

**MINUTES OF REGULAR MEETING OF THE
AMITE RIVER BASIN DRAINAGE & WATER CONSERVATION DISTRICT**

Location: State Capitol, 900 North Third Street, Baton Rouge, LA

February 7, 2023

MEMBERS PRESENT DURING ROLL CALL: Lionel Bailey, Rep. Robert Carter, John Clark, Clint Cointment, Brin Ferlito, LeeAnn Fitch, Mark Harrell, Jack Harris, Gary O’Neal, Edwin Parker, Fred Raiford, Joseph “Cedric” Shelton, Richard St. Pierre

MEMBERS ABSENT: None

ALSO PRESENT: Bren Haase, CPRA; Chris Knotts, LADOTD; Monica S. Gorman, Pontchartrain Levee District; ARBC Executive Director Dietmar Rietschier, ARBC Executive Secretary Toni Guitrau, Legal Counsel Larry Bankston, Amite River Basin Drainage & Water Conservation District; Lawrence E. Marino, Oats & Marino; Paul Sawyer, Chief of Staff, Congressman Garrett Graves’ Office; Louisiana State Representative Valarie Hodges, District 64; Louisiana State Representative Buddy Mincey, Jr. District 71; Kyle “Chip” Kline, Jr., CPRA Chairman; David Mitchell, The Advocate; Stokka Brown, Principal, Water Resources Practice Area Leader, CSRS; Durund Elzey, and Kaitlyn Richard, USACE.

1. Welcome Remarks

Welcome remarks were offered by Kyle “Chip” Kline, Jr., CPRA Chairman; Paul Sawyer, Chief of Staff, Congressman Garrett Graves’ Office; Louisiana State Representative Buddy Mincey, Jr. District 71

2. Call to Order

The meeting was called to order at 9:00 a.m. by Interim Chairman Marino.

3. Pledge of Allegiance

4. Roll Call (see above)

5. Oath of Office – all members were sworn in by Lawrence Marino.

6. Board Member Introductions

7. Note to Minutes: All initial action of the Board taken on February 7, 2023 following welcoming remarks, including delaying the Election of Officers until the April Regular ARBC meeting, and approval of Minutes and Statement of Finances were voided due to not opening the floor to public comments.

8. Election of Officers: Public Comments were offered by Paul Sawyer, Chief of Staff, Congressman Garrett Graves. He urged the board to take action on selecting ARBC Officers. Monica Gorman, PLD, also expressed concerns over delaying the election, and said that there should at least be an interim president. It was discussed to wait until April to elect officers and thereby giving commissioners 2 months to get to know each other. At this time, Public Comments were offered by Louisiana State Representative Valarie Hodges, District 64. She urged the board to take action on selecting ARBC Officers. St. Pierre apologized that his motion to delay the election was taken as a motion to delay progress. He then requested that his previous motion, prior to public comments, to delay the Election of Officers, be withdrawn. This was seconded by Parker. Motion was withdrawn.

- A motion to proceed with the Election of Officers was made by Parker, seconded by Raiford. A yeas and nays vote was called for and resulted as follows:

Yeas: Robert Carter, John Clark, Clint Cointment, Brin Ferlito, LeeAnn Fitch, Mark Harrell, Jack Harris, Gary O’Neal, Edwin Parker, Fred Raiford, Joseph “Cedric” Shelton, Richard St. Pierre

Nays: Lionel Bailey

Absent: None

Abstain: None

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The motion passed.

- **Nominations for President:** Mark Harrell nominated John Clark and LeeAnn Fitch nominated Gary O’Neal. Roll call was taken with the following results:
Votes For John Clark: Clark, Cointment, Ferlito, Harrell, Harris, Parker, Raiford, Shelton
Votes For Gary O’Neal: Bailey, Carter, Fitch, O’Neal
Absent: None
Abstain: St. Pierre

Being there were no public comments, with 8 members voting for John Clark, 4 members voting for O’Neal and one member abstaining, John Clark was therefore elected ARBC President.

- **Nomination(s) for Vice President:** No public comments. Cointment nominated Jack Harris. Bailey nominated Edwin Parker but Parker declined the nomination. Jack Harris became ARBC Vice President by accumulation.
- **Nomination(s) for Finance Chairman:** No public comments. Jack Harris nominated Lionel Bailey. There were no other nominations so Lionel Bailey became ARBC Finance Chairman by accumulation.
- **Closing the floor to Nominations:** The Board unanimously approved a motion by Carter, seconded by Clark to close the floor to nominations.

9. Minutes – No Public Comments

The Board unanimously approved a motion by Harris, second by Bailey to approve the December 13, 2022 regular meeting minutes.

10. Financial Statements - No Public Comments

The Board unanimously approved a motion by Raiford, second by Parker to approve the December 2022 General Fund and CRDC Fund financial statements.

11. Informational Presentations were made as follows:

- Dietmar Rietschier, ARBC Executive Director – Amite River Basin Presentation. Rietschier provided an overview of the basin. He also provided a detailed Report to the Board outlining past activities and work. Bren Haase, CPRA designee, commented in reference to the list of projects in the presentation. He asked Rietschier to confirm what he understood in that the ARBC does not have a clear picture of what the projects are and who is doing what. Haase recommended that between now and the next ARBC meeting, we get those details. Representative Mincey asked if ARBC had gotten the parishes Hazard Mitigation Plans. The response was yes.

- Lawrence “Larry” Marino reviewed the high priority tasks and timelines as follows:

HR 149 of 2022 Reg. Session – Requested ARBC to: Study, in consultation with CPRA, tidal surge flood protection and erosion on Lake Maurepas' Livingston Parish shoreline, dredging of the Amite River, and dredging of the Amite River confluence area at Lake Maurepas. Assess the cumulative effect of levees, pumps, and other flood protection measures in surrounding parishes on Livingston Parish. Submit a written report to the Legislature detailing its findings and recommendations by February 1, 2023. Missed deadline. Likely, District will engage a contractor to prepare this – discussion later of a proposal to do so. Likely to be a 5–6-month process.

Act 490 of 2022 Reg. Session – In addition to significantly restructuring the Board and its authorities and responsibilities, imposed certain specific deadlines for significant tasks: Develop Annual Plans for watershed management. “WM” means comprehensive drainage, flood control, and water resource management within the district. Subject to annual approval by the House & Senate Transportation Committees. First Annual Plan is due to the Legislature by 1/1/24.

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Develop Master Plan for watershed management through the construction and management of projects and programs, including planning, permitting, development, and waterway management. Subject to approval by the House & Senate Transportation Committees. First Master Plan is due to the Legislature before the 2025 legislative session. Revised Master Plan due every 6 years.

Promulgate regulations for watershed management within the district by 1/1/26. Comprehensive list in Act 490 regarding items to be addressed by these regs. Usually minimum 6-month process.

Develop plan to manage and maintain waterways within the District, regarding matters impacting watershed management. District will likely engage one or more contractors to develop these plans and regulations.

Report annually to: Parish Presidents and parish governing authorities for the parishes making up the district. Legislature Committee of representatives and senators whose districts include any portion of the ARB.

- Pat Forbes – Louisiana Watershed Initiative Presentation – Discussed Region 9 and other LWI regions. Forbes was of the belief that the ARBC Board should be considered as the steering committee for the newly created Region 9. Representative Mincey questioned Forbes as to whether there would be any additional funding for Region 9 as in other districts. Forbes advised that those funds had already been disbursed and at this time no additional funds for administration would be provided to Region 9. Forbes further described Round 2 of the distribution of LWI funds and that Region 9 would be considered for individual projects.

- Durund Elzey and Kaitlyn Richard – USACE Presentation – Amite River & Tributaries – Discussed the current study in which there will be raising of approximately 4000 structures. The initial estimated costs was approximately \$1 billion. USACE advised that the focus going forward would be related to non-structural improvements such as elevation of property. At this time the construction of the Darlington Reservoir is not the focus of the USACE. Several Board members questioned USACE presenters as to the costs and timing of the work. Attached is a copy of their report and information. Representative Carter expressed concerns related to the Darlington Reservoir still being under consideration for possible construction. USACE would not state that Darlington Reservoir was a “dead” project, but only that the non-structural study was the primary focus.

- Administrative matters such as bylaws, per diem, etc. will be discussed at a later ARBC meeting.

12. Old Business

The Board discussed the requirements set forth in HR 149. It was decided to table this matter until the next regular meeting of the board as the proposal being presented exceeded the \$50,000 limit and would require qualifications or proposals. The original proposal presented to the former board at the end of 2022 was for \$50,000 but an additional scope of work had since been added to the current proposal. Bankston said that if a proposal exceeds \$50,000, then it needs to go through a procurement process. ARBC follows the Department of Transportation and Development standards. Those standards were previously adopted by the Board in 2010. Bankston commented that in the statute it now provides for ARBC to establish its own Rules and Regulations. It was agreed that proposals should have clear deliverables with an accurate amount, and should go through the proper requirements if exceeding \$50,000. Representative Mincey said the intent of HR 149 was not to duplicate past studies and work. Several Board members expressed the concern that this study only dealing with Livingston Parish should be expanded and part of the annual or master plan. It was to let the main focus be on the Amite River and dredging. HR 149 tasked ARBC to work with CPRA to develop that scope, etc. Monica Gorman said in this proposal under Data Collection 1 and 2, five of those Ponchartrain Levee District “PLD” is the lead and one is in infancy stage. She said that PLD’s role on the ARBC Board is to share a lot of this data. She believes the dollar amount presented in this proposal would come down significantly because she has already provided a lot of this data to Representative Mincey. This matter is deferred to the next ARBC regular meeting.

13. New Business

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- **Create Committees**

- a. Executive & Finance Committee: The Executive and Finance Committee consists of ARBC officers as per the ARBC bylaws.

- b. LWI Region 9 Steering Committee: The Board unanimously approved a motion by Harrell, second by Parker to designate the ARBC Board as the Steering Committee for LWI, Region 9. Formal Resolution will be presented to the Board at its next meeting.

- **Set ARBC Meeting Schedule**

- The Board unanimously approved a motion by Harris, second by Bailey to continue holding ARBC meetings on the 3rd Tuesday of each month at 5 pm at the ARBC office on Sherwood Forest Blvd.

14. The meeting was adjourned.

APPROVED:

/s/John Clark/ARBC President

/s/ Toni B. Guitrau, Executive Secretary

Date: March 14, 2023