

**MINUTES OF REGULAR MEETING OF THE
AMITE RIVER BASIN DRAINAGE & WATER CONSERVATION DISTRICT**
Location: 607 E. Worthey Street, Gonzales, LA 70737 "Ascension Parish Council Chamber"

May 16, 2023

MEMBERS PRESENT DURING ROLL CALL: John Clark, Jack Harris, Lionel Bailey, Clint Cointment, Brin Ferlito, Mark Harrell, Gary O'Neal, Edwin Parker, Fred Raiford, Ryan Larousse

MEMBERS ABSENT DURING ROLL CALL: Robert Carter, LeeAnn Fitch, Joseph Shelton

ALSO PRESENT: Bren Haase, CPRA; Ed Knight, LADOTD; Blaine Sheets, Pontchartrain Levee District; 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 – There were no public comments.

The Board unanimously approved a motion by Bailey, second by Harris to approve the April 11, 2023 Regular Meeting minutes, as presented.

5. Financial Statements – There were no public comments.

The Board unanimously approved a motion by Harrell, second by Raiford to approve the April 2023 General Fund and CRDC Fund financial statements, as presented.

6. Administrative Budget 2022-23, Amendment #2 – There were no public comments.

The Board unanimously approved a motion by Parker, second by Harris to approve the Administrative Budget 2022-23, Amendment #2, as presented.

7. Report by ARBC President – There were no public comments.

President Clark thanked Ascension Parish for holding the ARBC meeting in their facility. He also expressed his thanks to the senators and representatives for their unwavering support of the ARBC. He feels encouraged that ARBC is in a position to get things done with everyone working together.

8. Report by Legal Counsel – There were no public comments on the following:

- Status of agreement with CPRA, DOTD and PLD – Use of Consultants. With this agreement, ARBC would seek to utilize existing contractual agreements to access previously attained consultants of these agencies. He is working with Mr. Peterson on a draft. It may be a Memorandum of Understanding or a Memorandum of Agreement instead of an IGA.
- Status of IGA per Resolution 1161 – Act 170. Bankston said the Board needs to know to what degree and percentage of the ARBC staff's work could be reimbursable. The Board discussed Supplemental appropriations bill HB 560. 18 (D) The appropriation contained in Section 1 of Act 170 of the 2022 Regular Session of the Legislature for Schedule 01-109 CPRA amended and reenacted to read as follows: On p. 2, at the end of line 8, delete "\$8,000,000" and insert "\$100,000". The Board discussed that the \$8M was initially intended for ARBC to prepare a master plan and annual plans as mandated in Act 490 of the 2022 Regular Session. The Board discussed that the "one-year use or lose it" rule may have applied regardless of ARBC and CPRA working on an IGA regarding the \$8M. There is still a chance that funds may be included in the Bill before the end of session.
- HB 465 by Representative Hodges exempting Livingston Parish from the provisions of the La. Scenic Rivers Act. Current Status: Pending House Natural Resources. Considered 4/26/23 in committee but no action taken.

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Remains pending in Committee. Harrell said that Wildlife and Fisheries has since explained that up to 50% of pre-storm debris may be removed and 100% of storm debris can be removed.

- HB 406 by Representative Mincey is pending Senate Transportation, Highways, and Public Works. This Bill requires the DOTD develop flooding mitigation solutions along the Interstate 12 corridor and produce a report of its solutions by October 1, 2023.
- HB 514 by Representative Mincey. Notice given subject to call. Abstract: Requires the ARBC 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.
- HB 409 by Representative Edmonds is pending House final passage. Abstract: Relative to stormwater utility systems, authorizes parishes and municipalities to create certain districts for the purpose of managing such systems.
- SB 42 - Louisiana Watershed Initiative. Pending House Transportation, Highways, and Public Works. Pending House final passage. Bankston explained that LWI would be under DOA but the ARBC and LWI Regions would not. Harris spoke in opposition of the bill.
- Bankston said under ARBC agenda item "Advertising for an Auditor" he reminded the Board that ARBC's current auditor has retired and the Board must select a new auditor before the end of August. A committee would need to evaluate proposals and there needs to be a deadline for them to present a recommendation to the full Board. The Board unanimously approved a motion by Harrell, second by Raiford to advertise for an auditor. Deadline to receive submissions is June 30, 2023.
- ARBC Resolutions in support of #1 priority flood projects. **There were no public comments.**
 - The ARBC Board discussed each #1 priority flood project for the parishes of Ascension, EBR, E. Feliciana, Iberville, Livingston and St. James. St. Helena has not submitted a #1 project, yet. On behalf of LWI Region 9 Steering Committee, a motion was made by Cointment, second by O'Neal to submit each of the 6 projects discussed to the Louisiana Watershed Initiative for funding by individual ARBC resolutions and Letters of Support. The projects approved are as follows: Ascension Parish – New River Stormwater Management Pump Station Project; Livingston Parish – Amite River Sediment Removal Project; East Feliciana Parish – Upper Comite River Watershed Drainage Improvement Project; St. James Parish – Hydraulic Control Structure and Pumping Station St. James Parish Interconnect Levee Project; East Baton Rouge Parish – Bayou Manchac Flood Reduction Project; Iberville Parish – Bayou Manchac Flood Reduction Project. A roll call was taken and was as follows:

Yeas: John Clark, Jack Harris, Lionel Bailey, Clint Cointment, Brin Ferlito, Mark Harrell, Gary O'Neal, Edwin Parker, Fred Raiford, Ryan Larousse

Nays: None

Absent: Carter, Fitch, Shelton

Abstain: None

- Clark brought to the Boards attention that the sand and gravel mines operations on the upper Amite River has been and is a problem. Harris said this is a major opportunity with the potential for retention in that area and it would be a benefit to the people south of it. Harrell suggested applying for Phase 1 - a study, scoping, and engineering to see what can be done then do Phase 2 - construction. O'Neal said he would work with Harrell to develop a scope. O'Neal requested that Bankston prepare a letter of support for this project. The Board unanimously approved a motion by Raiford, second by Bailey to add this to the list of #1 priority projects. This would be considered an ARBC project.

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

- **Executive Director Committee Report** - Cointment requested putting the search for an Executive Director on hold for one month and consider hiring a company by contract to do this work. He believes that eventually ARBC would have to hire a company to be its Program Manager for projects, engineering, scoping, grants etc.

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Cointment recommended moving parallel and see what companies charge and compare. The Board discussed the option offered by Cointment. O'Neal suggested advertising for an Executive Director but if one is not found to be qualified then consider the option offered by Cointment. The Board agreed that the salary range would be set between \$130,000-\$180,000, depending on qualifications. The Board unanimously approved a motion by O'Neal, second by Parker to advertise for an Executive Director. The Executive Director Search Committee will research the costs of hiring a company to perform similar duties as that of an Executive Director, as suggested by Cointment.

- **Proposed Budget of 2023-2024.** The Executive Secretary will prepare an Administrative Proposed 2023-2024 Budget to be presented at the next regular ARBC meeting based on the Administrative Budget of 2022-23, Amendment # 2. Amendments can be made as the need arises throughout the next fiscal year.
- **Discuss/Schedule future ARBC meeting place, dates and time:** It was agreed to hold the next regular meeting of the ARBC on June 20, 2023, 10 a.m. at the Livingston Parish Council Chamber if it is available.

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

- Renew GeoQuery ARBC/Website-Email Contract. The Board unanimously approved a motion by Harris, second by Bailey to approve the GeoQuery contract for an additional 3 years ending June 30, 2026 at \$60 per hour.
- Renew J. David Shoptaugh ARBC/CPA Contract. The Board unanimously approved a motion by Bailey, second by Harrell to approve the J. David Shoptaugh, CPA contract for an additional 3 years ending June 30, 2026.
- Renew Bankston & Associate's ARBC/Legal Contract. Bailey expressed that the Board should approve this contract. Clark said it would be difficult to replace the institutional, historical knowledge of the ARBC that Mr. Bankston has. Bankston said that him serving as an alternate for LWI needs to be removed as it is no longer needed. Remove the section of Commissioner Statement. He does not oppose to it being changed to a 1-year contract instead of a 2-3-year contract. There was language suggested regarding Contractor's Cooperation. He has no issues with any of the changes. The Board unanimously approved a motion by Bailey, second by Harrell to approve the contract with Bankston & Associates, subject to said changes, for 1 additional year ending June 30, 2024.
- The Board unanimously approved a motion by Bailey, second by Harrell to add the discussion of hiring a company to fly over with a drone and produce a video of the progress of the CRDC Project. There was no opposition. It was decided that the Executive Committee could look at this suggestion and come up with a proposal not to exceed \$30,000. Cointment mentioned an IGA with Ascension Parish as an option that wouldn't be as costly.
- Harris requested adding to the agenda the pay/salary of Executive Secretary Toni Guitrau. The Board unanimously approved a motion by Bailey, second by Harrell to add this item to the agenda. There was no opposition. Harris recommended at least a 7.5% increase minimum or whatever the Board thinks. He said the role she plays in the success of ARBC can't be over emphasized. Cointment said a committee should evaluate her duties and time so she can be appropriately compensated for her actions. This should be ready for action at the next meeting. The Board unanimously approved a substitute motion by Bailey, second by Harrell for the Executive Committee to evaluate the duties of the Executive Secretary and bring it before the Board at the next regular meeting for a vote.
- O'Neal stated that Nature Conservancy, RTI have been asking if they can get data from Dewberry to create free mapping tools for ARBC. This has been offered to the other LWI regions for free. He mentioned this could be used to develop NBS related maps. Clark agreed that utilizing this resource for the abandoned sand and gravel pits project is a good idea. The Board unanimously approved a motion by O'Neal, second by Harrell to add this item to the agenda. O'Neal made a motion to allow Nature Conservancy, RTI Group to authorize Dewberry to share the data. Ed Knight, with DOTD, suggested submitting a Public Records Request to DOTD for the data. He said the new model they are preparing for the LWI will not be available as a Public Record Request because it is not a completed product but the previous model is a public product. He said he would be glad to help. It was noted there may be zero to minimal cost for the public record request. Cointment recommended that if any further action is needed regarding this matter, it should be put on the next agenda as an action item.

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General Public Comments: There were no public comments.

11. The Board unanimously approved a motion by Harrell, second by Raiford to adjourn the meeting at 12:00 p.m.

APPROVED:

/s/John Clark/ARBC President
Date: June 20, 2023

/s/ Toni B. Guitrau, Executive Secretary