

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

Location: The Estuary 1110 S. River Rd, Baton Rouge, LA 70802

April 11, 2023

MEMBERS PRESENT DURING ROLL CALL: John Clark, Jack Harris, Lionel Bailey, Robert Carter, Clint Cointment, Brin Ferlito, LeeAnn Fitch, Mark Harrell, Gary O’Neal, Edwin Parker, Fred Raiford, Joseph Shelton, Rick Webre

MEMBERS ABSENT DURING ROLL CALL: None

ALSO PRESENT: Kyle “Chip” Kline and Bren Haase, CPRA; Ed Knight, LADOTD; Monica S. Gorman and Blaine Sheets, 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

1. Call to Order

The meeting was called to order at 10:00 a.m. by ARBC President Clark.

2. Pledge of Allegiance

3. Roll Call: See above

4. Minutes – No Public Comments

The Board unanimously approved a motion by Parker, second by Bailey to approve the March 8, 2023 Special Meeting minutes and the March 14, 2023 Regular Meeting minutes.

5. Financial Statements - No Public Comments

The Board unanimously approved a motion by Harris, second by Parker to approve the March 2023 General Fund and CRDC Fund financial statements.

6. Report by ARBC President

- President Clark updated the Board on LWI Round 2 funding. He suggested that ARBC pass a resolution, submit projects and have a letter of support from the parishes. Regarding Act 170, the CPRA and ARBC attorneys are working to finalize the IGA. Mr. Peterson, with CPRA, will make a last review.
- Representative Mincey discussed the bills he has introduced in the 2023 Regular session. HB 406 - Requires the Department of Transportation and Development develop flooding mitigation solutions along the Interstate 12 corridor and produce a report of its solutions by October 1, 2023. HB 514 - Requires the Amite River Basin District to put a proposition to the voters to approve an alternative use of drainage taxes collected pursuant to two previously approved drainage taxes for flood risk reduction. Representative Mincey discussed Region 9 in reference to the \$800,000 from LWI. He hopes the ARBC would support both of his bills. Chip Kline said the ARBC needs a resolution with a list of priorities to give to the governor. This can also include parish priorities. Fred Raiford said that ARBC needs to know any negative impacts before approving projects. It was decided that a sub-committee of the Project Inventory Committee would include as follows: Gary O’Neal, LeeAnn Fitch, Clint Cointment, Rick Webre, Fred Raiford, Brin Ferlito, and representatives of CPRA, PLD. The sub-committee will meet to review projects so the Board can vote on this matter at the May ARBC Regular Meeting.

7. Report by Executive Director

- Executive Director Rietschier reported on the status of the Comite River Diversion Canal Project. USACE announced that the preliminary cost estimate to complete the CRDC Project is estimated at \$907M, an increase of \$423M.
- Rietschier updated the Board on LWI funding Round 2.

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- Rietschier requested that the Board consider entering into an agreement with CSRS to allow CSRS to be retained for the purpose to up-grade (calibrate) the 2016 Flood Interactive Map. He updated the Board on Bills filed in 2023 that would affect ARBC as follows: HB 406, 465, 514 and Senate Bill 42.

8. Report by Legal Counsel

- Status of IGA with CPRA, DOTD and PLD – Use of Consultants. With this IGA, ARBC would seek to utilize existing contractual access to previously attained consultants of these agencies. He believes once CPRA agrees that the IGA is ready for signature, it may be ready for consideration and approval at the ARBC May meeting.
- Status of IGA per Resolution 1161 – Act 170. Bankston further discussed the status of the draft IGA. He said the Board needs to know to what degree and percentage of the ARBC staff’s work could be reimbursable. At this time, it is being reviewed for final approval by CPRA counsel. ARBC counsel has reviewed and made comments. The Board previously approved Resolution 1161, authorizing John Clark, in his capacity as President of the Board of Commissioners for the Amite River Basin Drainage and Water Conservation District, subject to review and approval by the Executive Committee, to negotiate and execute an Intergovernmental Agreement.
- Rep. Carter expressed concern regarding gravel pits in reference to HB 465 exempting Livingston Parish from the provisions of the La. Scenic Rivers Act. Bankston said the Board may want to consider taking a position one way or another at the May 16, 2023 ARBC meeting as it relates to that piece of legislation. Rep. Carter requested that Bankston to examine the protections would be lost if the bill should pass.
- Bankston said under ARBC agenda item “Status of Recommendation of an Auditor” he reminded the Board that ARBC’s current auditor has retired and the Board must select a new auditor. He has been in contact with the Louisiana Legislative Auditors. ARBC must choose from a list of approved auditors and the ARBC Executive Committee should discuss the public notice etc. in selecting an auditor. The Legislative Auditor has reviewed the proposed public notice. He provided a sample of a public notice. No action needs to be taken until the Executive Committee makes a recommendation to the Board.
- Bankston said the Board may consider taking a position on any piece of legislation that may have a negative or positive impact on the ARBC Commission. He will send out to the Board a report before the May meeting on any legislation that may have an impact on ARBC. This will be placed on the ARBC May regular meeting agenda.

9. Old Business - There were no public comments on Old Business agenda items.

- **Executive Committee Report**

- a. Status of Intergovernmental Agreement with CPRA, DOTD, and PLD – Use of Consultants: The CPRA and ARBC attorneys are working to finalize the IGA. (See under Legal Counsel report)

- b. Status of Intergovernmental Agreement per Resolution 1161 – Act 170: At this time, it is being reviewed for final approval by CPRA counsel. ARBC counsel has reviewed and made comments. (See under Legal Counsel report)

- **Project Inventory Committee “PIC” Report.** O’Neal said they will be reaching out to the Board members in regard to project submission. He mentioned that the reporting features at GOHSEP for projects from a FEMA perspective is simple in viewing projects. Discussed GIS Portal host possibilities. Will contact the PIC sub-committee for date and time to meet in regard to projects submitted.

- **Finance Committee Report**

- a. Status of Recommendation of an Auditor for FY 2022-2023. (See under Legal Counsel Report)

- b. Status/Progress of Administrative Budget of 2023-2024. Jack Harris has submitted a Proposed Administrative Budget to the House and the Senate. The Board discussed source(s) of possible income.

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- **Executive Director Committee Report** (job description, qualifications, duties, etc.) O’Neal mentioned there would be minor changes made to the draft job description then it would be circulated to the Board so that a vote can be taken at the May ARBC Regular Meeting.
- **Discuss/Schedule future ARBC meeting place, dates and time:** Act 421 of Regular Session 2018 by Senator Lambert requires an (alternate) ARBC quarterly meeting to be held in EBR, Livingston and Ascension Parishes. The Board unanimously approved a motion by O’Neal, second by Harrell to continue holding monthly ARBC meetings for the time being. It was discussed about holding quarterly meetings once the ARBC meets many of its important deadlines. Representative Mincey mentioned that ARBC can use the State Capitol for meetings. He said in regard to Act 421, the Board may want to consider requesting that the author of the Bill repeal this legislation. It was agreed to hold the next regular meeting of the ARBC on May 16, 2023, 10 am at the Ascension Parish Council Chamber.

10. New Business - There were no public comments on New Business agenda items.

- **Presentation by Dewberry:** Amite River Basin Numerical Model Project

Sam Crampton and Seth Bradley from Dewberry provided an overview of the modeling efforts and data collected to date through DOTD/LWI for the Amite River Basin. This included the Amite River Basin Numerical Model (ARBNM) Version 1, which is available and ready for the ARBC’s use immediately as well as providing an overview of several projects assessed using the model which included dredging of the river, the Darlington Reservoir, rehabilitation of the Diversion Weir and other projects. The presentation also highlighted all survey and LiDAR collection efforts to date and an overview of current enhancements/updates being performed on the ARBNM through LWI which will be available in the late summer of 2023.

- **Executive Director Discussion – No public comments**

At this time, ARBC Commissioners Carter and Raiford exited the meeting. Rietschier exited the meeting.

- a. The Board unanimously approved a motion by Harrell, second by Cointment to add Executive Session to the agenda to discuss the Executive Director.
- b. The Board unanimously approved a motion by Harrell, second by O’Neal to enter into Executive Session to discuss the ARBC Executive Director.
- c. At 1:24 p.m. the Board unanimously approved a motion to leave Executive Session and re-enter the regular meeting.
- d. The ARBC commissioners expressed their appreciation of Mr. Rietschier’s dedication to the organization, years of service and knowledge he brought to the table over the last decades. Harrell made a motion that ARBC Executive Director Dietmar Rietschier retire by April 30, 2023 and that ARBC will pay him through April 30, 2023. This was seconded by Edwin Parker. A roll call vote was taken and was as follows:

Yeas: John Clark, Jack Harris, Lionel Bailey, Clint Cointment, LeeAnn Fitch, Mark Harrell, Gary O’Neal, Edwin Parker, Joseph Shelton, Rick Webre

Nays: Brin Ferlito

Absent from Vote: Robert Carter, Fred Raiford

Abstain: None

General Public Comments: No public comments.

11. The meeting was adjourned at 1:30 pm.

APPROVED:

/s/John Clark/ARBC President

Date: May 16, 2023

/s/ Toni B. Guitrau, Executive Secretary