

The Board of Commissioners of the Pontchartrain Levee District met at its office on Monday, October 19, 2020, pursuant to due notice given to each member in due time, form and manner as follows:

October 16, 2020

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 19, 2020 at the Lutchter Office, Lutchter, Louisiana.

Very truly yours,

Monica Salins Gorman
Executive Director

Vice President Sheets called the meeting to order at 6:01 p.m. The Pledge of Allegiance was recited. Ms. Bush was asked to call roll. The following members were present: Allen J. St. Pierre, Sr., Percy Hebert, Jr., Blaine J. Sheets, Leonard C. Irvin, Sr., Matthew Butler, Randy Clouatre, Sr. and Senecca Boudreaux. Absent: Claude “Trey” Granier and Ricky Bosco.

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

Guests present and via teleconference included: Pete Dufresne of St. James Parish Government, Kimberly Koehl of GSA, Jane Dufour of Civix, Sam Scholle of St. Charles Parish, Nathan Junius of LH&J, David Boyd of BKI, Kevin Kelly & Jim Blanchard of Houmas House, Lance LaPlace of QES and Steve Cali of Arcadis.

A motion to approve the minutes of the regular board meeting of September 21, 2020 was offered by Commissioner Clouatre, seconded by Commissioner Hebert. Public Comments:

None. There was no other discussion, there were no public comments, there were no objections and the motion carried unanimously.

COMMITTEE REPORTS

Security/Safety Committee: Vice President Sheets 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 13, 2020.

Equipment Committee: Vice President Sheets called upon Commissioner St. Pierre, Chairperson of said committee, who reported on the Equipment Committee held on October 13, 2020:

The only item on the agenda was to approve the purchase of an air conditioning recovery machine for the PLD Maintenance Shop, not to exceed \$7,000.00 as recommended by committee on October 13, 2020. Public Comments: None. A motion was offered by Commissioner Irvin, seconded by Commissioner Hebert. There was no other discussion, there were no other public comments, there were no objections, and the motion carried unanimously.

Finance Committee: Commissioner Boudreaux reported on the Finance Committee meeting held on October 15, 2020:

The first item on the agenda was to approve the recommendation from the RFQ committee members, after utilizing qualified base selection criteria, to GSA Consulting Engineers to begin the application process for the Watershed Projects Grant Program – Round 1 on PLD's behalf specific to projects approved by the PLD Board of Commissioners, and to authorize PLD President, Ricky Bosco, to execute documents necessary for submission, as recommended by committee on October 15, 2020. Public Comments: None. A motion was offered by Commissioner Clouatre, seconded by Commissioner Irvin. There was no other discussion, there were no other public comments, there were no objections, and the motion carried unanimously.

The next item was to approve the Right of Way/Easement Agreement between Pontchartrain Levee District and Spanish Lake Wildlife Refuge & Botanical Gardens, Inc. for the Fish/Frog Bayou Drainage Project, including the amount set forth in the agreement and

authorization of PLD President, Ricky Bosco, to execute same as recommended by committee on October 15, 2020. Public Comments: None. A motion was offered by Commissioner Hebert, seconded by Commissioner St. Pierre. There was no other discussion, there were no other public comments, there were no objections, and the motion carried unanimously.

The next item on the agenda was the approval by the Pontchartrain Levee District to support the City of Gonzales, the Parish of Ascension, the East Ascension Consolidated Gravity Drainage District No. 1, and other entities for making application to the Louisiana Watershed Initiative grant program to fund the Bayou Boyle Basin Project under consideration by the Louisiana Watershed Initiative as recommended by committee on October 15, 2020. Public Comments: None. A motion was offered by Commissioner Cloutre, seconded by Commissioner Irvin. There was no other discussion, there were no other public comments and the motion carried unanimously.

The next item on the agenda was to approve the proposal of Burk-Kleinpeter Inc. dated September 16, 2020 to continue Task Order No. 9 adding additional monies in the amount not to exceed \$150,000.00 on an as needed basis, as per the recommendation on October 15, 2020. Public Comments: None. A motion was offered by Commissioner Irvin, seconded by Commissioner St. Pierre. There was no other discussion, there were no other public comments and the motion carried unanimously.

The next item on the agenda was to approve the regular monthly invoices in the amount of \$35,497.31 as recommended by committee on October 15, 2020. Public Comments: None. Motion to approve said agenda item was made by Commissioner Cloutre, 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 Civix, Inc. totaling 96,533.18 (this total represents 2 projects: LPV - \$8,994.63 and WSLP - \$87,538.55) said invoicing representing the fees from September 1, 2020 through September 30, 2020 as recommended by committee on October 15, 2020. Public Comments: None. Motion was made by Commissioner Cloutre, seconded by Commissioner Irvin. 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 invoice from GSA Consulting Engineers, Inc. in the amount of \$14,083.83 for Bluff Swamp Control Structure as recommended by committee on October 15, 2020. Public Comments: None. Motion was made by Commissioner Butler, seconded by Commissioner St. Pierre. 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 \$11,925.53 for Laurel Ridge Levee Enlargement as recommended by committee on October 15, 2020. Public Comments: None. Motion was made by Commissioner Cloutre, seconded by Commissioner Irvin. 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 following 408 Requests as recommended by committee on October 15, 2020:

- a) **Noranda Alumina** – request of October 8, 2020, through TRC Solutions, concerning permission to repair and rehabilitate the existing Sulfuric Acid Barge Dock (Acid Dock) for conversion to a West Cake Barge Loading Dock (Wet Cake Dock) which includes a new wet cake warehouse, and a new belt conveyor from the Noranda facility on the protected side of the Mississippi River levee, across the batture and out to the newly constructed Wet Cake Dock, vicinity of second order levee station 4291+99, at Gramercy, Louisiana, in St. James Parish. Public Comments: None. A motion was offered by Commissioner Butler, seconded by Commissioner Irvin. There was no other discussion, there were no public comments, there was no objections and the motion carried unanimously.

- b) **Houmas House and Garden** – request of September 23, 2020 through Northeast Technical Services Company (NETSCo), concerning permission to create a facility for docking river cruise vessels, levee station 2945+00, at Darrow, Louisiana, in Ascension Parish. Public Comments: None. A motion was offered by Commissioner Cloutre, seconded by Commissioner Irvin. There was no other discussion, there were no public comments, there was no objections and the motion carried unanimously.

Personnel Committee: Vice President Sheets called upon Commissioner Boudreaux, representing the Chairperson of said committee, who noted there were no items to report on the Personnel Committee meeting held on October 15, 2020.

Bonfire Committee: Vice President Sheets called upon Commissioner Boudreaux, Chairperson of said committee, who reported on the Bonfire Committee meeting held on October 15, 2020:

The first item on the agenda was to approve the 2020 Bonfire Guidelines and authorize board president to sign Christmas Bonfire Program Agreement with Governmental Entities, subject to any and all existing and potential changes to any proclamation(s) by Governor John Bel Edwards on or before November 6, 2020 and final review by PLD Board Counsel, Dwight Poirrier, as recommended by committee on October 15, 2020. Public Comments: None. Motion was made by Commissioner Hebert, seconded by Commissioner St. Pierre. There was no other discussion, there were no public comments, there were no objections and the motion carried unanimously.

STAFF REPORTS

Executive Director 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 LONO report within their packets.

Reports on Projects: Said written reports were within the board member packets for each of the following projects provided by the respective engineer and/or representative:

- a) West Shore-Lake Pontchartrain Hurricane Protection – David Boyd, BKI
- b) St. James/Ascension Storm Surge Project – David Boyd, BKI
- c) Laurel Ridge Levee/Bayou Conway-Panama Canal/Hwy.22 – Kimberly Koehl, GSA
- d) Bluff Swamp & Spanish Lake Flood Risk Reduction – Kimberly Koehl, GSA
- e) St. Charles HPL/Westshore Real Estate Updates – Jane Dufour, Civix

RIGHTS OF ENTRY

None.

PRESIDENT'S REMARKS

None.

OLD BUSINESS

Parish President Dufresne addressed the board and presented the IGA between PLD and St. James Parish concerning the old PLD Headquarters and he thanked members again. Mrs. Gorman addressed members concerning a quote from Amko Fence Company that she had spoken to President Dufresne about. She added that the board add an item to the agenda concerning approval of the added fence separating the old and new PLD Headquarters, along with an access gate for safety purposes, in an amount not to exceed \$9,427.00 (20 ft. from the edge of concrete). Public Comments: None. A motion was offered by Commissioner Clouatre, seconded by Commissioner Irvin to approve spending \$9,427.00 to put up a portion of a fence separating the old and new PLD Headquarters. There was no other discussion, there were no public comments, there were no objections and the motion carried unanimously.

NEW BUSINESS

On the motion of Commissioner St. Pierre 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-8-48286, Sheet Identification Nos. R-001, R-002, R-003, R-004, R-005, R-010, R-011, R-019, R-020, and R-021, dated January 2020, last revised September 22, 2020.

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 H-8-48286, Sheet Identification Nos. R-001, R-002, R-003, R-004, R-005, R-010, R-011, R-019, R-020, and R-021, dated January 2020, last revised September 22, 2020, as requested by USACE, via letters dated January 24, 2020, April 30, 2020, June 12, 2020, July 24, 2020, August 20, 2020, and September 28, 2020 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 Road Easement(s) as shown on the USACE right-of-way drawings; 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-8-48286, Sheet Identification Nos. R-001, R-002, R-003, R-004, R-005, R-010, R-011, R-019, R-020, and R-021, dated January 2020, last revised September 22, 2020, attached hereto as EXHIBIT A, as requested by USACE via letters dated January 24, 2020, April 30, 2020, June 12, 2020, July 24, 2020, August 20, 2020, and September 28, 2020 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 Road Easement(s) described in the attached legal descriptions, prepared by Stephen P. Flynn, P.L.S., and shown on the attached surveys, described as Right of Way Map of Access Road C from Airline Highway North & West across the Ten-G Portion of Terre Haute Plantation West and North across the Marathon Portion of Terre Haute Plantation, West Shore Lake Pontchartrain, Louisiana Hurricane and Storm Damage Risk Reduction Project, St. John the Baptist Parish, Louisiana, dated March 6, 2020, and revised August 24, 2020, and Right of Way Map for Access Road G from I-10 North across the Belle Terre Land, L.L.C. portion of Laplace Plantation, West Shore Lake Pontchartrain, Louisiana Hurricane and Storm Damage Risk Reduction Project, St. John the Baptist Parish, Louisiana, dated September 22, 2020, 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-8-48286, 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: Randy Clouatre, Percy Hebert, Matthew Butler, Allen St. Pierre, L.C. Irvin, Blaine Sheets and Senecca Boudreaux

NAYS: None.

ABSENT: Claude "Trey" Granier and Ricky Bosco

Public Comments: None. There was no other discussion, there were no objections and the motion carried unanimously.

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. John the Baptist Parish, Louisiana as shown on U.S. Army Corps of Engineers, New Orleans District, Map File No. H-8-48343, Sheet Identification Nos. R-00, R-01, R-02, R-03, dated September 2019, last revised July 27, 2020.

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 Parish, Louisiana as shown on USACE right-of-way drawings, Map File No. H-8-48343, Sheet

Identification Nos. R-00, R-01, R-02, R-03, dated September 2019, last revised July 27, 2020, and as requested by USACE, via letters dated September 27, 2019, November 21, 2019, December 19, 2019, January 13, 2020, January 24, 2020, March 16, 2020, and July 29, 2020 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 Road Easement(s) as shown on the USACE right-of-way drawings; 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-8-48343, Sheet Identification Nos. R-00, R-01, R-02, R-03, dated September 2019, last revised July 27, 2020, attached hereto as EXHIBIT A, as requested by USACE via letters dated September 27, 2019, November 21, 2019, December 19, 2019, January 13, 2020, January 24, 2020,

March 16, 2020, and July 29, 2020 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 Road Easement(s) described in the attached legal description, prepared by Stephen P. Flynn, P.L.S., and shown on the attached survey, described as Right of Way Map of Access Road C form Airline Highway North & West across the Ten-G Portion of Terre Haute Plantation West and North across the Marathon Portion of Terre Haute Plantation, West Shore Lake Pontchartrain, Louisiana Hurricane and Storm Damage Risk Reduction Project, St. John the Baptist Parish, Louisiana, dated March 6, 2020, and revised August 24, 2020, 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 easement 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-8-48343, 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: Randy Clouatre, Percy Hebert, Allen St. Pierre, Blaine Sheets, Matthew Butler, L.C. Irvin and Senecca Boudreaux

NAYS: None.

ABSENT: Claude “Trey” Granier and Ricky Bosco

Public Comments: None. There was no other discussion, there were no objections and the motion carried unanimously.

The next item on the agenda was to accept the Certification of Just Compensation for Stockpile Area and a portion of Access Road J, Parcel Numbers 1-TWA-2, 1-J-1, 1-TWA-1 (Appropriation approved at PLD Board October 2019) – Dwight Poirrier addressed members regarding the one (1) year time to make payment on said appropriation.

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

ADJOURNMENT

Commissioner Irvin moved, seconded by Commissioner Hebert to adjourn. The motion carried unanimously and meeting adjourned at 6:40 p.m.

Mel D. Bush, Board Secretary

Blaine Sheets, Vice President
Pontchartrain Levee District