

The Board of Commissioners for the Pontchartrain Levee District met at its office on Monday, October 21, 2019, pursuant to due notice given to each member in due time, form and manner as follows:

October 18, 2019

Dear Sir:

You are hereby notified that the next Regular Board Meeting of the Board of Commissioners for the Pontchartrain Levee District will be held at 6:00 p.m. on Monday October 21, 2019 at the Lutcher Office, Lutcher, Louisiana.

Very truly yours,

Monica Salins Gorman
Executive Director

President Bosco called the meeting to order at 6:02 p.m. Ms. Bush was asked to call roll. The following members were present: Messrs. Trey Granier, Leonard J. Wilson, Jr., Percy Hebert, Jr., Ricky Bosco, Allen J. St. Pierre, Sr., Blaine J. Sheets, Henry Baptiste (arrived at 6:21 p.m.), Jerry Savoy and Ms. Senecca Boudreaux. Absent for roll call: Henry Baptiste. Mr. Henry Baptiste joined members at 6:21 p.m.

Pontchartrain Levee District employees in attendance were: Monica Salins Gorman – Executive Director and Mel D. Bush – PLD Board Secretary. Also, in attendance were Dwight Poirrier – PLD Board Counsel and Joseph Sevario – Executive Assistant to the Board of Commissioners.

Special guests included: Nathan Junius of Linfield, Hunter & Junius, Jane Dufour of GCR, Inc., Kimberly Koehl of GSA, Henry Picard & David Boyd of BKI, John Troutman of CPRA, Sam Scholle of St. Charles Parish and Trey Simon of IUL.

A motion to approve the minutes of the regular board meeting of September 16, 2019 was offered by Commissioner St. Pierre, seconded by Commissioner Boudreaux. Public Comments: None. There were no objections and the motion carried unanimously.

COMMITTEE REPORTS

Security/Safety Committee: President Bosco called upon Commissioner Hebert, Vice Chairperson of said committee; who noted that there were no items to report from the Security/Safety Committee held on October 15, 2019.

Equipment Committee: President Bosco called upon Commissioner St. Pierre, Chairperson of said committee; who reported on the Equipment Committee meeting held on October 15, 2019.

The first item was to approve the cost of the repair to the D5 Cat Machine in the amount of \$5,499.00, as recommended by committee on October 15, 2019. Public Comments: None. Motion to approve said agenda item was made by Commissioner Hebert, seconded by Commissioner Savoy. There was no other discussion, there were no public comments, there were objections and the motion carried unanimously.

Next item was to approve the additional cost for the renovation at the PLD Maintenance Shop in the amount of \$12,277.00 for the Men/Women Restroom plumbing, as recommended by committee on October 15, 2019. Public Comments: None. Motion to approve said agenda item was made by Commissioner Savoy, seconded by Commissioner Wilson. There was no other discussion, there were no public comments, there were objections and the motion carried unanimously.

Finance Committee: President Bosco called upon Commissioner Boudreaux, Vice Chairperson of the Finance Committee; who reported on the Finance Committee meeting held on October 17, 2019.

The first item was to approve a resolution by the Board of Commissioners of the Pontchartrain Levee District providing for specifics to the matter entitled "Parish of Livingston versus East Ascension Gravity Drainage District, Pontchartrain Levee District, et al" and as recommended by committee on October 17, 2019. Public Comments: None.

On the motion of Vice President Sheets, seconded by Commissioner Hebert, the following resolution was adopted:

WHEREAS, by the Board of Commissioners of the Pontchartrain Levee District, in regular session assembled;

NOW THEREFORE, BE IT RESOLVED, for and on behalf of the Pontchartrain Levee District, that the Pontchartrain Levee District Board of Commissioners is hereby authorizes President Ricky Bosco to proceed forward with whatever actions he deems necessary including commencement of litigation against the Parish of Livingston to resolve the lawsuit filed entitled “*Parish of Livingston versus East Ascension Gravity Drainage District, Pontchartrain Levee District, et al*”;

BE IT FURTHER RESOLVED, that the Pontchartrain Levee District does hereby request that the East Ascension Gravity Drainage District accept, defend and hold harmless, the Pontchartrain Levee District in the action filed by the Parish of Livingston and that the Pontchartrain Levee District Counsel, Dwight D. Poirrier, shall have the authority to approve the counsel hired to defend the interest of the Pontchartrain Levee District and East Ascension Gravity Drainage District in this matter;

The foregoing resolution was read in full, the roll was called on the adoption thereof, and the resolution was adopted by the following votes:

YEAS: St. Pierre, Boudreaux, Baptiste, Sheets, Hebert, Wilson and Granier

NAYS:-0-

ABSENT:-0-

ABSTAIN: Jerry Savoy

Motion carried unanimously.

This resolution was declared adopted the 21st day of October, 2019.

There was no other discussion, there were no public comments, there were no objections and the motion carried unanimously.

The next item on the agenda was to approve to grant the authority unto President Ricky Bosco to execute the 1st amended Cooperative Endeavor Agreement from Facility Planning Control, State of Louisiana, Division of Administration as per letter dated October 9, 2019, specific to Lake Pontchartrain West Shore Hurricane Protection Project, FP&C No. 36-L13-11-

01 as recommended by committee on October 17, 2019. A motion to approve said agenda item was made by Commissioner St. Pierre, seconded by Commissioner Hebert. There was no other discussion, there were no public comments, there were no objections and the motion carried unanimously.

The next item was to approve the proposal from GSA Consulting Engineers for Supplemental No.3 Bluff Swamp Lake Flood Risk Reduction Improvements – Fish Bayou – Final Design in the amount of \$227,149.50 and authorize PLD President, Ricky Bosco, to execute same, as recommended by committee on October 17, 2019. Public Comments: None. A motion to approve said agenda item was made by Commissioner Wilson, seconded by Commissioner Hebert. There was no other discussion, there were no public comments, there were no objections and the motion carried unanimously.

The next item on the agenda was to approve the regular monthly invoices in the amount of \$50,114.77 for the month of September 2019, as recommended by committee on October 17, 2019. Public Comments: None. Motion to approve said agenda item was made by Commissioner Wilson, seconded by Commissioner Hebert. There was no other discussion, there were no public comments, there were no objections, and the motion carried unanimously.

The next item was to approve the invoices from GCR, Inc. totaling 51,782.50 (this total represents 2 projects: LPV - \$13,767.29; and WSLP - \$38,015.21) said invoicing representing the fees from September 1, 2019 through September 30, 2019 as recommended by committee on October 17, 2019. Public Comments: None. This motion was made by Commissioner Wilson, seconded by Commissioner Savoy. There was no other discussion, there were no objections and the motion carried unanimously.

The next item was to approve the invoice from GSA Consulting Engineers, Inc. in the amount of \$49,170.29 for Laurel Ridge Levee Extension as recommended by committee on October 17, 2019. Public Comments: None. This motion was made by Vice President Sheets, seconded by Commissioner Wilson. Commissioner Jerry Savoy – Abstain. There was no other discussion, there were no public comments, there were no objections, and the motion carried unanimously.

Next item was to approve the invoice from GSA Consulting Engineers, Inc. in the amount of \$7,226.81 for Bluff Swamp Control Structure (formerly Alligator/Frog/Fish Bayous) as recommended by committee on October 17, 2019. Public Comments: None. This motion was made by Commissioner Savoy, seconded by Vice President Sheets. There was no other discussion, there were no public comments, there were no objections, and the motion carried unanimously.

Next item was to approve the invoice from GCR, Inc. for computer technical support in the amount of \$747.50 for September 1, 2019 through September 30, 2019 as recommended by committee on October 17, 2019. Public Comments: None. The motion was made by Commissioner Hebert, seconded by Commissioner Wilson. There was no other discussion, there were no objections and the motion carried unanimously.

Next item was to approve the invoices from Linfield, Hunter & Junius totaling \$1,160.00 for August (\$580.00) and September (\$580.00) as recommended by committee on October 17, 2019. Public Comments: None. Commissioner St. Pierre made said motion, seconded by Vice President Sheets. There was no other discussion, there were no objections and the motion carried unanimously.

Personnel Committee: President Bosco called upon Commissioner Granier, Chairperson of said committee; who noted that there were no items to report from the Personnel Committee held on October 17, 2019.

Bonfire Committee: President Bosco called upon Commissioner Boudreaux, Chairperson of said committee; who reported on the Bonfire Committee meeting held October 17, 2019.

The first item was to approve the Festival of the Bonfires, Inc. and the Pontchartrain Levee District 2019 Bonfire Season Guidelines and authorize Board President Ricky Bosco to sign the Christmas Bonfire Program Agreements as recommended by committee on October 17, 2019. Public Comments: None. Commissioner Savoy made said motion, seconded by Commissioner Hebert. There was no other discussion, there were no objections and the motion carried unanimously.

STAFF REPORTS

Executive Director LONO Report: The Executive Director's report was in the packet for review. Mrs. Gorman offered her assistance to any of the board members should they have any questions or comments concerning the issued LONO within their packets.

Reports on Projects: Reports were given for each of the following projects by the respective engineer and/or representative. Written reports were also in the board members packets.

- a) West Shore-Lake Pontchartrain Hurricane Protection – David Boyd
- b) St. James/Ascension Storm Surge Project – David Boyd
- c) St. Charles Urban/Walker/Almedia Pump Station – Jack Morgan, E-G
- d) Laurel Ridge Levee/Bayou Conway-Panama Canal/Hwy.22 – Kimberly Koehl, GSA
- e) Bluff Swamp & Spanish Lake Flood Risk Reduction – Kimberly Koehl, GSA
- f) St. Charles Hurricane Protection Levee – Jane Dufour, GCR
- g) Upper Pontchartrain Seepage Control Project – Nathan Junius, LH&J

RIGHTS OF ENTRY

Department of the Army, U.S. Army Corps of Engineers, New Orleans District - request of July 24, 2019, from Todd Klock, Chief, Acquisition Branch, Real Estate Region South Division to Mr. Ricky Bosco, President of the Pontchartrain Levee District for a right-of-entry for a period of one (1) year, beginning January 1, 2020 and ending December 31, 2020, for access and to conduct annual maintenance surveys, stone repairs, and articulated concrete mattress repair work on the revetments located along the Mississippi River, for the Mississippi River Channel Improvement Project, East Baton Rouge, Iberville, Ascension, St. James, St. John the Baptist, and St. Charles Parishes, Louisiana, as per the Corps of Engineers drawings entitled "Mississippi River Channel Improvement Project, Pontchartrain Levee District, Revetment Locations, "file number H-13-46072, sheet identification numbers C-01, C-02 and C-03, dated June 20, 2016.

Public Comments: None. A motion was offered by Commissioner Wilson, seconded by Commissioner Savoy. There was no other discussion, there were no objections and the motion carried unanimously.

PRESIDENT'S REMARKS

None.

OLD BUSINESS

None.

NEW BUSINESS

Ascension Parish Hunting Lease (Dwight Poirrier)

Dwight Poirrier mentioned that there have been no bids submitted to the Pontchartrain Levee District for the hunting lease property, after advertising three (3) times. Mr. Poirrier questioned the Board concerning what action they would like to take. It was decided by the Board to advertise again and also contact current lessee to remind him that the three (3) year lease is ending soon.

Next under New Business was a Resolution by the Board of Commissioners of the Pontchartrain Levee District and on behalf of the Coastal Protection and Restoration Authority Board of Louisiana providing for the appropriation under the constitution and laws of the State of Louisiana of lands, easements, servitudes and rights-of-way required for construction of West Shore Lake Pontchartrain Hurricane and Storm Damage Risk Reduction Project, St. Charles and St. John the Baptist Parishes, Louisiana as shown on U.S. Army Corps of Engineers, New Orleans District, Map File No. H-8-48288, Sheet Identification Nos. R-01, R-02, and R-03, dated May 29, 2019, last revised October 4, 2019. Public Comments: Dwight Poirrier stated that the Resolution must be read into the record. The Resolution was read by Commissioner Granier. The roll was called by Ms. Bush and is noted in said resolution.

On the motion of Commissioner Boudreaux, seconded by Commissioner Hebert, the following resolution was adopted:

A Resolution by the Board of Commissioners of the Pontchartrain Levee District and on behalf of the Coastal Protection and Restoration Authority Board of Louisiana providing for the appropriation under the constitution and laws of the State of Louisiana of lands, easements, servitudes and rights-of-way required for construction of West Shore Lake Pontchartrain Hurricane and Storm Damage Risk Reduction Project, St. Charles and St. John the Baptist Parishes, Louisiana as shown on U.S. Army Corps of Engineers, New Orleans District, Map File No. H-8-48288, Sheet Identification Nos. R-01, R-02, and R-03, dated May 29, 2019, last revised October 4, 2019.

WITNESSETH, THAT:

WHEREAS, the U.S. Army Corps of Engineers, New Orleans District (USACE) has determined that certain lands, easements, servitudes and rights-of-way situated in the Parish of St. John, State of Louisiana are required for the construction of the West Shore Lake Pontchartrain Hurricane and Storm Damage Risk Reduction Project (Project), St. John the Baptist and St. Charles Parishes, Louisiana as shown on USACE right-of-way drawings, Map File No. H-8-48288, Sheet Identification Nos. R-01, R-02, and R-03, dated May 29, 2019, last revised October 4, 2019, and as requested by USACE, via letters dated June 27, 2019, August 1, 2019, and October 9, 2019 from Todd M. Klock, Chief, Acquisition Branch, to Mr. Chip Kline, Chairman of the Coastal Protection and Restoration Authority of Louisiana (CPRA), and Mr. Ricky Bosco, President, Pontchartrain Levee District (PLD); and,

WHEREAS, the Coastal Protection and Restoration Authority Board of Louisiana and PLD, as Non-Federal Sponsors of the Project, have the responsibility for providing all lands, easements, servitudes, and rights-of-way determined by USACE to be required for the construction of the Project; and,

WHEREAS the Project requires Temporary Work Area Easements and a Road Easement as shown on the USACE right-of-way drawings; and,

WHEREAS, a “Temporary Work Area Easement” is a temporary easement and right-of-way in, on, over, and across the following described land, for a period not to exceed five (5) years, beginning with date the easement is appropriated, for use by the United States, its representatives, agents, and contractors as a work area, including the right to deposit fill, spoil and waste material thereon, move, store and remove equipment and supplies, and erect and remove temporary structures on the land and to perform any other work necessary and incident to the construction of the Project, together with the right to trim, cut, fell and remove therefrom all trees, underbrush, obstructions, and any other vegetation, structures, or obstacles within the limits of the right-of-way; reserving, however, to the landowners, their heirs and assigns, all such rights and privileges as may be used without interfering with or abridging the rights and easement hereby acquired; subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines.; and,

WHEREAS, a “Road Easement” is a perpetual and assignable easement and right-of-way in, on over and across the following described land for the location, construction, operation, maintenance, alteration and replacement of a road and appurtenances thereto; together with the right to trim, cut, fell and remove therefrom all trees, underbrush, obstructions and other

vegetation, structures, or obstacles within the limits of the right-of-way; reserving, however, to the owners, their heirs and assigns, the right to cross over or under the right-of-way as access to their adjoining land; subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines.; and,

WHEREAS, the constitution and laws of the State of Louisiana law provide that levee districts are authorized to appropriate needed lands for levee, drainage, flood and hurricane protection purposes;

NOW THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Pontchartrain Levee District, in regular session assembled, for and on behalf of PLD and the Coastal Protection and Restoration Authority Board of Louisiana, that:

1. That portion of the lands situated in the Parish of St. John on the east side of the Mississippi River as shown on USACE right-of-way drawings, Map File No. H-8-48288, Sheet Identification Nos. R-01, R-02, and R-03, dated May 29, 2019, last revised October 4, 2019, attached hereto as EXHIBIT A, as requested by USACE via letters dated June 27, 2019, August 1, 2019, and October 9, 2019 from Todd M. Klock, Chief, Acquisition Branch, to Mr. Chip Kline, Chairman of CPRA, and Mr. Ricky Bosco, President, PLD, collectively attached hereto as EXHIBIT B, said lands being limited to the Temporary Work Area Easements and Road Easement described in the attached legal descriptions, prepared by Stephen P. Flynn, P.L.S., and shown on the attached survey, described as Right of Way Map of Stockpile 1 and Access Road J, West Shore Lake Pontchartrain, Louisiana Hurricane and Storm Damage Risk Reduction Project, St. John the Baptist Parish, Louisiana, dated October 15, 2019, prepared by Stephen P. Flynn, P.L.S. of Riverlands Surveying Company, collectively attached hereto as EXHIBIT C, is hereby appropriated in accordance with the provisions of the constitution and laws of the State of Louisiana.
2. The acquisition of said easements shall be in the name of the Pontchartrain Levee District.
3. Ricky Bosco, President of the Board of Commissioners for PLD, is hereby authorized to approve, sign and issue the Authorization for Entry for the requested right of entry, including right of ingress and egress, to the United States of America for the construction of the Project upon the lands herein appropriated.

BE IT FURTHER RESOLVED, that a copy of USACE right-of-way drawings, Map File No. H-8-48288, referenced above shall be kept on file in the offices of PLD for the review and/or copying by any affected property owner or any other interested person.

BE IT FURTHER RESOLVED, that this resolution shall be published in the official journal of the PLD in the manner prescribed by law.

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be furnished to each known property owner of record affected thereby, by certified mail, return receipt requested.

BE IT FURTHER RESOLVED, that the compensation due the affected landowner(s) as determined in accordance with applicable law shall be paid within one year of the date of this resolution.

The foregoing resolution was read in full, the roll was called on the adoption thereof, and the resolution was adopted by the following votes:

YEAS: S. Boudreaux, H. Baptiste, P. Hebert, A. St. Pierre, J. Savoy,
L. Wilson, B. Sheets and T. Granier

NAYS: None.

ABSENT: None.

Motion carried unanimously.

This resolution was declared adopted the 21st day of October, 2019.

ADJOURNMENT

Commissioner Wilson moved, seconded by Commissioner Boudreaux to adjourn. The motion carried unanimously and meeting adjourned at 6:50 p.m.

Mel D. Bush, Board Secretary

Ricky Bosco, President
Pontchartrain Levee District