contracts, not
13 projects, and implying that there's a contract that
14 extends beyond five years means that there's a contract
15 approved by this board that's not provided for in the
16 constitution because there is no contract beyond five
17 years that's constitutionally allowable. There is no
18 such thing as a 10-year tax exemption, and when there's
19 a renewal, it is a new contract, because, otherwise,
20 it's not allowable under the constitution. And if it's
21 a new contract, the language of the executive order is
22 plain that the new rules apply with the caveats we
23 discussed before, MCAs with jobs, advanced notices right
24 now.

25 It may, in fact, be the case that it was



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1 the Governor's intent to have it apply. If so, then he
2 needs to do a supplemental clarification of that issue.
3 That would be extremely disappointing to us because the
4 notion that for another five years, we'll continue to
5 have local tax money redirected from local communities
6 without any public hearings, without any say, with Board
7 agendas that are put online the Friday before the
8 meeting, without any of the actual documentation, with
9 the requirement that citizens move heaven and earth and
10 talk specifically with individual members of the Board
11 in order to get information is about what even is being
12 proposed, all of that will continue to be the case, and
13 that's extremely disappointing to us. So maybe the
14 Governor happens to be right about the Governor's
15 intent. We think he's not right about the clear
16 language of the executive order, and we would be
17 extremely disappointed if that is, in fact, the
18 interpretation of this Board.

19 And I would say, despite all of that,
20 they said they were going to create jobs and didn't and
21 actually now in their entire facility had fewer jobs
22 than they said they would create, on the merits, we
23 think several of these, with about two exceptions,
24 shouldn't be approved in any case.

25 MR. WINDHAM:



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1 Thank you, Mr. Bagert.

2 Any questions for any of the Board
3 members or Mr. Bagert or Mr. --

4 MR. BRODERICK:

5 Jesse.

6 MR. WINDHAM:

7 -- Jesse, Mr. Jesse? I'm sorry.

8 Questions?

9 Yes, Robby.

10 MR. MILLER:

11 Jesse, do you have the total amount of
12 property taxes that Baker Hughes pays in Bossier Parish?

13 MR. BRODERICK:

14 No, sir, I do not, but I can get that to
15 you.

16 MR. WINDHAM:

17 So can you do that for the entire state,
18 too, Mr. Jesse?

19 MR. BRODERICK:

20 Yes, sir.

21 MR. WINDHAM:

22 Just a summary.

23 Is there a motion to -- I'm sorry. Is
24 there a motion to approve Baker Hughes' application for
25 renewal?



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1 I'm so sorry. We've already -- first of
2 all, there's already a motion on the table by Senator
3 Adley to approve all of the ones except for Folgers
4 Coffee.

5 MR. ADLEY:

6 And I'm going to tell you, look, I'm
7 going to stand by that motion. The new information you
8 brought us I thought was extremely helpful, but Richard
9 is correct, and I'm going to follow the letter of what
10 the Governor's intent was, but I have to tell you, I
11 would expect some changes to be coming very shortly of
12 what his view is where we should head on this. I have
13 to tell you, Baker Hughes is one that's been in business
14 my whole life. It's outrageous we give ITEP for the
15 mixture of materials for fracking. That is not
16 manufacturing. That's just not manu- -- I thought it
17 had to be for resale. Now it's probably resale of
18 somebody drilling a well, but I just, I don't see it. I
19 don't get it. I don't know how the department got to
20 that.

21 MR. MOLLER:

22 Mr. Chairman?

23 MR. WINDHAM:

24 Yes, Mr. Jan.

25 MR. MOLLER:



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1 Can we defer these items until we get
2 some clarification from the Governor's office on what is
3 his intent was with the renewals? I sure would like to
4 know before I vote to approve any of these?

5 MR. ADLEY:

6 The Board could clearly do what it wants
7 to do. Yes, you can. I'll withdraw my motion, and
8 y'all, the Board, can decide. I think that's the smart
9 thing to do.

10 MR. MOLLER:

11 I'll make the substitute motion to
12 defer.

13 MR. ADLEY:

14 Second.

15 MR. WINDHAM:

16 Defer all of them, all of the renewals?

17 MR. MOLLER:

18 Yeah.

19 MR. WINDHAM:

20 All right. Mr. Moller made the motion
21 to defer all of the renewals.

22 MR. MOLLER:

23 Yes.

24 MR. WINDHAM:

25 And Mr. Coleman seconded that motion.



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1 Is there any comment from the public?

2 (No response.)

3 MR. WINDHAM:

4 Are there any comments or questions from
5 the Board members?

6 (No response.)

7 MR. WINDHAM:

8 All in favor, please indicate by saying
9 "aye."

10 (Several members respond "aye.")

11 MR. WINDHAM:

12 All opposed, please indicate by saying
13 "nay."

14 (No response.)

15 MR. WINDHAM:

16 All of the renewals are deferred for
17 further clarification on the executive order.

18 MR. MILLER:

19 One comment on that. Correct me if I'm
20 wrong on it, the idea of holding up on these renewals,
21 whether we put them -- whether we approve them or not
22 doesn't change the tax burden until January anyway;
23 correct?

24 MS. CHENG:

25 Correct.



1 MR. MILLER:

2 Okay.

3 MR. WINDHAM:

4 Please let the record reflect that Ms.
5 Cheng said correct.

6 MS. CHENG:

7 Okay. We have the eight -- these are
8 the eight renewals that were denied at the June Board
9 meeting. Y'all requested additional information on them
10 because the investment amount and the estimated ad
11 valorem wasn't included on that agenda.

12 MR. WINDHAM:

13 Are these on the same page?

14 MS. CHENG:

15 These are on the next page.

16 MR. WINDHAM:

17 Next page. Is it eight or six?

18 MS. CHENG:

19 Oh, I'm sorry. These are the late
20 renewals. I'm sorry.

21 MR. WINDHAM:

22 So let me just clarify what we have. We
23 have no advanced notification filed, MCAs, that have
24 renewals, so those have been deferred. Do we need to
25 read those into the record?



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1 MS. CHENG:

2 We're deferring all of them.

3 MR. WINDHAM:

4 Deferring all of them, so we don't need
5 to read them into the record. Thank you.

6 Next page.

7 MS. CHENG:

8 Now we have the six late renewals.

9 MR. WINDHAM:

10 Is the pleasure of the Board to defer
11 these? Were these filed prior to June 24th? So we need
12 to take action on these because they're not going to be
13 subject to the executive order.

14 MS. CHENG:

15 Well, these were expired in 2015. These
16 are late renewals.

17 MR. WINDHAM:

18 Okay.

19 MS. CHENG:

20 There is, the one for Halimar Shipyard,
21 y'all deferred to this month waiting for information
22 from St. Mary Parish assessor confirming that taxes
23 hadn't been paid on those assets, and I did confirm that
24 with the assessor.

25 MR. WINDHAM:



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1 That taxes have not been paid on those
2 assets at Halimar Shipyard?

3 MS. CHENG:

4 Correct.

5 MR. WINDHAM:

6 Is there a person for Halimar Shipyard?

7 Please, sir, can you come forward in
8 case someone has any additional questions?

9 So we are going to start with Georgia
10 Pacific then. Please, Ms. Cheng, proceed with your
11 presentation.

12 MS. CHENG:

13 We have the late renewals: 20091227,
14 Georgia Pacific Consumer Operations, LLC, East Baton
15 Rouge Parish. The initial contract expired 12/31 of
16 2015. They requested late renewal on 6/16 of 2016.

17 MR. WINDHAM:

18 Do we have a representative from Georgia
19 Pacific?

20 Please step forward.

21 I'm sorry, Mr. Halimar. I called you a
22 little early.

23 MR. HIDALGO:

24 That's fine.

25 MR. WINDHAM:



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1 Please state your name and tell us who
2 you represent.

3 MR. GUIDRY:

4 George Guidry. I represent Koch
5 Companies Public Sector, which is the owner -- actually,
6 Koch Companies is the owner of Georgia Pacific, and
7 thank you very much.

8 MR. GORANSON:

9 Kris Goranson. I work for Georgia
10 Pacific. I'm a mill controller here at Port Hudson.

11 MR. WINDHAM:

12 Are there any questions relating --

13 MS. PRATS:

14 And I'm Patty Prats. I'm the public
15 affairs manager for Georgia Pacific Port Hudson.

16 MR. WINDHAM:

17 I'm so sorry.

18 Are there any questions for the
19 representatives of Georgia Pacific regarding their --

20 MR. ADLEY:

21 The reduction in jobs, the first year of
22 exemption, 998, now it's down to 924. The issue that
23 comes before us is is that we want to be increasing
24 jobs. We don't want to be decreasing jobs. It looks
25 like we incentivize people to decrease jobs if we renew



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1 exemptions for decreasing jobs, so please share with me
2 why the job have gone from the first year of 998 down to
3 now 924.

4 MR. GUIDRY:

5 I think Chris would be the best person
6 to answer that question.

7 MR. GORANSON:

8 So, Mr. Adley, I recently joined the
9 Port Hudson operations down here approximately two years
10 ago.

11 MR. ADLEY:

12 You need to get a little closer.

13 MR. GORANSON:

14 I actually joined operations two years
15 ago. We just compete in the global market, especially
16 in our uncoated freesheet products, which is typically 8
17 and a half by 11. The reduction in head count would
18 have been predominantly driven through attrition, just
19 based on the market demand for the different products
20 we're producing.

21 MR. ADLEY:

22 It's not modernization of the facility
23 that's costing jobs; it is the decrease in demand for
24 product?

25 MR. GORANSON:



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1 A change in the demand for the product.

2 MR. ADLEY:

3 For what it's worth, I would ask y'all,
4 y'all might want to just consider, if you deferred your
5 other renewals, just to give some more time to work on
6 these, I think we are going to get some guidance that's
7 going to be helpful to us if we do that at some point.
8 For what it's worth. But thank you for your answer.

9 MR. GORANSON:

10 Thank you, sir.

11 MR. WINDHAM:

12 Are there any other questions for
13 Mr. Guidry or Mr. Kris?

14 (No response.)

15 MR. WINDHAM:

16 All right. So is that a motion,
17 Mr. Adley, that you'd like to defer?

18 MR. ADLEY:

19 No. I'm not -- no. I think the Board's
20 been taking some action, and I think it's the Board's
21 responsibility to take that action. Richard says, in
22 his view, the executive order has nothing to with these
23 renewals, so I respect the wishes of the Board in what
24 they decide to do.

25 MR. WINDHAM:



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1 All right. These are also late
2 renewals, so there is the Board's ability to reduce the
3 amount of the exemption by one month for each one year
4 for each calendar month that they're late.

5 At the last meeting, this was deferred
6 so the company could provide additional information so
7 that we could consider those in position of those
8 reduction in years as appropriate or as desired, so is
9 there a motion regarding Georgia Pacific's reconduction?
10 How long would the reduction be for?

11 MR. ADLEY:

12 Mr. Chairman, let me just ask the
13 members, if you just look at the list, all but one,
14 every one of them had a reduction in jobs. Clearly
15 there's more -- somebody's got to give -- this Board
16 needs some time, I think, to determine exactly how
17 you're going to deal with that issue. You can't -- with
18 this idea of coming in here just renewing and losing the
19 jobs is a problem, and every one on the list I'm looking
20 at but one is a reduction.

21 MR. WINDHAM:

22 Okay.

23 MR. MOLLER:

24 Again, I am back to the idea that we
25 really need some clarification from the Governor on



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1 this, and before we take votes that may set some kind of
2 precedent on how we deal with renewals for the next five
3 years potentially, I would like some guidance, and so I
4 would suggest we defer these as well.

5 MR. WINDHAM:

6 So I'll take that as a motion to defer
7 all of the renewals on this page.

8 Seconded by Manny.

9 Any additional comments from--

10 MS. CHENG:

11 Mr. Hidalgo with Halimar Shipyard was
12 here in June and there was a -- y'all told him his would
13 be approved if we got a statement from the assessor
14 saying that no taxes had been paid, so I don't believe
15 that one can be deferred.

16 MR. WINDHAM:

17 Okay. Let's start with this.

18 MR. HIDALGO:

19 Can I speak?

20 MR. WINDHAM:

21 One second first, please.

22 Mr. Moller, would you like to amend
23 your --

24 MR. MOLLER:

25 I'd like to amend my motion to exclude



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1 Halimar Shipyard and defer the rest.

2 MR. WINDHAM:

3 Yes. And Mr. Manny seconds that.

4 Is there any objection?

5 (No response.)

6 MR. WINDHAM:

7 Is there any discussion from the public,
8 from the audience?

9 (No response.)

10 MR. WINDHAM:

11 All in favor, indicate by saying "aye."

12 (Several members respond "aye.")

13 MR. WINDHAM:

14 All opposed, say "nay."

15 (No response.)

16 MR. WINDHAM:

17 Motion carries. Thank you.

18 Mr. Halimar. I'm not sure if that's
19 your last name.

20 MR. HIDALGO:

21 No, it's not.

22 MR. WINDHAM:

23 I'm sorry.

24 MR. HIDALGO:

25 That's okay. My name is Bill Hidalgo.



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1 Okay? And I'm the owner of Halimar Shipyard, and the
2 only reason that I really want to talk is you see a
3 decrease in number of jobs. That's not my choice.

4 MR. ADLEY:

5 Say that again.

6 MR. HIDALGO:

7 That is not my choice. That is the
8 industry's choice. Okay? We're working in the oilfield
9 industry building offshore supply vessels, barges,
10 equipment for the marine industry, and, you know, we had
11 up to 75 and 80 people, but that wasn't this year. If
12 you notice, that says on 6/17 of '16. In '15 and '14,
13 the, you know, we employed more people, so we did not
14 decrease jobs because we got equipment to make people
15 more efficient. We have lost jobs because of lost
16 revenue, and that is because of the industry we're in.

17 Now, we are a diversified by coming into
18 other industries, and we have also not laid anybody off.
19 The people you see that we lost, that was due to
20 attrition. Everybody is still working for us that wants
21 to work for us. We're making jobs. So that decrease is
22 not by my choice. It's due to the industry.

23 MR. WINDHAM:

24 Thank you.

25 And I guess the other question was



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1 related to the St. Mary issue, St. Mary Parish , whether
2 or not they received payment on any of the assets.

3 MS. CHENG:

4 They have not. I have a letter from the
5 St. Mary Parish assessor stating that they haven't paid
6 anything, and they would only be -- they wouldn't be
7 receiving additional five years. It would be five years
8 from 2012, so this is only to approve the remaining one
9 year.

10 MR. WINDHAM:

11 All right. Does everyone understand?
12 There was already a motion to approve it at the last
13 meeting subject to gathering additional information. I
14 think we can vote on that.

15 Are there any questions about the
16 information that Mr. Hidalgo provided?

17 (No response.)

18 MR. WINDHAM:

19 Is there a motion to -- well, I guess we
20 would take a vote now.

21 This was deferred at the last meeting
22 subject to additional information being provided. That
23 has been provided. I don't know if we have to take an
24 action. Okay. We'll still take an action.

25 MR. RICHARD:



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1 For the record, I'm make the motion to
2 approve.

3 MR. WINDHAM:

4 Second by Dr. Wilson. And Ms. Villa
5 will recuse herself from this vote.

6 Are there any -- I'm sorry. Any
7 comments from the public?

8 MR. ADLEY:

9 Before we leave this area, wherever you
10 are, I want to ask the staff to give to me for our next
11 meeting, when we were talking about Baker Hughes, I
12 thought -- I need to know the language that deals with
13 manufacturing subject to sale, resale, retail. I need
14 to know what that language is. Please. Just sent it to
15 me as soon as you can. That will we very helpful.

16 MR. WINDHAM:

17 Ms. Clapinski, you will take care of
18 that?

19 MS. CLAPINSKI:

20 You're talking about language in our
21 constitution or the language we're putting in our rules?

22 MR. WINDHAM:

23 Please come to table.

24 MR. ADLEY:

25 The language you've been operating by.



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1 That's what I need. For you to sit down in your shop to
2 say they qualify, I need to know the language you've
3 been using to create that qualification.

4 MR. WINDHAM:

5 Thank you, Mr. Adley. We'll gather that
6 information.

7 MR. ADLEY:

8 Thank you very much.

9 MR. WINDHAM:

10 All in favor of deferring these with --
11 I'm sorry. We've already deferred them.

12 All in favor of approving Halimar
13 Shipyard for their one year, I guess, one year of
14 exemption, one additional year starting back to 2012,
15 for a five-year term starting back in 2012. All in
16 favor, indicate with a "yes" or a "yay."

17 (Several members respond "aye.")

18 MR. WINDHAM:

19 All opposed, indicate with a "nay."

20 (No response.)

21 MR. WINDHAM:

22 Motion passes. Thank you very much for
23 coming in for the second time.

24 MS. CHENG:

25 Okay. Now we have the late renewals



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1 that were denied last -- in June at the last meeting.
2 Additional information was requested by the Board
3 regarding their investment amounts and how much their
4 estimated ad valorem was.

5 MR. WINDHAM:

6 All right. Please proceed.

7 MS. CHENG:

8 20100518, BP Lubricants USA, Inc. in
9 West Baton Rouge Parish -- did y'all want me to read
10 these?

11 MR. ADLEY:

12 Well, I would like to kind of speed this
13 up if I can.

14 MS. CHENG:

15 This is just information that y'all
16 requested.

17 MR. WINDHAM:

18 Action has already been taken on these?

19 MS. CHENG:

20 Yes. They were denied in June.

21 MR. WINDHAM:

22 They were denied?

23 MS. CHENG:

24 Yes.

25 MR. ADLEY:



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1 Okay. Are these companies present?

2 MR. WINDHAM:

3 That was the next question.

4 All right. We'll start with the first
5 one, and we're going to listen to what the reason for
6 reconsideration will be.

7 MS. CHENG:

8 I think that's later down on the agenda
9 on Item Number 8, Appeals. This is just information.
10 Y'all wanted to see the investment amounts and the ad
11 valorem amount.

12 MR. WINDHAM:

13 All right. With that, if you'll just
14 read that information.

15 MS. CHENG:

16 20100518, BP Lubricants USA, Inc. in
17 West Baton Rouge Parish, investment of \$362,327 for the
18 estimated tax relief of \$48,338; 20110170, Crescent
19 Decal Specialist, Inc. in Jefferson Parish, investment
20 of \$91,311 with an estimated tax relief of \$13,158;
21 20110172, Hauser Printing Company, Inc. in Jefferson
22 Parish, an investment of \$29,166, estimated tax relief
23 of \$7,085; 20110413, Quik Print of New Orleans, d/b/a
24 Documart in Jefferson, investment is \$121,736 with an
25 estimated tax relief of \$22,065; 20110334 CARBO



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1 Ceramics, Inc. in Iberia Parish, investment of
2 \$1,374,408 with an estimated tax relief of \$142,251;
3 20110335, CARBO Ceramics, Inc. in Iberia Parish, an
4 investment of \$4,922,089, with an estimated tax relief
5 of \$509,436; 20110345, Frymaster, LLC in Caddo Parish,
6 \$2,531,884 in investment, \$537,772 in estimated tax
7 relief; 20110346, Frymaster, LLC in Caddo Parish,
8 \$1,588,059 in investment, \$337,304 in estimated tax
9 relief.

10 MR. WINDHAM:

11 Thank you.

12 MR. MILLER:

13 On the tax relief number, that's an
14 accumulation of how many years?

15 MS. CHENG:

16 That's 10 years.

17 MR. MILLER:

18 That's for 10 years.

19 MS. CHENG:

20 So if they were denied, it would be half
21 of that.

22 MR. MILLER:

23 So half of this would go to the locals
24 now.

25 MR. WINDHAM:



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1 So I know this came out last time, then
2 additional information was requested on the renewals,
3 these were all filed prior to the executive order,
4 renewal dates?

5 MS. CHENG:

6 Yes.

7 MR. WINDHAM:

8 And they were all late?

9 MS. CHENG:

10 Yes.

11 MR. WINDHAM:

12 So they would have been reduced?

13 MS. CHENG:

14 They could have been.

15 MR. WINDHAM:

16 Could have been.

17 MS. CHENG:

18 Yes.

19 MR. ADLEY:

20 Is BP here?

21 MR. WINDHAM:

22 Yes. Is someone from BP Lubricants
23 here?

24 MR. ADLEY:

25 Is someone with BP here?



1 (No response.)

2 MR. ADLEY:

3 And Quik Print, is someone here from
4 Quik Print? I mean, those two caught my attention. I'm
5 just curious, is someone here to answer a question?

6 MS. CHENG:

7 They weren't asked to be here because
8 they were asked to be at the last meeting when they
9 presented for approval in June, and this is additional
10 information --

11 MR. ADLEY:

12 Oh, wait. Let me ask you something. Is
13 there anybody here with these things?

14 MR. WINDHAM:

15 Yes.

16 MR. ADLEY:

17 You see those hands back there? That's
18 because they have enough interest in their business to
19 be here.

20 MS. CHENG:

21 No, sir. I notified them because
22 they're appealing the decision that y'all made in Item
23 Number 8. The rest of them did not request --

24 MR. ADLEY:

25 So if we don't ask them, they don't show



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1 up.

2 Let me ask the staff then, what
3 manufacturing does BP do?

4 MS. CHENG:

5 I'm not sure what they do at this site.

6 MR. ADLEY:

7 Well, you have to be. You're approving
8 or not approving Industrial Tax Exemptions for
9 manufacturing.

10 MS. CLAPINSKI:

11 Just a point of clarification, these are
12 already denied by this Board.

13 MR. ADLEY:

14 Got it.

15 MS. CLAPINSKI:

16 They were denied at the last meeting,
17 and I think there was just a request for additional
18 information. I don't think it was for any additional
19 action that I know of. It was just a request for
20 information and so she's providing that information at
21 the Board's request.

22 MR. ADLEY:

23 So please let me ask my question. What
24 does BP manufacture?

25 MS. CHENG:



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1 I would have to go into the application.

2 MR. ADLEY:

3 If they were denied before -- I'm going
4 to make a motion we defer all of these until --

5 MS. CLAPINSKI:

6 There's no action to be taken.

7 MR. ADLEY:

8 We're not taking any action?

9 MS. CLAPINSKI:

10 No, sir.

11 MR. WINDHAM:

12 This is just information we requested.

13 MR. ADLEY:

14 I apologize. Find out for me what they
15 manufacture.

16 MR. WINDHAM:

17 Ms. Cheng?

18 MS. CHENG:

19 Yes?

20 MR. WINDHAM:

21 I believe now we have the name changes.

22 MS. CHENG:

23 Yes. We have one name change for NFR
24 BioEnergy CT, LLC, Contract Number 20150634. The new
25 name is American Biocarbon CT, LLC in Iberville Parish.



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MR. WINDHAM:

Are there any questions?

MR. RICHARD:

Motion to approve.

MR. WINDHAM:

Motion by Mr. Richard, second by Manny
to approve the name change.

Any comments from the public?

(No response.)

MR. WINDHAM:

Questions from the Board, comments from
the Board?

(No response.)

MR. WINDHAM:

All in favor, indicate with an "aye."

(Several members respond "aye.")

MR. WINDHAM:

All opposed, indicate with a "nay."

(No response.)

MR. WINDHAM:

Motion passes.

MS. CHENG:

Okay. We have one change in location
only for Schambo Manufacturing, LLC, Contract Number
20150373. They were previously located at 200



1 Southeastern Avenue, Rayne, Louisiana 70578 in Acadia
2 Parish. They're now located at 101 LeMedicin Road,
3 Carencro, Louisiana 70520 in Lafayette Parish.

4 MR. WINDHAM:

5 Thank you.

6 Is there a motion to approve?

7 Mr. Richard makes the motion to approve
8 and Mr. Moller seconds it. This is a change in
9 location.

10 Are there any comments from the public?

11 (No response.)

12 MR. WINDHAM:

13 Any comments from other Board members?

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 passes.

23 MS. CHENG:

24 I have three transfers of tax exemption
25 contract for Plains Gas Solutions, Contracts 06236,



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1 20130607 and 20140601 to be purchased by Kinetica
2 Partners, LLC, and they're in Cameron Parish.

3 MR. WINDHAM:

4 Is there a motion to approve the
5 transfer of the tax exemption contracts?

6 Made by Mr. Manny and second by Dr.
7 Wilson.

8 Are there any comments from the public?

9 (No response.)

10 MR. WINDHAM:

11 Any additional comments from 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 Then I have two special requests. One
23 from CARBO Ceramics, Inc. These are all of their active
24 contracts. They're requesting continuation of their tax
25 exemption contract while their facility is idled due to



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1 decline in the oil and natural gas market until the
2 market conditions improve.

3 MR. WINDHAM:

4 Are there representatives from CARBO
5 Ceramics in the audience?

6 Can you please come forward?

7 MS. TUCKER:

8 Hi. I'm Katie Tucker. I'm with CARBO
9 Ceramics. I'm the tax manager.

10 MR. WINDHAM:

11 Thank you, Ms. Tucker. Can you describe
12 the situation?

13 MS. TUCKER:

14 So we manufacture ceramic proppant that
15 is used in fracturing, so clearly with the turn of the
16 oil and gas market, drilling companies aren't drilling,
17 we're not able to sell your proppant. We need to idle
18 our facility until the market returns, and, you know,
19 we're just doing our best to keep our heads above water
20 at this point.

21 MR. WINDHAM:

22 And have you spoken with your local
23 assessor?

24 MS. TUCKER:

25 I've spoken with Elaine several times.



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1 I mean, I haven't gotten a specific approval from her,
2 but we have a very good working relationship. I don't
3 think that she's aware that she needs to approve
4 anything or provide any documentation from, you know,
5 the local government to suggest approval or denial.

6 MR. MILLER:

7 So there's been no local discussion on
8 your part with your assessor and anybody else, parish
9 administrator?

10 MS. TUCKER:

11 I mean, there have been discussions. We
12 work together often. I have not asked for her to
13 provide, you know, their suggestion on whether to
14 approve or deny the contract continuation.

15 MR. MILLER:

16 Again, if any change were to take place,
17 it would happen before December, before tax bill goes
18 out, and it would not take effect until this tax bill
19 goes out. Can we ask for local input?

20 MR. WINDHAM:

21 Yes, we can ask for local input.

22 Ms. Cheng, can you get input from them
23 because of one of the quandaries, as you know, it goes
24 on the tax role and if you pay taxes, it cannot come
25 off.



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1 MS. TUCKER:

2 Right. Yeah. And none of these have
3 gone on the tax role. So I think Elaine has provided
4 documentation saying that everything that's already in
5 contract where you guys have signed, it's not on the tax
6 role.

7 MR. WINDHAM:

8 I think one of the quandaries is if
9 you're not manufacturing at the facility, the contract
10 has to be canceled, unless, you know, you get approval
11 from them not to start collecting taxes from you and
12 from this Board to allow the contract to remain in
13 place.

14 MS. TUCKER:

15 Okay. I understand. I did just want to
16 point out, though, that I don't have the prior agenda
17 with me, but there was another company at the last
18 meeting with this same, I guess, predicament and they
19 did -- y'all did grant them approval, to continue the
20 contracts with a yearly update on the conditions and
21 then just the operations. But this one is not any
22 different than what you-all saw at the prior meeting,
23 just to clarify.

24 MR. WINDHAM:

25 All right.



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1 Mr. Miller.

2 MR. MILLER:

3 I think I'd still like to get the local
4 input. I can remember when I was in that business, we
5 had one of these situations, we had to go the local
6 parish counsel meeting, the assessor. We did a lot to
7 keep that contract going, and I don't think that it's
8 out of the question for those people to understand
9 that -- actually, the locals ought to be trying to help
10 because you want to try and keep it in a competitive
11 environment. They just need to know about it in my
12 opinion.

13 So I make a motion that we ask the
14 locals, the ones that are in the executive order, to
15 have input on us granting this -- maintaining this
16 contract while they're in a shutdown mode.

17 MR. WINDHAM:

18 In idle mode.

19 All right. So there's been a motion by
20 Mr. Miller. Is there a second?

21 Seconded by Mr. Adley.

22 Is there any comment from the public?

23 (No response.)

24 MR. WINDHAM:

25 Any additional comments from the Board



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1 members?

2 (No response.)

3 MR. WINDHAM:

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

5 (Several members respond "aye.")

6 MR. WINDHAM:

7 All opposed with a "nay."

8 (No response.)

9 MR. WINDHAM:

10 Motion passes.

11 Thank you.

12 MS. TUCKER:

13 While I have your attention, if I may,
14 we have several renewals up as well, and I know that you
15 guys decided to go ahead and defer those. I just wanted
16 to make a comment on just the job reduction, and clearly
17 we're an idle plant, we're not going to be able to keep
18 people employed while we're not manufacturing anything.

19 Just, again, speaking to -- I understand
20 that local taxpayers quandary in wanting to make sure
21 that they're still bringing in revenue, but from the
22 business perspective, that kind of denying these
23 contracts at this point in this industry, you know, is
24 probably going to have the opposite effect of what
25 you-all are going for, which is job creation. I mean,



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1 it will for us for sure, you know.

2 MR. WINDHAM:

3 Thank you.

4 MS. TUCKER:

5 Thanks.

6 MS. CHENG:

7 We have another special request from
8 Myriant Corporation. It's all of their active
9 contracts. I have a request for continuation for
10 contract from Myriant Lake Providence, Inc. in East
11 Carroll Parish.

12 MR. WINDHAM:

13 Is there a representative from Myriant
14 in here?

15 Please step forward.

16 Go ahead Ms. Cheng.

17 MS. CHENG:

18 They're asking for continuation of
19 contract because of the temporary shutdown due to
20 decline in oil prices.

21 MR. WINDHAM:

22 Please introduce yourselves, tell us who
23 you represent.

24 MR. MCCULLOUGH:

25 Sure. Good afternoon, ladies and



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1 gentlemen. My name is Dennis McCullough, and I'm the
2 president and CEO of Myriant Corporation.

3 MS. HINTON:

4 I'm Rebecca Hinton with Phelps Dunbar.
5 I'm counsel for Myriant.

6 MR. WINDHAM:

7 Thank you. And tell us why the
8 situation that you're in.

9 MR. MCCULLOUGH:

10 Yes. As many biotech firms which
11 started when oil prices were very high, we ran into some
12 very uneconomical situations whenever oil prices
13 dropped, and the product, which we make in Lake
14 Providence, which is bio succinic acid, this direct
15 competition with petro-based succinic acid, once the oil
16 prices dropped, that product dropped in price and it's
17 very, very tough for us to compete economically against
18 petro-based succinic acid with lower oil prices.
19 Therefore, we've had to take the very tough decision to
20 idle the plant.

21 MR. ADLEY:

22 Tell me the product again. I know
23 Senator Thompson is going to ask you a few questions,
24 but I --

25 MR. MCCULLOUGH.



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1 It is succinic acid. It goes to gaming
2 industries and pharmaceuticals, flavors and fragrances,
3 coatings industries, to give you an example.

4 MR. WINDHAM:

5 Thank you.

6 Senator Thompson.

7 MR. THOMPSON:

8 That's part of my district where this
9 plant has been located, and, of course, I've been there
10 since the beginning with his predecessor, the president,
11 and Dr. McCullough has been there the last few years.
12 It's a beautiful facility. I wish I would have put it
13 there, but I will tell you that from the Arkansas line
14 down the river to almost Natchitoches, there's not a
15 facility that looks that well. It's a brand new plant.
16 It's a bio plant. It's a green plant, something that
17 was highly recommended early in the 2014.

18 Their main problem is oil and gas
19 industry prices, and we cherish those jobs in our area.
20 Their request today is basically to shutter the plant
21 for a period of time so they can get the oil prices.
22 And they've got a plant in full operation in
23 Massachusetts. It does technology, IT and other -- and
24 also research and development. So I think the end
25 result of this will be reopening. May not be with their



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1 company. It shouldn't say that, but it may not, but
2 someone's going to want that manufacturing facility.
3 That's all we have. And I would just appeal to your
4 knowledge of times we're in today, especially in the
5 poorest parish in the State of Louisiana. So I want
6 them to be able to have another shot to get this
7 operation. They've been in operation, but they hadn't
8 over the last approximately seven months.

9 MR. WINDHAM:

10 So I'll take that as a motion?

11 MR. THOMPSON:

12 Is that correct?

13 MR. MCCULLOUGH:

14 That's correct.

15 MR. THOMPSON:

16 At the proper time, I would like to make
17 a motion to approve that request. I'll be happy to
18 answer any questions. I've got more than you probably
19 want to hear, but I'll be glad to go over it with you.

20 MR. WINDHAM:

21 Is there a second?

22 MR. MILLER:

23 I would like, not to counter so much,
24 but if the previous one for CARBO where you asked for
25 local input, why wouldn't be ask for local input on this



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1 one from East Carroll, the sheriff --

2 MR. THOMPSON:

3 Yeah. And let me ask you, if you read
4 the recommendation of Commerce & Industry, we've done
5 it. We've been on this for several months that we've
6 been here. You know, we didn't get to meet last month.
7 But we want them to state the request, if you read it,
8 they're going to approve it and you're going to have
9 annual updates. Y'all have that as a recommendation. I
10 want that because I want to make sure that the public
11 knows that. I would not be here today if I did not know
12 the feeling of the assessor, the sheriff and the police
13 jury. So I have no problem with that. If we have any
14 of those entities that want to pull out, you'll have a
15 record of it. Is that fair enough?

16 MR. MILLER:

17 Yes, sir, that's fair.

18 MR. WINDHAM:

19 You'll get the input from your locals,
20 Ms. Cheng, I mean, from the locals in East Carroll --
21 yes -- East Carroll Parish, the letter of support from
22 them for that?

23 And with that, is there a second?

24 AUDIENCE:

25 What's the motion?



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MR. WINDHAM:

You motion was to...

MR. THOMPSON:

To approve the request the request with
the local --

MR. WINDHAM:

With the local input.

MR. THOMPSON:

With the local input.

MR. WINDHAM:

And is there a second?

MS. MALONE:

Second.

MR WINDHAM:

Heather seconds it. MS. Malone seconds
it.

Are there any comments from the public?

MR. RICHARD:

Just a question on these two items if I
may?

MR. WINDHAM:

Yes.

MR. RICHARD:

Are we requesting for LED to get letters
of support or are we requesting for the entity, the



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1 business entity, to get letters or to get feedback from
2 the local government entities? I just want to make
3 sewer we're not putting any burden where it doesn't need
4 to be placed.

5 MR. MILLER:

6 I didn't specify one way or the other.
7 I'm okay with whoever gets it as long as we have it.

8 MR. WINDHAM:

9 So the first one I know is LED. I
10 know Ms. Cheng is going to get it. I know that. On the
11 second one -- who's going to get the input?

12 MR. THOMPSON:

13 I notice the industry asks for the
14 input. I'll ask and require that they have the input or
15 the company, whoever you feel comfortable with. I just
16 said we'll get the input to the committee.

17 MR. WINDHAM:

18 So we'll have the company do it.
19 Y'all make contact with the locals;
20 right? Okay. Thank you.

21 With that, motion has been made and
22 seconded.

23 Are there any further comments from the
24 public?

25 Oh, yes. Mr. Bagert.



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1 MR. BAGERT:

2 Senator Thompson, I understand that
3 y'all have been working on this. There are times when
4 you have to represent, which you know your colleagues
5 would do if they were, you know, a group from your
6 district.

7 There is a lot anger and confusion about
8 this project. A company comes in; there's a lot of
9 excitement around it; they get \$11-million in tax
10 exemptions and then shut down and lay everybody off, and
11 in that context, that community kind of understanding it
12 because it may be that the legislature know this, but
13 the citizens are steaming mad and we're going to come
14 here today and we had no -- you know, they dealt with
15 Myriant last time. It's not on the -- we missed that
16 part of the agenda. The -- behind almost everything
17 that's happened today, there is one maybe humbling
18 reality. Tax rates with these margins don't establish
19 the conditions for employment whatever companies
20 continue to exist or not. Lots of other things do. So
21 whether under those conditions you grant exemptions that
22 deprive one of poorest areas in the country of some tax
23 base to deal with their issues, and then, "Hey, it
24 didn't work out." "Well, let's continue it," we think
25 that ought to be a formal process just like the



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1 executive order says that determines the type of parish,
2 the police jury, but the commissioners and whoever other
3 local officials are, because what we've heard from our
4 sister organizations in that effort, there's a lot of
5 concern and they may be brought along to understand
6 under these conditions it's the best thing to do it, but
7 I can't say as part of Schedule Louisiana that they
8 would support it. I think today they would probably
9 oppose it. We're working with them to try move it
10 along, but we think it would be more wise just like we
11 did with CARBO.

12 Thank you.

13 MR. THOMPSON:

14 Can I -- since it was directed at me,
15 let me say, I appreciate your comments, and I know you
16 are well intention, but I've been representing that area
17 for 44 years and I believe I know a little bit more
18 about it than you. And this is an opportunity we could
19 miss, and I'm telling you, with all of the protections
20 we have in it, it's a little bit different than
21 something in St. Mary or another one of those parishes
22 that you're talking about. This is a very poor parish
23 with a low tax base.

24 Did you remember me saying that this is
25 the first plant of this kind in my 44 years along the



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1 Mississippi River? That's from the Arkansas line down
2 to the middle of the state. They have not performed as
3 we wanted or as they wanted, but this is an opportunity.
4 We still have jobs. They're going to keep the plant up.
5 If we get 10 jobs or 20 jobs, that's important in East
6 Carroll Parish. I wouldn't be here today if I didn't
7 believe that. If you want to get something out of your
8 investment, this is the way to do it.

9 This Board can meet in another month,
10 two months, look at it. If they don't like it, they can
11 bring it back if they don't fully meet their obligation.
12 That's my point.

13 MR. BAGERT:

14 And, Senator, I am not and we are not as
15 Schedule Louisiana testifying that it is not a wise and
16 judicious thing to do, but I was Catholic educated and I
17 fear Sister Bernie more than anybody in this room and I
18 know Sister Bernie is real concerned about this and so I
19 come representing Sister Bernie to say they need to take
20 a look at it locally to understand why it that it's
21 going to actually help to get in service, not to say
22 that we have a specific position on the merits of it,
23 but that there is time before the tax rates come into
24 effect in the new year to deal with that and have no
25 economic impact upon that.



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1 MR. THOMPSON:

2 We may have time to deal with that,
3 but -- and I appreciate your comments, and no one has
4 worked more with Sister Bernie and Together Louisiana
5 than I have.

6 MR. BAGERT:

7 That's true.

8 MR. THOMPSON:

9 Would you question that statement?

10 MR. BAGERT:

11 Only because Senator Adley is here, I
12 would say no.

13 MR. THOMPSON:

14 But me saying that, I mentioned this
15 earlier, one size does not fit all, and this is an
16 opportunity to end up with a goose egg or an opportunity
17 to maybe help one of the outstanding and hopefully green
18 plants in Louisiana. And it would be great to have it
19 in the delta, in the poorest parish in the state. If we
20 lose this opportunity, shame on us.

21 MR. WINDHAM:

22 Thank you, Senator. Thank you, Mr.
23 Bagert.

24 Any other comments from the other Board
25 members?



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1 (No response.)

2 MR. WINDHAM:

3 I do not believe we voted on this, so
4 all in favor, please indicate by saying "aye."

5 (Several members respond "aye.")

6 MR. WINDHAM:

7 All opposed with a "nay."

8 (No response.)

9 MR. WINDHAM:

10 The motion carries. So it will remain
11 in effect.

12 MS. CHENG:

13 That concludes the Industrial Tax
14 Exemption portion of the agenda.

15 MR. WINDHAM:

16 So for Other Business, we have
17 Enterprise Zone Appeals and Industrial Tax Exemption
18 appeals, and then we are going to have a report from
19 Mr. Adley on the rules committee update.

20 So let's go with the Enterprise Zone
21 Appeals first.

22 Please identify yourself and who you
23 represent.

24 MR. VAN HOOK:

25 My name is Floyd Van Hook, and I



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1 represent both Zelia, LLC today and VCS, LLC.

2 Both of these entities, the Board, I
3 guess, back in December voted to cancel their contract
4 because LED's position was that we did not meet to
5 hiring requirements, and I would like to explain to you
6 that that is incorrect.

7 MR. ADLEY:

8 What are the two companies again?

9 MR. VAN HOOK:

10 Zelia, LLC and VCS, LLC.

11 Okay. The first page is the statute
12 that sets forth what the hiring requirement is and I've
13 underlined the pertinent parts. It says, "Except as
14 provided in subparagraph D," which does not apply in
15 this case, of this paragraph, "The business creates a
16 minimum of the lesser of five net new, permanent jobs to
17 be in place for the first two years of the contract
18 period or the number of net new jobs even to a minimum
19 of 10 percent of existing employees, a minimum of one,
20 within the first year of the contract." Okay.

21 I'm going focus on Zelia because it's is
22 simplest. At the beginning of the contract period,
23 Zelia had one employee, so under this, it would be
24 required to create one new job because that is the 10
25 percent of the existing number employees, which would be



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1 one. One. Minimum of one within the first year of the
2 contract period. Okay. The facts are at the beginning
3 of the contract period, which was October 18th of 2011,
4 Zelia had one employee. Zelia hired another employee on
5 August 26th of 2012, so that's within 12 months. The
6 problem is the way that LED determines net new jobs, if
7 you turn to the second page, they put down the number of
8 employees for each month and then they create an
9 average. So I've skewed this to make it January through
10 December as opposed to October through August, but you
11 see for the first 10 months, Zelia had zero. They had
12 one existing, but I've simplified this. They hired one
13 in October, so for the last two months, they had one and
14 one. You add those up, two divided by 12 is .17, so
15 that's what the Board or LED claims Zelia created as far
16 as net new jobs.

17 Now I've shown you four other companies.
18 Company A hired one employee in January, so for all of
19 the months, it has one. You total that up, that's 12
20 and you divide it by 12, it created one net new job.
21 Okay. Company B didn't hire anybody for the first six
22 months. In July, it hired two people, so you have 2s
23 for the rest of month. You add up the six 2s, that
24 gives you 12. You divide by 12, Company B hired two
25 people. But according to the procedure that LED uses,



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1 they created one net new job. Okay. We move over to C.
2 C didn't hire anybody for the first nine months. In
3 October, they hired four people, so they had 4s for
4 three months. That totals 12. You divide by 12,
5 according to LED, Company C hired 4 people, but they
6 created one net new job. Now we look at D. D didn't
7 hire anybody for the first 11 months. They hired 12
8 people in December. Twelve divided by 12 is one, so
9 according to LED, D hired 12 people and created one net
10 new job. Clearly there's a problem with the way that
11 they determine whether or not a company met it's hiring
12 requirements.

13 Now, you look at the last page and I
14 show you the actual business is Zelia. You have 1s all
15 of the way through 2011. You have 1 in 2012 until
16 October, and then you have -- or till August. Then you
17 have 2s for the rest of 2012. You have 2s for all of
18 2013. You have 2s for all of 2014. It's very clear
19 that Zelia met its hiring requirements. So I ask you to
20 reverse the decision that you made back in December.

21 And VCS is the same issue. It's using
22 an average to try and determine how many hires, and that
23 does not make any sense. It does not comply with what
24 the statute says.

25 MR. WINDHAM:



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1 All right. Now, Ms. Clapinski step
2 forward. Oh, and Mr. House, too. I'm sorry.

3 MR. HOUSE:

4 Mr. Windham, members of the Board, I
5 took a look at this. I was not employed in my capacity
6 that I now have at the time that this was considered. I
7 took a look at it in light of Enterprise Zone statute,
8 which has been criticized by the public for a long, long
9 time, particularly by Professor Richardson, as early as
10 2001, who wrote a lengthy piece about that, most of
11 which was not followed by this Board. But I do want to
12 point out that what we're talking about here is a
13 definition of the term "net new jobs," which this Board
14 under the rules and procedure of the Enterprise Zone
15 undertook to do in 2011 and did. And net new jobs is
16 one of the most important things that we have. We
17 define it in every agreement that we have. We define it
18 in the Quality Jobs statute and we're going to define it
19 in the rules that we're putting together for ITEP. So
20 Ms. Clapinski is going to explain what was done, but I
21 wanted to make perfectly clear that this is a valid rule
22 that was a reformed rule undertaken by this Board in
23 2011, and it is now the statute as of the first
24 extraordinary session and it was a codification of
25 existing law and that was signed by Governor Edwards in



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1 January. So when we talk about whether this is smart,
2 stupid, whatever we want to call it, it is a reform
3 undertaken by the Board and it defines net new jobs and
4 it counts net new jobs and we do that in every single
5 contract and we do it by definition in the contracts and
6 so this is well within the rulemaking authority. She
7 will explain how it operates and what the Board has done
8 and where we now stand.

9 If you have any questions on that
10 particular issue --

11 MR. ADLEY:

12 Has he been treated differently than
13 others? That's all I need to know.

14 MR. HOUSE:

15 No, sir. In fact, others have been
16 turned away under the same definitions.

17 MR. WINDHAM:

18 Ms. Clapinski.

19 MS. CLAPINSKI:

20 LED finally promulgated a rule on August
21 20th, 2011 that established a definition for the term
22 "net new jobs." Included in that definition states that
23 the number of net new jobs filled by full-time employees
24 shall be determined by averaging the monthly total of
25 full-time employees over a minimum of seven months for



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1 the first and last year of the contract period and over
2 a 12-month period for all other years. Part of that is
3 to recognize that, you know, in the first year of a
4 contract, it may take you a little bit of time to ramp
5 up those jobs, and so we gave a little bit of a grace
6 period there. It's also because we do these evaluations
7 on a calendar year basis. So if your contract starts in
8 the middle of a calendar year, you don't necessarily
9 have the 12 months for the first five years.

10 And basically this was put in place
11 because they only have to report for the length of their
12 contract. A contract can be canceled under Enterprise
13 Zone after 30 months. So what we had seen was that
14 somebody would create that one job in the 11th month or
15 those five jobs in the 23rd month, and two or three
16 months later could let all of those jobs go and got to
17 keep all of the benefits of their program -- of the
18 program.

19 This rule went through a two-plus-year
20 rulemaking process that the Board was heavily involved
21 in. It was promulgated through the APA. It went
22 through legislative oversight, and it has been in
23 effect -- it's effective for all advanced notifications
24 received on or after the effective date, which was the
25 August 20th, 2011. So while the Board has approved



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1 contracts that were done differently, those advances
2 were filed prior to the effective date of these rules,
3 and we try to make the effective date as in the future
4 as we can so that there's as much notice to businesses
5 as possible. That's why that advanced notification is
6 the first stage. So if they had an advanced filed in
7 January of 2011, but they didn't file for their contract
8 because the Enterprise Zone counts as a back-end
9 contract, you get it after you perform. They may not
10 have filed for that contract until 2012. As long as
11 that advance was filed prior to, they were under old
12 rules. All advances filed on or after the effective
13 date of these rules have been treated the same. And
14 using that averaging methodology as laid out in the
15 rules, the companies did not meet the requirements of
16 the program.

17 MR. WINDHAM:

18 Thank you, Ms. Clapinski.

19 MR. VAN HOOK:

20 Can I cover that?

21 MR. WINDHAM:

22 Sure.

23 MR. VAN HOOK:

24 The company met what the statute says.

25 If you average for 2013, there's all 2s. If you look at



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1 2011, it's all 1s. It went from 1 to 2 in 2012. So
2 when was that second job created? It wasn't created in
3 2013. It was created in 2012 when that person was
4 hired.

5 If you look at that chart I gave you,
6 the only way you can meet the hiring requirement is if
7 you hire on the very first day or the first month.
8 Otherwise, you're going to be below unless you hire more
9 than the minimum requirements. I just showed you one
10 company had to hire two and another had to hire four,
11 another had to hire 12 to meet the hiring requirement of
12 one. That procedure does not follow what the statute
13 says.

14 MS. CLAPINSKI:

15 If I may interject, if you're in the
16 first year and 10 percent in the first year, you have to
17 create that job by the seventh month, and it's the 12th
18 of the seventh month because we looked at reports that
19 were filed with the Louisiana Workforce Commission. So
20 it says the first and last year, you average a minimum
21 of seven, so if they were five months prior to, they
22 didn't have to have a job.

23 MR. ADLEY:

24 Is that in accordance with the statute?
25 He said -- what he said is -- because that's what got my



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1 attention. What he said was that what we're using does
2 not comply with the statute. So are you telling me -- I
3 need to know if that's a correct statement or not.

4 MR. HOUSE:

5 It is in accordance with the statute
6 because we're defining net new jobs. It's just language
7 that's used in the statute, and that definition, that
8 needs to be defined in everything we do. It is proper
9 for the Board to define the statute that way, and that's
10 the way it is in the legislature now in accordance with
11 existing law.

12 MR. VAN HOOK:

13 It's not in accordance with the statute
14 because she just said I would have to hire around the
15 seventh month. The statute says a minimum of one within
16 the first year of the contract period. If Zelia had
17 hired a new employee on the 365th day of the year, that
18 meets the statute. And if you look at the third page,
19 we continue to have that additional employee. So that
20 procedure does not -- absolutely does not comply with
21 the statute.

22 MS. CLAPINSKI:

23 If I may interject, the statute requires
24 one net new job, and part of the function of rules is to
25 define terms and clarify what is required. That is



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1 exactly what our rule did, and in the definition of that
2 term, there is an averaging calculation that is
3 implemented. That went through the APA process. It
4 went to both commerce committees for legislative
5 oversight and it was finally approved. That's all I
6 have to say.

7 MR. VAN HOOK:

8 There's no authority for them to pass a
9 regulation that says 12 equals 1. There's absolutely
10 nothing in the Administrative Procedures Act that gives
11 them the authority to pass a regulation that says 12
12 equals 1, and that's what they're trying to do.

13 MR. WINDHAM:

14 Well, unfortunately, I was on the last
15 Board and we went through this a number of times and the
16 math comes out to what the math is. And I can't vote
17 for it because I voted, you know, for the cancelation
18 last time or for the denial last time, but the math is
19 what the math is and it's just something -- the answer
20 is the answer.

21 MR. VAN HOOK:

22 Yes. And the facts are what the facts
23 are. It's clear that there were two net new jobs in
24 2013. No one was hired in 2013. The person was hired
25 in 2012, so the procedure is ridiculous.



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1 MR. WINDHAM:

2 All right. Are there any other
3 comments, question from the Board?

4 MR. RICHARD:

5 Just a question for the gentleman
6 representing Zelia.

7 Do you have -- are you aware of the APA
8 rules and the definitions in the rules?

9 MR. VAN HOOK:

10 I was aware of the statute.

11 MR. RICHARD:

12 Are you aware of the rules and
13 definitions in the rules?

14 MR. VAN HOOK:

15 The definition says you look at a
16 12-month period. Okay? It doesn't tell you that you
17 average during that first year and then say, you know,
18 how many new jobs were created.

19 If you look at the 2013 period, clearly
20 there were two net new jobs there. No one was hired in
21 2013. When was that person hired? 2012. Commonsense
22 tells you that that job was created in 2012.

23 MR. RICHARD:

24 Yes, sir. Thank you.

25 At the appropriate time, I'd like to



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1 offer a motion to support the recommendation of LED and
2 the Board, the previous decision of the Board.

3 MR. WINDHAM:

4 Is there a need for a motion on that
5 actually? Because we've been asked -- they asked to
6 appeal the decision and the gentleman is making his
7 appeal. I don't believe that we have to take action
8 because I believe -- and someone correct me -- that
9 another Board has already taken action on this.

10 MR. ADLEY:

11 No. And I don't want to disagree with
12 you. I think the motion is proper. Anytime you ask for
13 an appeal, you ought to have a decision, and I think
14 what he's offering up in his motion is a decision.

15 MR. WINDHAM:

16 That's the reason --

17 MR. ADLEY:

18 Regardless of who likes it or doesn't
19 like it, there ought to be a decision made so you can
20 put it to rest. If you don't, you're going to be here
21 forever.

22 MR. WINDHAM:

23 All right. Thank you, Mr. Adley.

24 There's a motion on the floor to
25 continue with the support of LED's actions with the



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1 previous Board's actions to deny -- to cancel?

2 MR. HOUSE:

3 I believe it would be a motion to deny
4 the appeal.

5 MR. RICHARD:

6 I clarify. I used the term "deny." The
7 motion was to support the previous decision, the
8 standing decision of the Board of Commerce & Industry on
9 this matter.

10 MR. WINDHAM:

11 All right. Is there a second?

12 MR. THOMPSON:

13 I second.

14 MR. WINDHAM:

15 Second by Senator Thompson.

16 Is there any further discussion from the
17 public?

18 (No response.)

19 MR. WINDHAM:

20 All there any comments from the Board?

21 (No response.)

22 MR. WINDHAM:

23 All in favor of the motion to support
24 the previous Board's action, please indicate by saying
25 "aye."



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1 (Several members respond "aye.")

2 MR. WINDHAM:

3 All opposed to supporting the previous
4 Board's actions, please indicate by saying "nay."

5 (No response.)

6 MR. WINDHAM:

7 Motion carries.

8 MR. VAN HOOK:

9 Thank you.

10 MR. WINDHAM:

11 Thank you.

12 Industrial Tax Exemption Appeals. Do we
13 have those?

14 Please step forward.

15 MS. CHENG:

16 These are the Industrial Tax Exemption
17 Appeals, and they're appealing the decision of the Board
18 in June to deny these late approvals.

19 The first one is CARBO Ceramics, Inc.,
20 Contracts 20110334 and 20110335.

21 MR. WINDHAM:

22 I believe we've taken action on the
23 renewals to defer them.

24 MS. CHENG:

25 These are to appeal the denial from



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1 June.

2 MR. WINDHAM:

3 The appeal for the denials.

4 Please, ma'am, if you'll step forward
5 and have a seat. Identify yourself, tell us who you
6 represent.

7 MR. ADLEY:

8 Before you start, is it possible to ask
9 the staff in the future when we get to these things, do
10 we know in advance so we can have this information in
11 front of us?

12 MS CHENG:

13 It's Number 8 on the agenda. It was in
14 the agenda.

15 MR. RICHARD:

16 If I may, I think what we're asking for
17 is the Board to have a one-page summary of actions, you
18 know, the previous actions.

19 MS. CHENG:

20 I was under the impression it was
21 included. Sorry. I can make sure that's included next.

22 MR. RICHARD:

23 Just so we have a summary of timelines
24 of the actions that were taken. I don't think that was
25 part of the agenda. The item's on the agenda, but



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1 there's really no backup information. I'm not aware,
2 but I might have missed it.

3 MS. CATON:

4 My name is Sherrey Caton. I'm with
5 Frymaster. I'll be glad to give you a little bit of
6 background on the timeline.

7 And that's exactly what it was was a
8 time issue because of turnover in our accounting
9 department, the person that was handling these appeals
10 left the accounting department and that was the only
11 e-mail that was being notified that the procedure
12 changed in 2014. So that you, instead of a renewal
13 contract being sent to our company, we had to ask for it
14 to be sent to our company. That e-mail was just lost.
15 We never saw it.

16 And then when we recognized, "Wait. We
17 had haven't renewed this contract," then we started
18 working with LED to go ahead and file the late appeal.
19 Then we received a prior to your last meeting of June
20 24th, I did get an e-mail from Kristen saying, "We
21 recommend you come to the meeting," but I took that to
22 say it would have been nice if you came to the meeting,
23 but it wasn't absolutely necessary. So what I'm asking
24 is for you to forgive our not showing up at the last
25 meeting and not filing in a timely manner because we



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1 didn't get the notification, and so if you would reverse
2 the prior Board's decision to deny.

3 So let me put --

4 MR. ADLEY:

5 Prior to renewal, how long had you been
6 drawing the Industrial Tax Exemption?

7 MS. CATON:

8 Oh, we've been doing this tax exemption
9 for a long time.

10 MR. ADLEY:

11 How long?

12 MS. CATON:

13 A long time.

14 MR. ADLEY:

15 Has that got a definition for it, "a
16 long time"?

17 MS. CATON:

18 I really couldn't tell you. It's a long
19 time. Ten years, 15 years.

20 MR. ADLEY:

21 Okay. So I don't want to pick on you,
22 but the Industrial Tax Exemption in this state is five
23 years. That's it. Every renewal is another five, so if
24 you've been doing it for 15, you've been through several
25 renewals already. Is that -- am I --



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1 MS. CATON:

2 Yes, that's correct.

3 MR. ADLEY:

4 Am I interpreting that correctly?

5 MS. CATON:

6 Yes, you are interpreting that
7 correctly, but in the past, we were notified time to
8 file the renewal. In the meantime, we had a change in
9 personnel, that the lady that was familiar with that
10 particular part of the job, she didn't pass that
11 information on. We didn't get the notice that we were
12 supposed to renew it, hence we're late.

13 MR. ADLEY:

14 Tell me a little something. Frymaster,
15 how big of an organization is that?

16 MS. CATON:

17 Frymaster has an annual revenues of
18 around \$2-million. We spend about \$160-million in
19 materials, overhead every year.

20 MR. ADLEY:

21 And so how many employees?

22 MS. CATON:

23 580 employees, manufacturing employees.

24 MR. ADLEY:

25 Really it's just so difficult with 580



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1 employees to ramp up being late on something that's very
2 important to economics of your company to just one
3 person walking off the site, the job, and nobody does
4 anything?

5 MS. CATON:

6 Well, during that period, we were
7 being -- our corporation was being shut off, so our
8 accounts were fully engaged in a SEC spinoff of the
9 company. We had lost critical staff, and all I can do
10 is apologize. Yes, we knew we were supposed to renew
11 them, but it was just one of those things that fell
12 through the cracks.

13 You know, Frymaster, during this
14 contract period, we didn't lose employees. We added
15 nine employees for that period. We are facing not only
16 external competition, but internal competition from
17 China and Mexico plants who could just as easily make
18 some of the products that we make, but because of your
19 support, we've been on a lean journey where we can
20 increase our productivity, make more product, hire more
21 employees and still make it cheaper than they can make
22 it in China and Mexico. So this is a worthy company to
23 support.

24 You know, I don't -- if you have any
25 questions, I can answer because, you know, this is --



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1 we're going to add 20 or 30 employees in 2017, so if we
2 have to pay this additional 80 to \$100,000 in tax, then
3 that's two jobs we won't be able to fill.

4 MR. WINDHAM:

5 Eighty to \$100,000. You said the
6 estimate for the 10-year period is 80 to 100 or that the
7 annual?

8 MS. CATON:

9 Annual.

10 MR. WINDHAM:

11 Annual.

12 MR. WINDHAM:

13 Are there any questions by the Board?

14 MR. ADLEY:

15 I guess, if it's a -- it's a renewal?

16 MS. CATON:

17 Yes, sir, a million dollars.

18 MR. WINDHAM:

19 They wasn't here --

20 MR. ADLEY:

21 No, I got it. They wasn't here. Now
22 I'm trying to figure out what the renewal is for.

23 MS. CATON:

24 It's for two contracts.

25 MR. ADLEY:



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1 For the manufacturing of what?

2 MR. CATON:

3 Manufacturing of fryers that McDonalds
4 and other chain restaurants fry their French fries in,
5 other products that do chicken. We serve the QuikServ
6 restaurants, which is huge. Thank goodness everybody
7 likes French fries.

8 MR. WINDHAM:

9 Mr. Miller.

10 MR. MILLER:

11 Senator Adley, if you look on Page 8 of
12 the denied information, they give us Frymaster. Looks
13 like it's about \$875,000 worth of tax exemption over 10
14 years, so it would be \$430,000 over five years that we
15 denied them.

16 MS. CATON:

17 Right. So that's -- annually, that's
18 about 80K, which is two employees that we really would
19 like to add in 2017.

20 I promise we'll never miss another date.

21 MR. WINDHAM:

22 So if I remember correctly, ma'am, these
23 have been deferred. All of these were deferred?

24 MS. CHENG:

25 These were denied.



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1 MR. MILLER:

2 These were denied last time. So this
3 was just for information.

4 MR. WINDHAM:

5 I'm sorry. This was just for
6 information.

7 So what is the pleasure of the Board
8 related to Frymaster?

9 (No response.)

10 MR. WINDHAM:

11 There is no motion.

12 MS. CATON:

13 Would you like to hear anything else
14 about Frymaster?

15 We have two plants in Shreveport. We've
16 been in business for like 83 years. We have one plant
17 that's on Line Avenue in Shreveport. In 1999, we built
18 a second plant that's over in the Shreveport Industrial
19 Park, so we're manufacturing in both of those plants.
20 These are manufacturing jobs. We buy the sheet steel
21 and we produce the end product, so we're doing
22 fabrication, we're doing welding, we're doing assembly.
23 All manufacturing jobs. They're good jobs. They're
24 upward of \$20 an hour. With the fringes and everything,
25 it's like \$25 an hour, so they're good jobs. We have



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1 employees that have been with us 45 years. Hope they
2 don't move because --

3 MR. ADLEY:

4 Let me make this suggestion to you,
5 ma'am. I hate to drag you through this again. I
6 understand this is another one of those appeals, and I
7 understand we acted on one of the other renewals. I do
8 expect, before this body meets again, to have -- I think
9 we're all going to have a very good indication of where
10 the administration and others feel we ought to be going
11 with renewals, period. I have a feeling that part of
12 that's going to be that the suggestion for any renewal
13 that it be capped to some degree, that no longer will
14 this Governor sign anything that's going to be 100
15 percent for 10 years. I believe that's what you're
16 going to see. Our problem is today, as we sit here, if
17 you have an issue before you of someone who is late and
18 you've got these alternatives, the penalty you can put
19 on somebody for being late, I'm struggling with. I
20 don't want to sit here and suggest some penalty to you
21 for being late that's going to end up being possibly
22 better than what the Governor would suggest to anyone
23 who legitimately files it.

24 Albeit, I know it's unusual. I hate to
25 drag you back down here again. As one who lives in



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1 Benton, Louisiana, I clearly understand how difficult
2 that is. But I believe it would be wise for us to at
3 least defer this one more time until we get that
4 guidance. I suggest that.

5 MR. WINDHAM:

6 Mr. Miller.

7 MR. MILLER:

8 I want to make sure I'm clear. The
9 staff advised you to be here today. Were you advised to
10 be at the last meeting?

11 MS. CATON:

12 They recommended that we have someone
13 attend.

14 MR. MILLER:

15 At the last meeting?

16 MS. CATON.

17 At the January 24th meeting, but we're
18 very busy. And I said, well, it's just recommend. It's
19 not absolutely you have to be there, so...

20 MR. MILLER:

21 I think what happens was all of the ones
22 that were denied was that no one was here. The Board
23 took the approach that if it wasn't important to you, it
24 wasn't -- it must not be important, and that was the
25 approach we took.



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1 MS. CATON:

2 We had a consulting firm come here for
3 us, but they actually stopped doing it. It was a local
4 CPA firm, but their person also stopped doing this, so
5 it was just, you know, a storm of all of the things that
6 could go wrong, go wrong.

7 MR. MILLER:

8 The way I read this -- I -- Senator
9 Adley's motion -- I think that was a motion -- to bring
10 this appeal back up again next time.

11 MR. WINDHAM:

12 All right. Is there a second on that?

13 Any further discussion?

14 (No response.)

15 MR. WINDHAM:

16 All in favor, say "aye."

17 (Several members respond "aye.")

18 MR. WINDHAM:

19 All opposed, say "nay."

20 MR. RICHARD:

21 Nay.

22 MR. WINDHAM:

23 Mr. Richard indicated "nay."

24 Thank you very much.

25 All right. Two other ones that were on



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1 there.

2 MS. CHENG:

3 And the last page of what y'all were
4 saying, that what y'all were sent, is the these appeals.
5 There's CARBO Ceramics, 20110334 and 20110335, and
6 Hauser Printing Company, Inc. Contract 20110172.

7 MR. RICHARD:

8 Mr. Chairman, if I may make a comment.
9 I don't want to pit staff against the Board, Board
10 against staff, but we didn't meet -- the last time this
11 body convened was in June. We're here at the end of
12 mid-September. The request would be for a summary on
13 these appeals, a one-pager, and that's something we can
14 talk about offline possibly. Thank you.

15 MR. WINDHAM:

16 Thank you, Mr. Richard.

17 MS. TUCKER:

18 Katie Tucker back with CARBO Ceramics,
19 tax manager. Just in response to our, you know, why we
20 were late, and I guess why we appealed. I did come to
21 the last Board meeting. I come from Houston, so it's --

22 MR. ADLEY:

23 You need to get a little closer to that,
24 please, ma'am.

25 MS. TUCKER:



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1 I come from Houston, so I just made a
2 day trip, and the precedent been set prior to that Board
3 meeting that it wasn't critical for a company employee
4 or representative to be here. The pace that we kind of
5 were going through the agenda at the last meeting, I
6 head out at 5 o'clock to go home. So, again, I didn't
7 know the impact that that would have and that it would
8 result in a denial. Again, the precedent that's been
9 set by the Board prior to that, and in Kristin's
10 defense, she did recommend that --

11 MR. ADLEY:

12 Can I ask the staff this: I'm trying to
13 get through this one. If we have a late request, we
14 have an alternative here before us. We can approve it,
15 we can penalize it or we can deny it. Is that my
16 understanding?

17 MS. CHENG:

18 Yes, sir, that is correct.

19 MR. ADLEY:

20 The reason that I ask for the last one
21 to be deferred, the same reason, as much as I hate to
22 see you go back to Houston and come back again. The
23 problem is this: I believe we're going to receive a
24 suggestion that's going to create some kind of cap on
25 renewals, period. For me, if I wanted to vote to give



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1 you one after being late, there has to be a penalty for
2 that, but I don't know how much to penalize because I
3 don't know where the cap where I think the cap will be.
4 That's the only reason I've asked that we defer these
5 things to get that piece of information. An example
6 would be if we got something that we decided as a Board
7 and said we're going to cap all renewals at 70 percent
8 and I said to you, you're late, so I'm penalize you 20
9 percent. Well, you end up with 80 percent, which is
10 better than somebody who legitimately did what they're
11 supposed to do. That's why I think it's very important
12 to put it off, as much as I hate to say that to you, one
13 more time till we have some direction that the Board
14 feels like they can work with. I think they're going to
15 have that soon. I do. But I'm not for sure exactly
16 what that number is going to be. I can tell you, for me
17 to vote for you or the other lady that was here, I want
18 a penalty on you because it's your business, you let it
19 go through the cracks. We didn't do that. You did
20 that. And we only have three alternatives according to
21 the current rules, approve it, penalize it or deny it.

22 MS. TUCKER:

23 Sir, I understand, and I can appreciate
24 everything that you-all are trying to do in kind of
25 reforming this whole program. Just in response to it



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1 not being important to us or, you know, letting it fall
2 through the cracks, you know, we were moving at the pace
3 that the current legislation and the current Board was
4 moving at, so I think it might be a little unfair to say
5 that. I mean, again, the company was responding to kind
6 of the pace that was set by the prior Board. I don't
7 know if it would be fair to penalize us for --

8 MR. ADLEY:

9 What did the prior Board do when
10 people -- I guess the prior Board just approved
11 everything whether they were here or not.

12 MS. TUCKER:

13 They did.

14 MR. ADLEY:

15 Well, that's changed.

16 MS. TUCKER:

17 And I can appreciate that and can agree
18 with that, but I just wanted to respond to I don't think
19 that equates to it not being important to us. When you
20 have to make a decision to -- especially when you're
21 cutting down employees and you've cut your workforce and
22 you're prioritizing where you're going to put your
23 employees on that day, and clearly it wasn't important
24 prior --

25 MR. ADLEY:



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1 The taxes involved here that would be
2 exempted, how much are they?

3 MS. TUCKER:

4 For these two, I think it's 500,000 or
5 thereabouts.

6 MR. ADLEY:

7 500,000?

8 MS. TUCKER:

9 And that's over the 10 years.

10 MR. ADLEY:

11 I want to make sure I heard that again.
12 500,000?

13 MS. TUCKER:

14 Over 10 years.

15 MR. MILLER:

16 Over 10 years, so 325 or --

17 MR. ADLEY:

18 125,000 per year.

19 MR. MILLER:

20 No. A total 325, 62,000.

21 MR. ADLEY:

22 Sixty-something thousand a year? I'd be
23 here, me.

24 MS. TUCKER:

25 I respect everything you're saying. It



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1 just, again, wasn't the precedent that was set.

2 MR. ADLEY:

3 I apologize to you, at least, for
4 whatever inconvenience that you've gone through, but
5 everybody here is going through it right now. We're
6 trying to change the way things have been done, that
7 many of those things have been done incorrectly, and
8 it's time consuming for everybody.

9 MS. TUCKER:

10 Agreed. I just, for me, I hope that
11 it's a go forward, you know, and that we can understand
12 where you're all going with it, what's expected of us as
13 a company as people that are filing this paperwork,
14 rather than penalizing for something that we didn't know
15 because it wasn't -- again, it's not how it was done.

16 MR. ADLEY:

17 If we defer it, you have not yet been
18 penalized.

19 MS. TUCKER:

20 Yes, sir. I appreciate that.

21 MR. ADLEY:

22 If they just accept what happened before
23 or deny it, then you've been penalized. I'm suggesting
24 to you that you defer it.

25 Robby made a really important statement



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1 a moment ago and I caught it. It was about that January
2 1 date. That's very important. So you've yet to be
3 penalized. There will be inconvenience for you to show
4 up again, but for the amount of money you're looking at,
5 it sounds like to me it's probably worth doing.

6 MS. TUCKER:

7 Oh, yeah. I'll be here with bells on.

8 MR. WINDHAM:

9 Thank you.

10 Is there a motion, Senator Adley, to...

11 MR. ADLEY:

12 Defer.

13 MR. WINDHAM:

14 Defer.

15 MR. FAJARDO:

16 I'd like to say something if I can.

17 MR. WINDHAM:

18 Yes, sir.

19 MR. FAJARDO:

20 I want to commend you because we -- you
21 know, one of the big things we say as a committee, to
22 see you as a representative of your company here, you
23 know, representing them because, I mean, this is no
24 offense to consultants and things that are here
25 representing companies, but you're fighting for your



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1 company and I have a lot of respect for that because we
2 don't see that as much. You know, there's some people
3 that aren't even here at all. You know, they're -- I'm
4 actually seeing you as, "I work for this company. This
5 is my company, and I'm trying to do something for that."
6 So I do commend you for that because we do need to see
7 more of that to show that you really do care about this,
8 and, you know, whatever decision we try to make, just
9 note that that's very commendable that you came all of
10 the way out here to do for your own company.

11 MS. TUCKER:

12 Thank you. Yes. That's meaningful.

13 MR. WINDHAM:

14 With that, Mr. Adley has made a motion
15 to defer.

16 Is there a second?

17 DR. WILSON:

18 Second.

19 MR. WINDHAM:

20 Seconded by Dr. Wilson.

21 Any further discussion by the public?

22 (No response.)

23 MR. WINDHAM:

24 Any comments from the Board?

25 (No response.)



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1 MR. WINDHAM:

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

3 (Several members respond "aye.")

4 MR. WINDHAM:

5 All opposed with a "nay."

6 MR. RICHARD:

7 Nay.

8 MR. WINDHAM:

9 Nay by Mr. Richard.

10 Motion carries.

11 All right. We have one more company in
12 this area, Hauser Printing Company. Do we have a
13 representative there?

14 MR. DAVID:

15 Hi. My name is Brian David. I am
16 president and partner in Hauser Printing Company. I'm
17 here to request you reconsider your denial from the last
18 meeting. As I understand, it was a rather interesting
19 meeting, and my business partner was here. Kind out of
20 what I got from him was y'all went parish by parish
21 evaluating all of the different applications. We're in
22 Jefferson Parish, and you-all finished with Jefferson
23 Parish, I think he said, it was 530, so he thought the
24 meeting -- he thought everything was approved. And
25 nobody asked any questions of our specific company, so



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1 he thought he was done. And he came back -- went back
2 to town and that was it. And then I received a letter
3 from the department that said that we had been denied,
4 and my business partner was somewhat puzzled because he
5 thought when you-all finished with Jefferson Parish, he
6 was done.

7 So I was just going to ask if you could
8 reconsider your denial, and I guess --

9 MR. ADLEY:

10 I would like to suggest to you -- this
11 was for another late filing similar to the one we just
12 had. In other words, it was late.

13 MR. DAVID:

14 Correct.

15 MR. ADLEY:

16 I would like to make the same comment to
17 you. We only have three choices for that, approve it,
18 deny it or penalize it. For me, I think the proper
19 approach is penalty, but I don't know what the penalty
20 is until I get direction where I think we're going to be
21 headed for all renewals.

22 MR. DAVID:

23 Yes, sir.

24 MR. ADLEY:

25 And so with that being said, I would ask



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1 the Board to consider allowing me to make a motion to
2 defer this one so that we have them both together, and
3 then we'll -- once we get that, I think things will
4 start moving very quickly.

5 I think another thing the Board need to
6 remember, from what the has staff told me, the big list
7 that we got in June, that generally rolls around once a
8 year. These lists get smaller as we move toward the
9 first of the year. We've got another meeting, I know,
10 in October. I think in October, we are going to have a
11 whole lot more direction.

12 And to save time for your meeting, the
13 rules committee has been meeting members. We've had
14 three meetings. I expect a couple more. We're
15 following the Administrative Procedures Act, and before
16 the close of this year, I'll have you a complete set of
17 rules hopefully that can give us some guidelines to
18 follow that will make this job a lot easier for all of
19 us.

20 MR. WINDHAM:

21 All right. Thank you.

22 With that, I will take your motion to
23 defer action on this appeal.

24 I'll look for a second, which is made by
25 Mr. Coleman.



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1 Any further comment from the public?

2 (No response.)

3 MR. WINDHAM:

4 Any comments by the Board members?

5 (No response.)

6 MR. WINDHAM:

7 All in favor of the motion to defer,
8 please indicate with an "aye."

9 (Several members respond "aye.")

10 MR. WINDHAM:

11 All opposed with a "nay."

12 MR. RICHARD:

13 Nay.

14 MR. WINDHAM:

15 Mr. Richard indicated a nay.

16 With that, the motion carries.

17 Deferred.

18 MR. DAVID:

19 Thank you.

20 MR. WINDHAM:

21 I believe Mr. Adley's already given the
22 rules committee record.

23 MR. ADLEY:

24 Done.

25 MR. WINDHAM:



1 And I believe we're now ready for
2 comments from the Secretary. Ms. Villa.

3 MS. VILLA:

4 Anne Villa here acting on behalf of
5 Secretary Pierson.

6 First, I'd like to thank you,
7 Mr. Chairman, and the fellow Board members. I know that
8 we had to postpone our meeting originally scheduled for
9 August 26th due to many of you affected by the flood as
10 well as our staff, so thank you again for attending
11 today.

12 Since our last Board meeting, since we
13 had the issuance of the executive order, Secretary
14 Pierson continues to meet with government and local
15 business leaders throughout Louisiana to discuss the
16 changes in the states's ITEP program and has presented,
17 along with Assistant Secretary Mandi Mitchell, two
18 different committees as well as the task force for
19 structural changes and budget and tax policy. He'll
20 continue to meet with government and business leaders as
21 well as leaders with local government associations,
22 which now have a significant role in the approval of
23 ITEP exemption.

24 Since we are the Board of Commerce &
25 Industry, I'd like to kind of update you-all in how



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1 we've responded to the flood disaster. LED in
2 conjunction with SBA and Louisiana Business Development
3 Center Network has established eight business discovery
4 centers in flood-impacted regions. The very first
5 center was open in five days of the flood, which was
6 miraculously done. And posted on LED's website is a
7 complete listing of resource guides for flood
8 assistance.

9 In addition, LED commissioned -- and you
10 may have heard this in the media, LED commissioned
11 economist Dek Terrell to conduct the damage assessment
12 in support of Governor Edwards to gain federal
13 appropriations from Congresses. Those appropriations
14 would be in addition to the Louisiana recovery efforts
15 being lead by FEMA, the US SBA and other federal state
16 and local agencies. Governor Edwards is seeking
17 \$2-million that will be delivered to site assistance,
18 Community Development Block Grant managed by the Federal
19 Department of Housing and Urban Development.

20 In addition to the estimated 109,000
21 housing units damaged, nearly 20,000 Louisiana
22 businesses were interrupted by the flooding that began
23 August 11th and continued for days leading to the
24 flooding of more than 6,000 businesses in 22 affected
25 parishes. LED also surveyed 455 economic driver firms



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1 in flood-impacted regions. Those employers that
2 contribute the most output to the state's economy, and
3 found that 6 percent suffered significant damage, while
4 9 percent had sustained major damage.

5 As reported by the Secretary, the good
6 news we want to project is that most of our major
7 industries in Louisiana remain open and today are
8 continuing their operations successfully.

9 During the three-week period after the
10 flooding began, Louisiana shouldered labor and value at
11 a production loss that affected 6 percent of our
12 economic activity statewide. As a state economy, we're
13 now doing better every day and remain strong and open
14 for business. Our challenge remains in restoring small
15 businesses and residential repair and housing.

16 Also, LED announced last week small
17 contractors in Louisiana flood-affected regions can
18 qualify for a limited number of scholarships when
19 registering for an innovative new program to help small
20 construction companies to build a solid foundation for
21 business growth and success. The Louisiana Contractor's
22 Accreditations to be conducted throughout the state on
23 October and November will help small, emergent
24 construction companies learn the basics of the industry
25 can prepare for the state's licensing exam. The



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1 institute will offer critical information about
2 construction management and how to prepare for the
3 general contractor's state licensing exam.

4 On a final note, I'd like to personally
5 thank our LED team, like who so many have worked
6 tirelessly responding to recovery efforts in our
7 communities, for the business and their affected
8 coworkers, family and friends.

9 Thank you.

10 MR. WINDHAM:

11 Thank you, Ms. Villa.

12 All right. Are there any questions or
13 comments, observations by any of the Board members
14 they'd like to share with the good people as well as
15 Board members?

16 If not, is there a motion to adjourn?

17 MAJOR COLEMAN:

18 So move.

19 MR. WINDHAM:

20 Moved by Major, seconded by Mr. Adley.

21 Everyone have a great day. Thank you
22 for coming.

23 (Meeting concludes at 1:57 p.m.)

24

25



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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 29th day of September, 2016.
22

23 _____
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