

Minutes of a meeting of the Plaquemines Parish Council, held in the Pointe-a-la-Hache Courthouse Council Chambers, 18055 Highway 23, Pointe-a-la-Hache, Louisiana on Thursday, August 26, 2021, at 3:30 p.m., pursuant to notice to all members with a quorum present as follows:

PRESENT: Council Member Mark Cognevich, Chairman
Council Member John L. Barthelemy, Jr.
Council Member Corey Arbourgh
Council Member Benedict Rousselle
Council Member Carlton M. LaFrance, Sr.
Council Member Richie Blink

Kim M. Toups, Council Secretary

ABSENT: Council Member W. Beau Black
Council Member Stuart J. Guey
Council Member Trudy Newberry

The Prayer and Pledge of Allegiance were dispensed with.

President Lepine and the Charter Directors, Crystal Taylor, Todd Eppley and Scott Rousselle were present representing the Administration.

The following items were deferred:

- 9a(4), “An Ordinance approving a plan of re-subdivision of the property of The Parks of Plaquemines, Plaquemines Parish, Louisiana, as shown on the map of the Parks of Plaquemines, Phase 3B and 3C being a re-subdivision of a portion of Tract 3-D-2, Section B of Belle Chasse Plantation into Lots 60V through 77V, Lots 204 through 225, and Lots 227 and 228, and Home Owners Association Tract 10H and Streets by Bryant Hammett and Associates, certified by Hugh McCurdy III, PLS, dated June 30, 2021, the owner having fulfilled all the requirements of the Subdivision and Re-subdivision Ordinance of the Parish of Plaquemines without cost to the Plaquemines Parish Government or the Parish of Plaquemines; and otherwise to provide with respect thereto”;
- 9a(5), “An Ordinance approving a plan of resubdivision of the property of Hero Land Company, Plaquemines Parish, State of Louisiana, as shown on the map of resubdivision, Tract D3B into D3B1 and D3B2, Belle Chasse, Louisiana, by Bryant Hammett and Associates, certified by Hugh Mc Curdy, III, P.L.S., dated June 14, 2021, the owner having fulfilled all the requirements of the subdivision and resubdivision Ordinance of the Parish of Plaquemines without cost to the Plaquemines Parish Government or the Parish of Plaquemines; and otherwise to provide with respect thereto”;
- 9b, “An Ordinance to amend the 2021 General Fund, Manpower Structure and Operating Expenditure Budget; and otherwise to provide with respect thereto”;
- 9c, “An Ordinance to amend the 2021 General Fund, Operating Expenditure Budget, Swimming Pools-Davant Department; and otherwise to provide with respect thereto”;
- 9d, “An Ordinance to amend the Five Year Capital Improvements Plan, Restore Act Projects Project and Restore Act-Administration Project; and otherwise to provide with respect thereto”;
- 9j, “A Resolution assigning Buildings 1000, 1001, 1002 and the adjacent green space on the Belle Chasse Government Complex, located at 333 F. Edward Hebert Blvd, Belle Chasse, Louisiana, to the Plaquemines Parish Sheriff’s Office and furthermore authorizing the Parish President or his designee, to enter into a Cooperative Endeavor Agreement with the Sheriff’s Office for such purposes and otherwise to provide with respect thereto”;
- 9l, “A Resolution of the Plaquemines Parish Council to revoke the dedication and abandon a portion of a Last Cast Lane; and otherwise to provide with respect thereto”;
- 11c, “District 8 update-item 2, Lights on Empire Bridge”;
- 11g, “District 6 update”; and
- 11j, “Coastal Update”

- 1) NOV 14 Floodgate/Empire Bridge Status
- 2) Restore Act Funding update
- 3) Ongoing projects:
 - Delta wide crevasses
 - Spanish Pass
 - Grand Terre
 - Mid-Barataria Sediment Diversion Project update: permitting status update and townhall meeting for public input.
 - Mardi Grass Pass: permitting status update and Parish's position on need for closure or need for management of the outfall area.
- 4) Coastal Zone Advisory Committee Meeting schedule

The following items were withdrawn:

- 7a(2), "Happy Jack Investments, Application No. 2021-520, dated June 10, 2021, drill two 60' soil borings for the proposed Happy Jack Marina, 276 Happy Jack Lane, Port Sulphur";
- 11f item 3, "Discussion on pending drainage work requests. (Protti Dr., Clausen Rd., and Cedar Dr.); and
- 11i, "Metropolitan Human Services presentation";

There being no items for Executive Session, nor any Proclamations, Council Member Cognevich moved to Agenda Item 11b, "District 9 update, Item 3, State Broad Band Internet". The floor was open to Vince Vangar and Glenn Howey, Jr., from the Governor's Broadband Office. An explanation was made about opportunities for the Parish to seek out grants for residents to get internet services. Council Member Cognevich then discussed issues relative to Items 1 and 2 of his update, "Ditches" and "Grass Cutting".

Council Member Cognevich then advanced to Agenda Item 11d, "District 1 update". Topics included were the Air Conditioner in the Davant Center still not working, the Davant swimming pool, the Davant Recreation CEA and Highway 15.

Agenda Item 4, "Status Report by the Parish President". Without objection, so ordered. The following topic were reported by President Lepine: Current COVID numbers, the National Guard postponing the COVID testing and vaccines they were providing until after the storm, the Administration's preparations for the upcoming storm, and the construction on Highway 23.

Council Member Cognevich moved to Agenda Item 4, "Update by the Charter Directors". Without objection, so ordered. Topics addressed:

- Council Member Barthelemy requested a plan for addressing the high grass issues on the East Bank;
- Council Member Cognevich stated there were issues at the Buras Boat Harbor and complaints received from constituents about the trash and dumpsters; and
- Council Member Blink explained the grass is very high around ditches and sometimes the tractors pass over the ditches because they cannot see where they are located. He suggested that signs be placed near the main outfall ditches to identify areas which need to be cut.

There being no Bids and Advertisements and no Beer and Liquor Licenses, Council Member Cognevich moved to Agenda Item 7, "Building Permits". Without objection, so ordered.

Items 7a(1), 7a(3) and 7a(4) were taken *en globo*:

RESOLUTION NO. 21-216

On motion of Council Member LaFrance, seconded by Council Member Blink, and on roll call all members present and voting "YES", except Council Member Cognevich who "ABSTAINED" and Council Members Black, Guey and Newberry who were "ABSENT", the following Resolution was adopted:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the following applications for construction permits in the Parish of Plaquemines are hereby approved: Shell Pipeline Company, LP, Application No. 2021-515, dated June 9, 2021, repaired an existing 20-

inch Delta pipeline, installed bulkhead at the location of the pipe suspension, near Grand Bayou; Phillips 66 Alliance, Application No. 2021-672, dated August 12, 2021, repair and replacement of on site utilities, excavation, and repairs to firewater lines and man hole/inlet as part of the general maintenance ongoing refinery maintenance program, Phillips 66 Alliance Refinery; Dr. Walter J. Jung, IV, Application No. 2021-592, dated July 12, 2021, install boathouse and deck, 111 Wilkinson Lane, Lot #116 & #117, Myrtle Grove, (Phase 1).

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the Secretary of this Council is hereby authorized and directed to immediately certify and release this Resolution and that Parish employees and officials are authorized to carry out the purposes of this Resolution, both without further reading and approval by the Plaquemines Parish Council.

Items 7b and 7c were taken *en globo*:

RESOLUTION NO. 21-217

On motion of Council Member LaFrance, seconded by Council Member Blink, and on roll call all members present and voting “YES”, except Council Members Black, Guey and Newberry who were “ABSENT”, the following Resolution was adopted:

A Resolution approving the issuance of a special permit to Twin M. Properties, Mike & Michelle Ford for the construction of a new camp in a FP (Flood Plain) Zoning District at 648 Martin Lane, Port Sulphur, Louisiana in accordance with Application No. 2021-679, dated August 17, 2021.

WHEREAS, Twin M. Properties, Mike & Michelle Ford, applied to the Plaquemines Parish Department of Permits, Planning and Zoning (Application No. 2021-679, dated August 17, 2021) for the construction of a new camp located in a FP (Flood Plain) Zoning District at 648 Martin Lane, Port Sulphur, Louisiana;

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it hereby approves the issuance of a special permit to Twin M. Properties, Mike & Michelle Ford, for the construction of a new camp located in a FP (Flood Plain) Zoning District at 648 Martin Lane, Port Sulphur, Louisiana, all in accordance with Application No. 2021-679, dated August 17, 2021.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the Secretary of this Council is hereby authorized and directed to immediately certify and release this Resolution and that Parish employees and officials are authorized to carry out the purpose of this Resolution, both without further reading and approval by the Plaquemines Parish Council.

RESOLUTION NO. 21-218

On motion of Council Member LaFrance, seconded by Council Member Blink, and on roll call all members present and voting “YES”, except Council Members Black, Guey and Newberry who were “ABSENT”, the following Resolution was adopted:

A Resolution approving the issuance of a special permit to Rebecca Sylve for the placement of a trailer residence in a FP (Flood Plain) Zoning District at 22982 Highway 23, West Pointe a la Hache, Louisiana in accordance with Application No. 2021-688, dated August 6, 2021.

WHEREAS, Rebecca Sylve, applied to the Plaquemines Parish Department of Permits, Planning and Zoning (Application No. 2021-688, dated August 6, 2021) for the placement of a trailer residence located in a FP (Flood Plain) Zoning District at 22982 Highway 23, West Pointe a la Hache, Louisiana;

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it hereby approves the issuance of a special permit to Rebecca Sylve, for the placement of a trailer residence located in a FP (Flood Plain) Zoning District at 22982 Highway 23, West Pointe a la Hache, Louisiana, all in accordance with Application No. 2021-688, dated August 6, 2021.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the Secretary of this Council is hereby authorized and directed to immediately certify and release this Resolution and that Parish employees and officials are authorized to carry out the purpose of this Resolution, both without further reading and approval by the Plaquemines Parish Council.

Council Member Cognevich moved to Agenda Item 8, "Introduction of Ordinances and Resolutions". Without objection, so ordered. The following legislation was introduced:

1. An Ordinance to amend the 2021 General Fund, Operating Expenditure Budget, Permits, Planning and Zoning Department; and otherwise to provide with respect thereto. COUNCIL MEMBER COGNEVICH
2. A Resolution to change the date of the November 11, 2021, regularly scheduled Council Meeting due to the Veterans Day holiday; and otherwise to provide with respect thereto. COUNCIL MEMBER COGNEVICH
3. A Resolution approving the request for a Conditional Use by New Cingular Wireless PCS, dba AT&T Mobility, to construct a self-support telecommunication tower in an A-2 (Rural or Agricultural) Zoning District, located on Lot D5 of the Concord Canal Subdivision, parcel number 1529000, Highway 23, Belle Chasse, Plaquemines Parish, Louisiana, Section 4, Township 15 South, Range 24 East, all in accordance with Application No. 2021-461, dated April 30, 2021. COUNCIL MEMBER ROUSSELLE
4. A Resolution approving the requested Variance filed by New Cingular Wireless, PCS, dba AT&T Wireless Mobility, to vary the fall radius setback requirements for a self-support communication tower located on Lot D5 of the Concord Canal Subdivision, parcel number 1529000, Highway 23, Belle Chasse, Plaquemines, Parish, Louisiana, Section 4, Township 15 South, Range 24 East, all in accordance with Application No. 2021-462, dated April 30, 2021. COUNCIL MEMBER ROUSSELLE
5. An Ordinance approving a plan of resubdivision of the property of Hoskin Properties, LLC, Plaquemines Parish, Louisiana, as shown on the Map of Resubdivision, Belle Chasse Plantation Section "D" Lots M1, M2, & M3 into Lots M1-A, M2-A, & M3-A, Belle Chasse Section "D", by R. W. Krebs., dated June 16, 2021, the owners having fulfilled all the requirements of the Subdivision and Resubdivision Ordinance of the Parish of Plaquemines without cost to the Plaquemines Parish Government or the Parish of Plaquemines; and otherwise to provide with respect thereto. COUNCIL MEMBER GUEY
6. A Resolution granting conditional approval for a plan of subdivision of Rennie S. Buras, Map of re-subdivision of Lot 5-Y1E into Lots 5-Y1E1, 5-Y1E2 and 5-Y1E3, Belle Chasse Section "D", Belle Chasse, Plaquemines Parish, Louisiana, as shown on map of re-subdivision by Bryant Hammett and Associates, certified by Hugh McCurdy, III PLS, dated June 22, 2021, without cost to Plaquemines Parish Government or the Parish of Plaquemines. COUNCIL MEMBER GUEY
7. An Ordinance for Plaquemines Parish Government's grant, on behalf of the Buras Levee District and Plaquemines Parish, a perpetual easement, servitude and right-of-way to the Coastal Protection and Restoration Authority over Parish owned lands; and otherwise to provide with respect thereto. COUNCIL MEMBER LAFRANCE
8. An Ordinance to amend the 2021 Boat Harbors & Shipyards Fund, Operating Expenditure Budget, Boat Harbors Pointe a la Hache Department; and otherwise to provide with respect thereto. COUNCIL MEMBER BARTHELEMY

9. An Ordinance authorizing the Parish President to allow food truck vendors to operate on a non-exclusive temporary basis on Parish property; establish a fee therefore; and otherwise to provide with respect thereto. COUNCIL MEMBER ARBOURGH

Council Member Cognevich moved to Agenda Item 9, “Ordinances and Resolutions on second reading and final passage”. Without objection, so ordered.

Agenda Item 9a, “Ordinances and Public Hearings pursuant to Article 6, Section 6.01E of the Plaquemines Parish Charter:

Council Member Cognevich offered the Ordinance entitled, “An Ordinance to levy millages on the 2021 tax roll on all property subject to taxation by Plaquemines Parish Government; and otherwise to provide with respect thereto”. It was seconded by Council Member Arbourgh and opened for public comment; however, there was no one present who addressed the Council regarding this matter.

ORDINANCE NO. 21-86

The following Ordinance was offered by Council Member Cognevich who moved its adoption:

An Ordinance to levy millages on the 2021 tax roll on all property subject to taxation by Plaquemines Parish Government; and otherwise to provide with respect thereto.

WHEREAS, ad valorem taxes are necessary to provide essential services to the people of Plaquemines Parish; and

WHEREAS, it is required by law that a public hearing be held on the levy of millages for the 2021 tax roll on all property subject to taxation by Plaquemines Parish Government; and

WHEREAS, pursuant to Article 6, Section 6.01E(1) of the Charter for Local Self-Government for the Parish of Plaquemines the preamble of this Ordinance was published in the Plaquemines Gazette on August 24, 2021, and notice of such meeting was provided to the public;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

The following millages are hereby levied on the 2021 tax roll on all property subject to taxation by Plaquemines Parish Government:

2021 Millage

General Alimony	4.260 mills
Pollution Control	2.320 mills
Incinerator Waste Facilities	1.170 mills
Garbage & Waste Disposal	3.470 mills
Roads Parish-wide	1.760 mills
Health Unit	1.170 mills
Waterworks District	2.320 mills
Library	1.170 mills

SECTION 2

The proper administrative officials of the Parish of Plaquemines, State of Louisiana, be and they are hereby empowered, authorized, and directed to spread said taxes, as hereinabove set forth, upon the assessment roll of the Parish of Plaquemines for the year 2021, and to make the collection of the taxes imposed for and on behalf of the taxing authority, according to law, and that the taxes herein levied shall become a permanent lien and privilege on all property subject to

taxation as herein set forth, and collection thereof shall be enforceable in the manner provided by law.

SECTION 3

The Secretary of this Council is hereby authorized and directed to immediately certify and release this Ordinance and that Parish employees and officials are authorized to carry out the purposes of this Ordinance, both without further reading and approval by the Plaquemines Parish Council.

WHEREUPON, in open session the above Ordinance was read and considered section by section and as a whole.

Council Member Arbourgh seconded the motion to adopt the Ordinance.

The foregoing Ordinance having been submitted to a vote, the vote resulted as follows:

YEAS: Council Members John L. Barthelemy, Jr., Corey Arbourgh, Benedict Rousselle, Carlton M. LaFrance, Richie Blink and Mark Cognevich

NAYS: None

ABSENT: Council Members W. Beau Black, Stuart J. Guey and Trudy Newberry

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 26th day of August, 2021.

ORDINANCE NO. 21-87

The following Ordinance was offered by Council Member LaFrance who moved its adoption:

An Ordinance by the Plaquemines Parish Council, as and on behalf of the West Bank Levee District and Buras Levee District, to appropriate new Temporary Work Area Easements in certain portions of lands in Plaquemines Parish, Louisiana to construct the New Orleans to Venice (NOV), West Bank Hurricane Protection Levee Project NOV-09, St. Jude to City Price, Plaquemines Parish, Louisiana for levee, floodwall, drainage, flood, access and hurricane protection purposes; and otherwise to provide with respect thereto.

WHEREAS, the U. S. Army Corps of Engineers has determined that certain lands situated in Plaquemines Parish are required to construct the New Orleans to Venice, West Bank Hurricane Protection Levee Project NOV-09, St. Jude to City Price, in Plaquemines Parish, Louisiana, hereinafter referred to as “the NOV-09 Project”; and

WHEREAS, land rights were previously acquired for the NOV-09 Project pursuant to prior Ordinance No. 18-93, adopted on July 26, 2018, and Ordinance No. 20-66, adopted on July 9, 2020; and

WHEREAS, additional rights of way are required for the NOV-09 Project because construction activities for this project are still ongoing; and

WHEREAS, the land estates required to construct the NOV-09 Project are identified in right-of-way drawings entitled “West Bank Mississippi River Levee, New Orleans to Venice, NOV-09, St. Jude to City Price, Plaquemines Parish, Louisiana,” File Number H-8-47471, Sheet Identification Numbers G-001 through G-003 (general information), CU-101 through CU-103 (civil drawings), CU-401 (utility/facility dispositions) and RR-101 through RR-104, and RR-601 through RR-604 (real estate drawings) last revised April 2020 hereinafter referred to as “NOV-09 Right-of-Way Drawings” attached hereto and made part hereof as Exhibit A; and

WHEREAS, the “Temporary Work Area Easement” is a temporary easement and rights-of-way in, on, over, and across (Tracts Nos. 1 through 78), through December 30, 2022, for a period of approximately 16 months, beginning with date possession of the land is granted to the United

States, for use by the United States, its representatives, agents, and contractors as a work area, including the right to move, store, and remove equipment and supplies, and erect and remove temporary structures on the land, and to perform any other work necessary and incident to the construction of the NOV-09 Project, together with the right to trim, cut, fell, and remove therefrom all trees, underbrush, obstructions, and any other vegetation, structures, or obstacles within the limits of the rights-of-way; reserving, however, to the landowners, their heirs and assigns, all such rights and privileges as may be used without interfering with or abridging the rights and easement hereby acquired; subject, however, to existing easements for public roads and highways, public utilities, railroads, and pipelines; and

WHEREAS, the constitution and laws of the State of Louisiana law provide that levee districts are authorized to appropriate needed lands for levee, drainage, flood and hurricane protection purposes; and

WHEREAS, by letters dated June 6, 2018, and May 22, 2018, addressed to Amos Cormier, as President of the Plaquemines Parish Government, the U. S. Army Corps of Engineers referenced its letter dated February 13, 2017, in which it provided notification of rights-of-way requirements in advance of environmental clearance and officially requested that Plaquemines Parish Government grant to the United States of America a clear and unobstructed right of entry, including the right of ingress and egress, to construct the aforementioned NOV-09 Project; and

WHEREAS, by letter dated May 11, 2020, addressed to Kirk Lepine, as President of the Plaquemines Parish Government, U.S. Army Corps of Engineers officially requested additional rights of way for a Perpetual Flood Protection Levee, Floodwall and Drainage Ditch Easement to shift and extend the centerline of a portion of the levee as shown on the aforementioned NOV-09 Right-of-Way Drawings; and

WHEREAS, copies of the aforementioned letters are attached hereto and made part hereof as Exhibit B; and

WHEREAS, by letter dated July 6, 2021, addressed to Kirk Lepine, as President of the Plaquemines Parish Government, U.S. Army Corps of Engineers officially requested additional rights of way for a Temporary Work Area Easement due to ongoing construction activities; and

WHEREAS, a copy of the aforementioned letter is attached hereto and made part hereof as Exhibit C; and

WHEREAS, in order to provide the U. S. Army Corps of Engineers the requested right of entry for the subject project, it is incumbent upon and the responsibility of the Plaquemines Parish Council, as and on behalf of the West Bank Levee District and Buras Levee District, to appropriate new Temporary Work Area Easements all in Plaquemines Parish as identified in the aforementioned NOV-09 Right-of-Way Drawings for levee, floodwall, drainage, flood and hurricane protection purposes;

NOW, THEREFORE:

BE IT ORDAINED BY PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

As and on behalf of the West Bank Levee District and Buras Levee District, that it finds that the appropriation of new Temporary Work Area Easements all in Plaquemines Parish as identified in the NOV-09 Right-of-Way Drawings attached as Exhibit A are necessary, useful and required by the West Bank Levee District and Buras Levee District for drainage, levee, floodwall, flood and hurricane protection purposes and are required for the construction of the NOV-09 Project.

SECTION 2

As and on behalf of the West Bank Levee District and Buras Levee District, it does pursuant to the constitution and laws of the State of Louisiana hereby appropriate new Temporary Work Area Easements all in Plaquemines Parish to construct the NOV-09 Project for levee, floodwall,

drainage, flood and hurricane protection purposes as identified in the NOV-09 Right-of-Way Drawings attached as Exhibit A.

SECTION 3

President Kirk Lepine is hereby authorized to approve, sign and issue the requested right of entry, including right of ingress and egress, to the United States of America for the construction of the aforementioned project.

SECTION 4

A copy of the NOV-09 Right-of-Way Drawings attached as Exhibit A shall be kept on file in the offices of Plaquemines Parish Government.

SECTION 5

This Ordinance shall be published in the official journal of Plaquemines Parish Government in the manner prescribed by law and that a copy of this Ordinance shall be furnished to each known property owner affected thereby by certified mail, return receipt requested, in accordance with law.

SECTION 6

The compensation due the affected landowners as determined in accordance with applicable law shall be paid within one year of the date of the adoption of this Ordinance.

SECTION 7

The Secretary of this Council is hereby authorized to immediately certify and release this Ordinance and that Plaquemines Parish Government employees and officials are authorized to carry out the purposes of this Ordinance, both without further reading and approval by the Plaquemines Parish Council.

WHEREUPON, in open session the above Ordinance was read and considered section by section and as a whole.

Council Member Rousselle seconded the motion to adopt the Ordinance.

The foregoing Ordinance having been submitted to a vote, the vote resulted as follows:

YEAS: Council Members John L. Barthelemy, Jr. Corey Arbourgh, Benedict Rousselle, Carlton M. LaFrance, Richie Blink and Mark Cognevich

NAYS: None

ABSENT: Council Members W. Beau Black, Stuart J. Guey and Trudy Newberry

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 26th day of August, 2021.

ORDINANCE NO. 21-88

The following Ordinance was offered by Council Member LaFrance who moved its adoption:

An Ordinance by the Plaquemines Parish Council, as and on behalf of the Buras Levee District, to appropriate a new Temporary Work Area Easement in a certain portion of land in Plaquemines Parish, Louisiana to construct the New Orleans to Venice (NOV), West Bank Hurricane Protection Levee Project NOV-10, Happy Jack to Nairn, Plaquemines Parish, Louisiana for levee, floodwall, drainage,

flood, access and hurricane protection purposes; and otherwise to provide with respect thereto.

WHEREAS, the U. S. Army Corps of Engineers has determined that certain lands situated in Plaquemines Parish are required to construct the New Orleans to Venice, West Bank Hurricane Protection Levee Project NOV-10, Happy Jack to Nairn, in Plaquemines Parish, Louisiana, hereinafter referred to as “the NOV-10 Project”; and

WHEREAS, the land estates required to construct the NOV-10 Project are identified in right-of-way drawings entitled “West Bank Mississippi River Levee, New Orleans to Venice, NOV-10, Happy Jack to Nairn, Plaquemines Parish, Louisiana,” File Number H-8-47473, Numbers G-001 through G-006, R-100 through R-113, and X-100 through X-106, dated March 22, 2018 and last revised March 1, 2021, hereinafter referred to as “NOV-10 Right-of-Way Drawings” attached hereto and made part hereof as Exhibit A; and

WHEREAS, the “Temporary Work Area Easement” is a temporary easement and rights-of-way in, on, over, and across (Tracts Nos. 1, 2, 110, 65, 66, 67, 68, 69, 135, 73, 74, 103, 104, and 105), through January 11, 2023, for a period of approximately 18 months, beginning with date possession of the land is granted to the United States, for use by the United States, its representatives, agents, and contractors as a work area, including the right to move, store, and remove equipment and supplies, and erect and remove temporary structures on the land, and to perform any other work necessary and incident to the construction of the NOV-10 Project, together with the right to trim, cut, fell, and remove therefrom all trees, underbrush, obstructions, and any other vegetation, structures, or obstacles within the limits of the rights-of-way; reserving, however, to the landowners, their heirs and assigns, all such rights and privileges as may be used without interfering with or abridging the rights and easement hereby acquired; subject, however, to existing easements for public roads and highways, public utilities, railroads, and pipelines; 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; and

WHEREAS, by letter dated August 23, 2018, addressed to Amos Cormier, as President of the Plaquemines Parish Government, the U. S. Army Corps of Engineers officially requested that Plaquemines Parish Government grant to the United States of America a clear and unobstructed right of entry, including the right of ingress and egress, to construct the aforementioned NOV-10 Project; and

WHEREAS, by letter dated August 23, 2018, addressed to Amos Cormier, as President of the Plaquemines Parish Government, the U. S. Army Corps of Engineers officially changed the dispositions for MS-1, which is a concrete slab and BL-2 which is a utility shed with a chicken coop attached to reflect “do not disturb,” as indicated on sheet identification G-006 of Exhibit A; and

WHEREAS, a copy of the aforementioned letters are attached hereto and made part hereof as Exhibit B; and

WHEREAS, by letter dated June 24, 2021, addressed to Kirk Lepine, as President of the Plaquemines Parish Government, the U.S. Army Corps of Engineers officially requested that Plaquemines Parish Government grant to the United States of America an additional Temporary Work Area Easement because construction activities for this project are still ongoing; and

WHEREAS, a copy of the aforementioned letter is attached hereto and made part hereof as Exhibit C; and

WHEREAS, in order to provide the U. S. Army Corps of Engineers the requested right of entry for the subject project, it is incumbent upon and the responsibility of the Plaquemines Parish Council, as and on behalf of the Buras Levee District, to appropriate new Temporary Work Area Easements all in Plaquemines Parish as identified in the aforementioned NOV- 10 Right-of-Way Drawings for levee, floodwall, drainage, flood and hurricane protection purposes;

NOW, THEREFORE:

BE IT ORDAINED BY PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

As and on behalf of the Buras Levee District, that it finds that the appropriation of new Temporary Work Area Easements all in Plaquemines Parish as identified in the NOV-10 Right-of-Way Drawings attached as Exhibit A are necessary, useful and required by the Buras Levee District for drainage, levee, floodwall, flood and hurricane protection purposes and are required for the construction of the NOV-10 Project.

SECTION 2

As and on behalf of the Buras Levee District, it does pursuant to the constitution and laws of the State of Louisiana hereby appropriate new Temporary Work Area Easements all in Plaquemines Parish to construct the NOV-10 Project for levee, floodwall, drainage, flood and hurricane protection purposes as identified in the NOV-10 Right-of-Way Drawings attached as Exhibit A.

SECTION 3

President Kirk Lepine is hereby authorized to approve, sign and issue the requested right of entry, including right of ingress and egress, to the United States of America for the construction of the aforementioned project.

SECTION 4

A copy of the NOV-10 Right-of-Way Drawings attached as Exhibit A shall be kept on file in the offices of Plaquemines Parish Government.

SECTION 5

This Ordinance shall be published in the official journal of Plaquemines Parish Government in the manner prescribed by law and that a copy of this Ordinance shall be furnished to each known property owner affected thereby by certified mail, return receipt requested, in accordance with law.

SECTION 6

The compensation due the affected landowners as determined in accordance with applicable law shall be paid within one year of the date of the adoption of this Ordinance.

SECTION 7

The Secretary of this Council is hereby authorized to immediately certify and release this Ordinance and that Plaquemines Parish Government employees and officials are authorized to carry out the purposes of this Ordinance, both without further reading and approval by the Plaquemines Parish Council.

WHEREUPON, in open session the above Ordinance was read and considered section by section and as a whole.

Council Member Blink seconded the motion to adopt the Ordinance.

The foregoing Ordinance having been submitted to a vote, the vote resulted as follows:

YEAS: Council Members John L. Barthelemy, Jr. Corey Arbourgh, Benedict Rousselle,
Carlton M. LaFrance, Richie Blink and Mark Cognevich

NAYS: None

ABSENT: Council Members W. Beau Black, Stuart J. Guey and Trudy Newberry

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 26th day of August, 2021.

RESOLUTION NO. 21-219

On motion of Council Member Cognevich, seconded by Council Member Arbourgh, and on roll call all members present and voting “YES”, except Council Members Black, Guey and Newberry who were “ABSENT”, the following Resolution was adopted:

A Resolution swapping the locations of the two regularly scheduled October meetings of the Plaquemines Parish Council; and otherwise to provide with respect thereto.

WHEREAS, the Plaquemines Parish Council approved three millage propositions to be placed on the October 9, 2021, ballot for a vote of the residents of Plaquemines Parish; and

WHEREAS, the canvassing of said election is set for Thursday, October 14, 2021, and the Plaquemines Parish Council must be sitting at the Parish seat to take action on this matter; however, the October 14, 2021, regularly scheduled meeting of the Plaquemines Parish Council is set to be held in the Belle Chasse Council Building Chambers; and

WHEREAS, it is necessary to swap the location of both the October 14, 2021, and the October 28, 2021, regular meetings;

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the October 14, 2021, regularly scheduled Council Meeting will be held at the Pointe-a-la-Hache Courthouse Council Chambers and the October 28, 2021, regularly scheduled meeting will be held at the Belle Chasse Council Building Chambers.

BE IT FURTHER RESOLVED BY THE PLAQUEMINE PARISH COUNCIL THAT the Secretary of this Council is hereby authorized and directed to immediately certify and release this Resolution and that Parish employees and officials are authorized to carry out the purpose of this Resolution, both without further reading and approval by the Plaquemines Parish Council.

ORDINANCE NO. 21-89

The following Ordinance was offered by Council Member Cognevich who moved its adoption:

An Ordinance to amend the 2021 Waterworks & Sewerage Fund, Operating Expenditure Budget, Waterworks & Sewerage Operations Department; and the Five Year Capital Improvements Plan, Repairs-Buras WWTP Project; and otherwise to provide with respect thereto.

WHEREAS, upon review of the 2021 Operating Expenditure Budget, an amendment to the Waterworks & Sewerage Operations Department is necessary;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

The 2021 Waterworks & Sewerage Fund, Operating Expenditure Budget, Waterworks & Sewerage Operations Department, is amended by appropriating \$650,000 from the Repairs-Buras WWTP Project, as follows:

<p>Fund: 441 Waterworks&Sewerage Fd Dept/Div: 690-4305 Waterworks & Sewerage Operations Department</p>
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Object	Description	Inc/ Dec	Amendment
538.105	Contracts Water & Sewer	Inc	400,000
541.120	Supplies Chemicals	Inc	250,000

SECTION 2

The Secretary of this Council is hereby authorized and directed to immediately certify and release this Ordinance and that Parish employees and officials are authorized to carry out the purposes of this Ordinance, both without further reading and approval by the Plaquemines Parish Council.

WHEREUPON, in open session the above Ordinance was read and considered section by section and as a whole.

Council Member Arbourgh seconded the motion to adopt the Ordinance.

The foregoing Ordinance having been submitted to a vote, the vote resulted as follows:

YEAS: Council Members John L. Barthelemy, Jr. Corey Arbourgh, Benedict Rousselle, Carlton M. LaFrance and Mark Cognevich

NAYS: Council Member Richie Blink

ABSENT: Council Members W. Beau Black, Stuart J. Guey and Trudy Newberry

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 26th day of August, 2021.

ORDINANCE NO. 21-90

The following Ordinance was offered by Council Member Cognevich who moved its adoption:

An Ordinance to amend the 2021 Operating Revenue Budget; and otherwise to provide with respect thereto.

WHEREAS, upon review of the 2021 Operating Revenue Budget, an amendment is necessary;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

The 2021 Operating Revenue Budget is amended as follows:

Fund: 001 General Fund			
Dept/Div: 720-4350 Permits, Planning & Zoning Dept.			
Object	Description	Inc/Dec	Amendment
418.012	Permits Industrial Dev-Impact Fees	Inc	2,744,450

SECTION 2

It hereby designates the amount of \$2,744,450 to the Fund Balance Designated for Infrastructure from the General Fund Unreserved/Undesignated Fund Balance.

SECTION 3

The Secretary of this Council is hereby authorized and directed to immediately certify and release this Ordinance and that Parish employees and officials are authorized to carry out the purposes of this Ordinance, both without further reading and approval by the Plaquemines Parish Council.

WHEREUPON, in open session the above Ordinance was read and considered section by section and as a whole.

Council Member Arbourgh seconded the motion to adopt the Ordinance.

The foregoing Ordinance having been submitted to a vote, the vote resulted as follows:

YEAS: Council Members John L. Barthelemy, Jr., Corey Arbourgh, Benedict Rousselle, Carlton M. LaFrance, Richie Blink and Mark Cognevich

NAYS: None

ABSENT: Council Members W. Beau Black, Stuart J. Guey and Trudy Newberry

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 26th day of August, 2021.

ORDINANCE NO. 21-91

The following Ordinance was offered by Council Member Cognevich who moved its adoption:

An Ordinance to amend the 2021 Boat Harbors & Shipyards Fund, Operating Expenditure Budget; and otherwise to provide with respect thereto.

WHEREAS, amendments are necessary to the 2021 Boat Harbors & Shipyards Fund, Operating Expenditure Budget;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

The 2021 Boat Harbors & Shipyards Fund, Operating Expenditure Budget, is amended as follows:

Fund: 448 Bt Hrbs & Shpyd Fd			
Dept/Div: 558-2805 BH & Shpyrds Billing Department			
Object	Description	Inc/ Dec	Amendment
532.001	Prof Services-General	Inc	12,000
Fund: 448 Bt Hrbs & Shpyd Fd			
Dept/Div: 560-2810 Shipyards-Empire Department			
Object	Description	Inc/ Dec	Amendment
532.080	Prof Services Disposal-Oil Waste	Inc	5,000
Fund: 448 Bt Hrbs & Shpyd Fd			

Dept/Div: 562-2830 Boat Harbors-Empire Department			
Object	Description	Inc/ Dec	Amendment
532.080	Prof Services Disposal-Oil Waste	Inc	5,000

Fund: 448 Bt Hrbs & Shpyd Fd			
Dept/Div: 562-2840 Boat Harbors-Venice Department			
Object	Description	Inc/ Dec	Amendment
510.005	Salaries & Wages Regular	Dec	(20,000)
516.105	Retirement PERS	Dec	(2,000)
517.005	Group Insurance Health	Dec	(10,000)

Fund: 448 Bt Hrbs & Shpyd Fd			
Dept/Div: 562-2850 Boat Harbors-PALH Department			
Object	Description	Inc/ Dec	Amendment
517.005	Group Insurance Health	Dec	(11,000)
532.001	Prof Services-General	Inc	21,000

SECTION 2

The Secretary of this Council is hereby authorized and directed to immediately certify and release this Ordinance and that Parish employees and officials are authorized to carry out the purposes of this Ordinance, both without further reading and approval by the Plaquemines Parish Council.

WHEREUPON, in open session the above Ordinance was read and considered section by section and as a whole.

Council Member Arbourgh seconded the motion to adopt the Ordinance.

The foregoing Ordinance having been submitted to a vote, the vote resulted as follows:

YEAS: Council Members John L. Barthelemy, Jr., Corey Arbourgh, Benedict Rousselle, Carlton M. LaFrance, Richie Blink and Mark Cognevich

NAYS: None

ABSENT: Council Members W. Beau Black, Stuart J. Guey and Trudy Newberry

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 26th day of August, 2021.

ORDINANCE NO. 21-92

The following Ordinance was offered by Council Member LaFrance who moved its adoption:

An Ordinance to release servitude created by that certain Ingress and Egress Agreement dated April 18, 1984, by and between Citrus Lands of Louisiana, Inc. and Plaquemines Parish Commission Council; and otherwise to provide with respect thereto.

WHEREAS, by virtue of that certain Ingress and Egress Agreement dated April 18, 1984, by and between Citrus Lands of Louisiana, Inc. and Plaquemines Parish Commission Council recorded May 21, 1984, at COB 591, Folio 134, File No. 1984-00000036 created a servitude for ingress and egress for the United States Army Corps of Engineers (“Corps”) to conduct surveys on a site for proposed construction of a Freshwater Reservoir by the Corps; and

WHEREAS, Plaquemines Parish Government is the successor in interest to the above described servitude agreement in favor of Plaquemines Parish Commission Council; and

WHEREAS, Venture Global LNG plans to construct and locate facilities in the area described in the above referenced Ingress and Egress Agreement and requests that Plaquemines Parish Government release the referenced servitude as it has determined that the proposed Freshwater Reservoir described in the Ingress and Egress Agreement was never constructed; and

WHEREAS, Plaquemines Parish Government has confirmed that the Freshwater Reservoir was never constructed and that the servitude was not utilized and is not required for any existing Plaquemines Parish Government facility in the area; and

WHEREAS, Plaquemines Parish Government’s Administration and Legal Department recommend that the servitude created in the Ingress and Egress Agreement be released and that the Parish President execute a release of that servitude;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

The Parish President is hereby authorized to execute a Release of Servitude and record same with the Clerk of Court for the Parish of Plaquemines Parish.

SECTION 2

The Secretary of this Council is hereby authorized and directed to immediately certify and release this Ordinance and that Parish employees and officials are authorized to carry out the purposes of this Ordinance, both without further reading and approval by the Plaquemines Parish Council.

WHEREUPON, in open session the above Ordinance was read and considered section by section and as a whole.

Council Member Blink seconded the motion to adopt the Ordinance.

The foregoing Ordinance having been submitted to a vote, the vote resulted as follows:

YEAS: Council Members John L. Barthelemy, Jr. Corey Arbourgh, Benedict Rousselle, Carlton M. LaFrance, Richie Blink and Mark Cognevich

NAYS: None

ABSENT: Council Members W. Beau Black, Stuart J. Guey and Trudy Newberry

PRESENT BUT NOT VOTING: None

The Ordinance was adopted on this the 26th day of August, 2021.

RESOLUTION NO. 21-220

On motion of Council Member Rousselle, with a unanimous second, and on roll call all members present and voting “YES”, except Council Members Black, Guey and Newberry who were “ABSENT”, the following Resolution was adopted:

A Resolution expressing the Plaquemines Parish Government’s continued support of the Peters Road Extension, State Project No. H.008068; urging the Louisiana Department of Transportation and Development to move forward with identifying the funding needed to accomplish this Project; and otherwise to provide with respect thereto.

WHEREAS, since 2005 the Peters Road Extension State Project has been the priority for economic development for the Parish, as well as, for Port development; and

WHEREAS, today the Peters Road Extension Project continues to be the top priority transportation project Plaquemines Parish and the region which, when built, will result in improvements to traffic congestion and public safety for all Parish residents who use Louisiana Hwy. 23; and

WHEREAS, the Peters Road Extension Project is consistent with the Transportation Plan for Plaquemines Parish; and

WHEREAS, a lot of effort and funds have been spent by both the State and Parish on this project; and

WHEREAS, the National Infrastructure Bill, which will dedicate Federal funding to the State of Louisiana, is working its way through Congress and we are asking the Louisiana Department of Transportation and Development to dedicate funding to complete this long overdue project; and

WHEREAS, the Plaquemines Parish Government urges the New Orleans Regional Planning Commission to include the Peters Road Extension, State Project No. H.008068, in their Metropolitan Transportation Plan; and

WHEREAS, the Plaquemines Parish Government appreciates the ongoing efforts of the Louisiana State Department of Transportation and Development to address the transportation needs of Plaquemines Parish and it urges the Louisiana Department of Transportation and Development to move forward with the Peters Road Extension, State Project No. H.008068;

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it hereby expresses the Plaquemines Parish Government’s continued support of the Peters Road Extension, State Project No. H.008068.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it urges the Louisiana Department of Transportation and Development to move forward with identifying the funding needed to complete the Peters Road Extension, State Project No. H.008068, by seeking funding from the National Infrastructure Bill.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it urges the New Orleans Regional Planning Commission to include the Peters Road Extension, State Project No. H.008068, in their Metropolitan Transportation Plan.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the Secretary of this Council is hereby authorized and directed to send a certified copy of this resolution to the Louisiana Department of Transportation and Development, the New Orleans Regional Planning Commission and all members of the Plaquemines Parish State Legislative Delegation.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the Secretary of this Council is hereby authorized and directed to immediately certify and release this Resolution and that Parish officials and employees are authorized to carry out the purposes of this Resolution, both without further reading and approval by the Plaquemines Parish Council.

ORDINANCE NO. 21-93

The following Ordinance was offered by Council Member Barthelemy who moved its adoption:

An Ordinance to amend the Five Year Capital Improvements Plan, Reach C Culvert Closure-Phoenix to Bohemia Project; and otherwise to provide with respect thereto.

WHEREAS, Plaquemines Parish Government has been awarded funding in the amount of \$2,300,000 from the Coastal Protection and Restoration Authority (CPRA) for the Reach C Culvert Closure- Phoenix to Bohemia Project; and

WHEREAS, amending the Five Year Capital Improvements Plan is requested;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

The Five Year Capital Improvements Plan is amended by appropriating \$2,300,000 to the Reach C Culvert Closure-Phoenix to Bohemia Project from the Coastal Protection and Restoration Authority (CPRA); funding year, 2021.

SECTION 2

The Secretary of this Council is hereby authorized and directed to immediately certify and release this Ordinance and that Parish employees and officials are authorized to carry out the purposes of this Ordinance, both without further reading and approval by the Plaquemines Parish Council.

WHEREUPON, in open session the above Ordinance was read and considered section by section and as a whole.

Council Member Rousselle seconded the motion to adopt the Ordinance.

The foregoing Ordinance having been submitted to a vote, the vote resulted as follows:

YEAS: Council Members John L. Barthelemy, Jr. Corey Arbourgh, Benedict Rousselle, Carlton M. LaFrance, Richie Blink and Mark Cognevich

NAYS: None

ABSENT: Council Members W. Beau Black, Stuart J. Guey and Trudy Newberry

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 26th day of August, 2021.

Council Member Cognevich moved to Agenda Item 10, "Approval of the Minutes". Without objection, so ordered.

RESOLUTION NO. 21-221

On motion of Council Member Cognevich, seconded by Council Member LaFrance, and on roll call all members present and voting "YES", except Council Members Black, Guey and Newberry who were "ABSENT", the following Resolution was adopted:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it hereby approves the minutes of the August 12, 2021, regular meeting, as recorded by the Secretary of this Council.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the Secretary of this Council is hereby authorized and directed to immediately certify and release this Resolution and that Parish employees and officials are authorized to carry out the purposes of this Resolution, both without further reading and approval by the Plaquemines Parish Council.

Council Member Cognevich moved to Agenda Item 11, “New Business”. Without objection, so ordered.

There were no items for suspension under 11a.

Under 11c, , “District 8 update” Council Member Blink addressed the Highway 11 road collapse at Daybrook Fisheries; the Southern Closure-Jesuit Bend Levee and discussed Go Park and the Boat Harbor Automated Billing System.

Under 11e, “District 7 Update”, Council Member LaFrance thanked Darren Anderson for sweeping the ditch at Diamond Park and replacing the culvert. Once everything is done the park will be able to drain properly.

Under 11f, “District 5 update”, Council Member Rousselle received an update and discussed the Fort Saint Leon Drainage project, the upgrades to the Belle Chasse Water Plant and Intake and the Plaquemines Off-Road Vehicle track on Walker Road.

Under, 11h, “Status of the Latter & Blum contract and the marketing of Parish property”, Mr. Todd Eppley provided an update.

There being no further business to come before this Council, on motion Council Member Rousselle, seconded by Council Member Arbourgh , and on roll call all members present voting “YES” except Council Members Black, Guey and Newberry who were “ABSENT”, the meeting adjourned at 5:15 p.m.

Chairman

Secretary

For a full transcript of discussions and presentations, a video of this meeting is available for viewing on the Parish website www.plaqueminesparish.com or on YouTube.

