

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

3535 S. Sherwood Forest Boulevard, Suite 120, Baton Rouge, LA

November 19, 2019

MEMBERS PRESENT DURING ROLL CALL: Babin, Thibeau, Hoover, Harrell, Little, St. Pierre, Thompson, Wade

MEMBERS ABSENT: Lionel Bailey, Willie George Lee, Edwin Parker, Larry Thomas, Kenneth "Wade" Welborn

ALSO, PRESENT: ARBC Executive Director Dietmar Rietschier, ARBC Executive Secretary Toni Guitrau, ARBC Legal Counsel Larry Bankston

Babin welcomed new ARBC Commissioner, representing St. James Parish, Richard St. Pierre.

1. The meeting was called to order at 5:00 p.m. by Babin.

2. Prayer/Pledge of Allegiance.

3. Public Comments on Agenda Items: None.

4. Minutes

The Board unanimously approved a motion by Thompson, second by Harrell to approve the October 2019 regular meeting minutes.

6. Financial Statement Report

Hoover presented to the Board the October 2019 General Fund and CRDC Fund financial statements. The Board unanimously approved a motion by Thompson, second by Wade to approve the October 2019 General Fund and CRDC Fund financial statements.

7. Executive Director Report

- DOTD Report: Real estate is working on priority acquisitions at this time for the entire project.

On the west side of US 61, the Entergy 69kV is scheduled to be relocated by mid-December, and CenturyLink is continuing their efforts. On the east side of US 61, ExxonMobil has completed their HDD and secured the site. They will return in February to do their tie ins.

Demco is modifying their design to incorporate construction features requested by USACE, and Orx is anticipated to mobilize in the next month. LA 964 continues in design with an anticipated bid date in early 2020. A designer has been selected for LA19 and LA67 and will begin design shortly.

- ARBC Report: CRDC - Investigations and design of the 3-drop structures at Baton Rouge, Cypress and White Bayous are being done by the USACE Vicksburg District. The USACE has requested right-of-entry at those locations. Also, 3 segments of channel are under design by the USACE District. Based on progress of construction an updated construction schedule can be expected in the near future.

- Floodplain Management Plan Update. Bob Jacobsen is working with his team. Flood profiles were done. The 2016 rainfall analysis is being done by Keim. There will be a very detailed map when this is completed. The LIDAR from DOTD was used along with DOTD's model. This all dealing with floodplain management which is a part of the requirement of the CRDC Project by ARBC. There may be something to show the ARBC by January 2020.

- State Watershed Initiative Discussion: The Board discussed the Watershed Initiative especially in relation to District 7. A Steering Committee is being created which includes 13 parishes in the Capital Region that includes West Feliciana, East Feliciana, St. Helena, Tangipahoa, St. Tammany, East Baton Rouge, Livingston, Ascension, St. James and St. Charles and is made up of 27 people. This committee is being created for the purpose to select flood amelioration projects in this region. Funding is coming from the U.S. Department of Housing and Urban Development and is administered under the state Watershed Initiative. The phase one funding totals \$100 million statewide of that eight state regions will receive \$5 million for the eight separate watersheds. The remaining \$60 million will be awarded by the state. The state is expected to receive a total \$1.2 billion statewide. Rietschier also presented to the Board a letter (email) that was sent to the State Office of Community Development, the agency administering the Watershed Initiative, requesting that the integrity of the Amite River Basin Drainage and Water Conservation District be kept intact in this process of re-organizing watershed districts. He said that at the latest meeting, it is still not clear how this will be done.

- Approval of Act of Subordination with KCS Railway Company – ARBC Resolution 1150. The Board unanimously agreed to approve Resolution 1150 on motion by Hoover, second by Harrell.

8. ARBC Legal Counsel: ARBC is no longer acquiring property, expropriating property in the name of the ARBC, etc., so it became necessary to propose an amendment to the current CEA so that ARBC is no longer

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putting up 50% of LERRDS. DOTD wanted ARBC to sign a new agreement that would eliminate all functions that ARBC would be involved with but still provides for a requirement that ARBC would still put up 50% for LERRDS. That is even though the current agreement with the USACE says that it is a fully funded federal project. His concern that is years from now, the state may tell ARBC they need more money even though ARBC would have had no involvement or participation in how the money was spent. He reminded the Board that the tax funds can only be used for the Comite River Diversion Canal which could include maintenance which would be helpful to City Parish. He does not recommend the ARBC sign on to an unknown liability that is potentially in the future. The current agreement allows for termination and final accounting. His recommendation is to exercise ARBC authority to terminate the current agreement, and have a final accounting. This would in no way impede the progress of the project but it makes sure that ARBC will not have surprise amount due on the completion or back-end of the CRDC Project. Bankston explained that DOTD was responsible for LERRDS. The agreement came about so that ARBC could be helpful in acquiring property in its name etc. Since ARBC is no longer involved in acquiring property in its name, the current agreement is not being lived up to. There needs to be a final accounting to see who owes what money to the other between ARBC and DOTD. Eventually, property owned by ARBC will be transferred to EBR Parish. The Board agreed cancel the current CEA with DOTD on motion by Thompson, seconded by Thibeau. This does not cancel or effect the PCA or the ARBC obligation under the PCA.

- ARBC Resolution 1151 – The Board on motion by Hoover, seconded by Harrell to approved a Resolution expressing the Board of Commissioners’ for the Amite River Basin Drainage and Water Conservation District (“ARBC”) condolences for the family and friends of the Honorable Burrell J. Carter.
- This ARBC meeting is considered the EBR Parish Quarterly Public Meeting.
- Harrell said he believes that ARBC should have a representative on the Watershed Initiative Committee.
- The next ARBC meeting will be held on December 10, 2019 at its regular meeting place at 5 pm.

9. Old Business – None.

10. New Business - None

11. The meeting was adjourned.

APPROVED:

/s/ Ben Babin, ARBC President

Date: December 10, 2019

/s/ Toni B. Guitrau, Executive Secretary