

The Board of Commissioners for the Pontchartrain Levee District met at its office on Monday, July 19, 2021, pursuant to due notice given to each member in due time, form and manner as follows:

July 16, 2021

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, July 19, 2021 at the Lutch Office, Lutch, Louisiana.

Very truly yours,

Monica Salins Gorman,  
Executive Director

Vice President Blaine Sheets called the meeting to order at 6:01 p.m. Monica Salins Gorman was asked to call the roll. Committee member present were: Blaine Sheets, Senecca Boudreaux, Allen J. St. Pierre, Sr., Leonard C. Irvin, Sr., Percy Hebert, Jr., Claude A. "Trey" Granier, III, and Randy T. Clouatre, Sr. Committee member via teleconference was: None. Absent was: Ricky Bosco and Matthew Butler.

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

Recognition of guests at PLD HW included: David Boyd of BKI, Sam Scholle with St. Charles Parish, Kimberly Koehl with McKim & Creed (formerly GSA), and Jack Morgan of Evans Graves Engineers.

A motion to approve the minutes of the regular board meeting of June 21, 2021 was offered by Commissioner Hebert, seconded by Commissioner Clouatre. There were no objections, there were no public comments and the motion carried unanimously.

## COMMITTEE REPORTS

**Security/Safety Committee:** Vice President Sheets called upon Commissioner Percy Hebert, Co-Chair of said committee, who noted that there were no items to report from the Security/Safety Committee meeting held on July 13, 2021.

**Equipment Committee:** Vice President Sheets called upon Commissioner Hebert, Co-chair of said committee, who noted that there were no items to report from the Equipment Committee meeting held on July 13, 2021.

**Personnel Committee:** Vice President Sheets called upon Commissioner Granier, Chairperson of said committee, who stated that there was one item to report from the Personnel Committee meeting held on July 15, 2021:

The only item was to approve to fill the vacant Pontchartrain Levee District Board Secretary position with Shevette Fulton as recommended by committee on July 15, 2021. Public Comments: None. Motion to approve said agenda item was offered by Commissioner Hebert, seconded by Commissioner Irvin. There was no other discussion, there were no objections and the motion carried unanimously.

**Finance Committee:** Vice President Sheets called upon Commissioner Boudreaux, Chairperson of the Finance Committee, who reported on the Finance Committee meeting held on July 15, 2021:

The first item on the agenda was to approve the regular monthly invoices in the amount of \$63,792.11 for the month of June 2021 as recommended by committee on July 15, 2021. Public Comments: None. Motion to approve said agenda item was made by Commissioner Granier, seconded by Commissioner Clouatre. There was no other discussion, there were no objections and the motion carried unanimously.

The next item on the agenda was to approve the invoices from Civix totaling \$39,636.27 (this total represents 3 projects: LPV- \$2,846.25; Laurel Ridge- \$6,068.75 and WSLP- \$30,721.27) said invoicing representing the fees from June 1 through June 30, 2021 as recommended by committee on July 15, 2021. Public Comments: None. Motion to approve said agenda item was made by Commissioner Hebert, seconded by Commissioner Granier. There was no other discussion, there were no objections and the motion carried unanimously.

The next item on the agenda was to approve the invoice from Dwight Poirrier, Board Attorney, in the amount of \$5,624.10 for the West Shore Lake Pontchartrain Project as recommended by committee on July 15, 2021. Public Comments: None. Motion to approve said agenda item was made by Commissioner Irvin, seconded by Commissioner St. Pierre. There was no other discussion, there were no objections and the motion carried unanimously.

Next, was to approve the invoice from Burk-Kleinpeter, Inc. in the amount of \$3,081.75 for West Shore Task Order No. 9 as recommended by committee on July 15, 2021. Public Comments: None. Motion to approve said agenda item was made by Commissioner Hebert, seconded by Commissioner Granier. There was no other discussion, there were no objections, and the motion carried unanimously.

The next item was to approve the invoice from Civix in the amount of \$57.50 for June computer technical support as recommended by committee on July 15, 2021. Public Comments: None. Motion to approve said agenda item was made by Commissioner Clouatre, seconded by Commissioner Granier. There was no other discussion, there were no objections, and the motion carried unanimously.

The next item was to approve the invoice from Linfield, Hunter & Junius, Inc. for the LPV ICRR Gate Armoring Settlement Survey in the amount of \$1,075.00 as recommended by committee on July 15, 2021. Public Comments: None. Motion to approve said agenda item was made by Commissioner St. Pierre, seconded by Commissioner Clouatre. There was no other discussion, there were no objections, and the motion carried unanimously.

Next was the approve the invoice from Linfield, Hunter & Junius, Inc, for Sorrento Storm surge in the amount of \$2,332.50 as recommended by committee on July 15, 2021. Public Comments: None. Motion to approve said agenda item was made by Commissioner St. Pierre, seconded by Commissioner Granier. There was no other discussion, there were no objections, and the motion carried unanimously.

The next item on the agenda was to approve the invoices from Methods for the yearly charges of hardware maintenance- \$2,200.00; software license for Progress- \$1,000.00; Budgetary software license- \$4,000.00; Direct Deposit software license- \$400.00; Log Me In software license- \$600.00; Payroll software license- \$5,000.00; all for a total of \$13,200.00 as recommended by committee on July 15, 2021. Public Comments: None. Motion to approve said agenda item was made by Commissioner Hebert, seconded by Commissioner Irvin. There was no other discussion, there were no objections, and the motion carried unanimously.

Next on the agenda was to approve the invoice from Louisiana Department of State Civil Service in the amount of \$12,685.00 for Fiscal Year 2021-2022 as recommended by committee on July 15, 2021. Public Comments: None. Motion to approve said agenda item was made by Commissioner St. Pierre and seconded by Commissioner Hebert. There was no other discussion, there were no objections, and the motion carried unanimously.

Next was to approve the invoice from Griffin & Furman for the progress bill (partial billing) for the PLD Fiscal Year audit ending June 30, 2021 in the amount of \$4,200.00 as recommended by committee on July 15, 2021. Public Comments: None. Motion to approve said agenda item was made by Commissioner Granier, seconded by Commissioner Clouatre. There was no other discussion, there were no objections, and the motion carried unanimously.

The next item on the agenda was to approve the 408 request as recommended by committee on July 15, 2021:

**Bear Industries** – request of June 23, 2021, through Lanier & Associates Consulting Engineers, Inc., concerning permission for the modification of an existing marine facility. Two (2) existing monopile breasting dolphins and four (4) existing monopile mooring dolphins will be removed and replaced with similar structures upriver approximately 1300'. The new facility will consist of two (2) captive piles and six (6) mooring buoys with anchor piles and chains. The existing piles will be cut at the revetment. As per guidance from the USACE Engineering Division, a

portion of the batture will be degraded and placed on their upland storage area. Riprap will be placed on the extents of this area for bank stability. A pile supported hopper and truss will be installed near LWRP and run back over the levee to a proposed limestone storage lot. A temporary access road and construction corridor will be used during construction.

Next on the agenda was to approve the transfer of funds from PLD Audit Fund Balance Assigned PLD Admin. Building (GL account 2511.01) to PLD Audit Fund Balance Unassigned prior year (GL Account 2560) in the amount of \$1,650,000.00. The effective date of this transfer to be June 30, 2021, as recommended by committee on July 15, 2021. Public Comments: None. Motion to approve said agenda item was made by Commissioner St. Pierre, seconded by Commissioner Irvin. There was no other discussion, there were no objections, and the motion carried unanimously.

Next on the agenda was to approve the transfer funds from PLD Audit Fund Balance Committed Police Truck (GL Account 2513.01) to PLD Audit Fund Balance Unassigned prior year (GL Account 2560) in the amount of \$32,222.45. The effective date of this transfer to be June 30, 2021, as recommended by committee on July 15, 2021. Public Comments: None. Motion to approve said agenda item was made by Commissioner Irvin, seconded by Commissioner Hebert. There was no other discussion, there were no objections, and the motion carried unanimously.

The next agenda item was to approve to complete the complete and adopt the Louisiana Compliance Questionnaire for Audit Engagements of Governmental Entities as requested by the Legislative Auditor through Griffin & Furman, LLC as recommended by committee on July 15, 2021. Public Comments: None. Motion to approve said agenda item was made by Commissioner Cloutre, seconded by Commissioner Granier. There was no other discussion, there were no objections, and the motion carried unanimously.

Next on the agenda was to approve the proposed Task Order No. 3 with McKim & Creed in the amount of \$50,000.00 to continue preliminary engineering services for the Hwy. 22 Gapping Project through the Louisiana Watershed Initiative, as recommended by committee on July 15, 2021. Public Comments: None. Motion to approve said agenda item was made by Commissioner Cloutre, seconded by Commissioner St. Pierre. There was no other discussion, there were no objections, and the motion carried unanimously.

The next agenda item was to approve the renewal of the HVAC Service Contract with Watson Mechanical Services, Inc. for another one (1) year term as recommended by committee on July 15, 2021. Public Comments: None. Motion to approve said agenda item was made by Commissioner Hebert, seconded by Commissioner Irvin. There was no other discussion, there were no objections, and the motion carried unanimously.

Next on the agenda was to approve the ratification of the Levee and Road Servitude Agreement for the West Shore Lake Pontchartrain between the Pontchartrain Levee District and Belle Terre Land, LLC, as recommended by committee on July 15, 2021. Public Comments: None. Motion to approve said agenda item was made by Commissioner St. Pierre, seconded by Commissioner Granier. There was no other discussion, there were no objections, and the motion carried unanimously.

The next agenda item was to approve the ratification of Joint Stipulation and Partial Consent Judgement in the matter entitled “Nature Land Co, LLC vs. Board of Commissioners for the Pontchartrain Levee District” Docket No. 76762, 40<sup>th</sup> Judicial District Court, Parish of St. John The Baptist, State of Louisiana, as recommended by committee on July 15, 2021. Public Comments: None. Motion to approve said agenda item was made by Commissioner St. Pierre, seconded by Commissioner Granier. There was no other discussion, there were no objections, and the motion carried unanimously.

Next on the agenda was to approve to allow Board Attorney, Dwight Poirrier, to negotiate a reimbursement agreement between the Pontchartrain Levee District and Nature Land Co., LLC and to allow the President or Vice President to execute same as recommended by committee on July 15, 2021. Public Comments: None. Motion to approve said agenda item was made by Commissioner Clouatre, seconded by Commissioner Hebert. There was no other discussion, there were no objections, and the motion carried unanimously.

Next on the agenda was to approve to allow the PLD Board Attorney, Dwight Poirrier, to draft, prepare and finalize the temporary construction servitude agreement between the Pontchartrain Levee District and Nature Land Co., LLC, and to allow the President or Vice President to execute same as recommended by committee on July 15, 2021. Public Comments: None. Motion to approve said agenda item was made by Commissioner Granier, seconded by

Commissioner Irvin. There was no other discussion, there were no objections, and the motion carried unanimously.

The next agenda item was to approve to allow Board Attorney, Dwight Poirrier the authority to negotiate the advanced approval, i.e. Just Compensation award, certifying the higher of the two (2) USACE approved appraisals, for Nature Land Co., LLC as recommended by committee on July 15, 2021. Public Comments: None. Motion to approve said agenda item was made by Commissioner Clouatre, seconded by Commissioner St. Pierre. 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 the board members review. Mrs. Gorman offered her assistance to any of the members should they have any questions or comments concerning any of the issued LONOs within the last month.

**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, BKI)
- b) Laurel Ridge Levee Extension, Bluff Swamp & Spanish Lake Flood Risk Reduction, LA 22 Gapping Project (Kimberly Koehl, GSA)
- c) St. Charles Hurricane Protection Levee, ROE's, LRLE, WSLP (Jane Dufour, Civix)

## RIGHTS OF ENTRY

**Department of the Army, Corps of Engineers, New Orleans District** – request of August 28, 2018, revised December 10, 2018, February 26, 2019, April 17, 2019, and specifically last revised June 21, 2021, from Todd Klock, Chief, Acquisition Branch, Real Estate Division to Ricky Bosco, President of the Pontchartrain Levee District for an extension of right-of-entry for a period of two (2) years, beginning August 2, 2021 and ending August 1, 2023, to continue construction of the seepage control project in connection with the Mississippi River Levees, East Bank Levee, Pontchartrain Levee District, Upper Pontchartrain, Item M-225-L, B/L Sta. 160+00 to B/L Sta. 181+00, Seepage Control Project, East Baton Rouge Parish, Louisiana (ED-18-070) and maps entitled, "Mississippi River Levees, East Bank Levee, Pontchartrain Levee District, Upper Pontchartrain LD – Seepage Control, Item M-227-L, B/L Sta. 160+00 to B/L Sta.

181+00, Right-of-Way, East Baton Rouge Parish, Louisiana,” Map File Number H-8-48193, Sheets R-01 through R-05, dated August 10, 2018 and last revised April 8, 2019.

Public Comments: None. Motion to approve said Right of Entry was made by Commissioner Granier, seconded by Commissioner Boudreaux. There was no other discussion, there were no objections, and the motion carried unanimously.

#### **PRESIDENT’S REMARKS**

None.

#### **OLD BUSINESS**

None.

#### **NEW BUSINESS**

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

#### **RESOLUTION**

A Resolution authorizing the President or Vice President of the Board of Commissioners for the Pontchartrain Levee District, to sign any and all documents, agreements, permits, rights of entry, Authorizations for Entry, and any other instruments on behalf of the Pontchartrain Levee District in furtherance of the delivery of “real property interests” including lands, easements, and rights-of-way, including those required for relocations and borrow and dredged material placement areas, in connection with the West Shore Lake Pontchartrain Hurricane and Storm Damage Risk Reduction Project, St. John the Baptist, St. James, and St. Charles Parishes, Louisiana “Project”.

#### **WITNESSETH, THAT:**

**WHEREAS**, on February 10, 2019, the State of Louisiana acting by and through the Coastal Protection and Restoration Authority Board of Louisiana, the Pontchartrain Levee District (Non-Federal Sponsors) and the Department of the Army (Government) executed a Project Partnership Agreement for the construction of the West Shore Lake Pontchartrain Hurricane and Storm Damage Risk Reduction Project, St. John the Baptist, St. James, and St. Charles Parishes, Louisiana “Project”.

**WHEREAS**, the Non-Federal Sponsors may provide “real property interests” including lands, easements, and rights-of-way, including those required for relocations and borrow and dredged material placement areas, required for construction of the Project.

**NOW THEREFORE BE IT RESOLVED**, by the Board of Commissioners for the Pontchartrain Levee District, in regular session assembled, that the President or Vice President be and is hereby authorized to sign any and all documents, agreements, permits, rights-of-entry, Authorizations for Entry, and any other instruments on behalf of the Pontchartrain Levee District in furtherance of the delivery of “real property interests” including lands, easements, and rights-of-way, including those required for relocations and borrow and dredged material placement areas, required for construction of the West Shore Lake Pontchartrain Hurricane and Storm Damage Risk Reduction Project, St. John the Baptist, St. James, and St. Charles Parishes, Louisiana.

The forgoing was submitted to a vote, the vote thereon as follows:

YEAS: Senecca Boudreaux, Randy Clouatre, Claude Granier, Percy Hebert, Leonard Irvin, Allen St. Pierre, Sr. and Blaine Sheets

NAYS: None.

ABSENT: Ricky Bosco and Matthew Butler

Motion carried unanimously.

This resolution was declared adopted the 19th day of July, 2021.

#### **ACCESS ROAD P**

On the motion of Commissioner Granier, seconded by Commissioner Irvin, the following resolution was adopted:

#### **RESOLUTION**

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 dated January 2020, last revised March 29, 2021.

**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-8-48286, Sheet Identification Nos. Sheet Identification Nos. R-001, R-002, R-003, R-004 dated January 2020, last revised March 29, 2021, and as requested by USACE, via letters dated January 24, 2020, April 30, 2020, June 12, 2020, July 24, 2020, August 20, 2020, September 28, 2020, December 3, 2020, December 9, 2020, January 19, 2021, February 15, 2021, March 1, 2021, March 25, 2021, and April 8, 2021 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, highways and railroads; and,

**WHEREAS**, the constitution and laws of the State of Louisiana 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 dated January 2020, last revised March 29, 2021 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, September 28, 2020, December 3, 2020, December 9, 2020, January 19, 2021, February 15, 2021, March 1, 2021, March 25, 2021, and April 8, 2021 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 Plat showing Certain Pipeline Rights of Way at Access Road P, West Shore Lake Pontchartrain, Louisiana Hurricane and Storm Damage Risk Reduction Project, St. John the Baptist Parish, Louisiana, dated July 6, 2021, prepared by Stephen P. Flynn, P.L.S. of Riverlands Surveying Company, collectively attached hereto as EXHIBIT C, which includes and is limited to the designated rights of way listed therein, 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, easements, and servitudes 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 owner of record 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 owner(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: Senecca Boudreaux, Randy Clouatre, Claude Granier, Percy Hebert, Leonard Irvin, Allen St. Pierre, Sr. and Blaine Sheets

NAYS: None.

ABSENT: Ricky Bosco and Matthew Butler

Motion carried unanimously.

This resolution was declared adopted the 19th day of July, 2021.

### **ADJOURNMENT**

Commissioner Clouatre moved, seconded by Commissioner Boudreaux to adjourn. The motion carried unanimously and meeting adjourned at 6:42 p.m.

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Monica Salins Gorman, Executive Director

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Blaine Sheets, Vice President  
Pontchartrain Levee District