
**MINUTES OF REGULAR MEETING OF THE
LONG BEACH WATER MANAGEMENT DISTRICT
JULY 21, 2022**

The regular meeting of the Long Beach Water Management District was convened on Thursday, July 21, 2022, at the law offices of Dukes, Dukes, Keating & Faneca, P.A., 2909 13th Street, 6th Floor, Gulfport, Mississippi.

On roll call, the following Commissioners were found to be present as follows:

David W. Marshall
Brett Mallette
Mary Ladner

Also present was Ben Benvenuti, civil engineer with Covington Civil and Environmental, along with general counsel, Bobby Long with the law firm of Dukes, Dukes, Keating & Faneca, P.A., see copy of the public sign-in sheet attached hereto as **Exhibit "1"**.

A quorum of Commissioners was found to be present.

Commissioner Mallette entered the Notice of Meeting which was posted prior to the meeting. A copy of this notice is attached hereto as **Exhibit "2"**.

Upon Motion duly made by Commissioner Marshall, seconded by Commissioner Ladner, and unanimously carried, the Minutes for June 21, 2022, Regular meeting were approved. A copy of the Minutes is attached hereto as **Exhibit "3"**.

Upon Motion duly made by Commissioner Ladner, seconded by Commissioner Marshall and unanimously carried, the Docket of Claims for June 21, 2022, was approved. A copy of the Docket of Claims is attached hereto as **Exhibit "4"**.

Upon Motion duly made by Commissioner Ladner, seconded by Commissioner Marshall, and unanimously carried, the Resolution for Attorneys Fees for the period of June 21, 2022 through July 20, 2022, in the amount of \$5,351.30 was approved, see Resolution attached hereto as **Exhibit "5"**.

A discussion was held regarding Canal No. 1 Improvement project and Ben Benvenuti with Covington provided a status update indicating that a preconstruction meeting was scheduled for August 10, 2022 at 10:00 a.m. Additionally, Ben stated that the NRCS was in the process of determining whether to modify the existing agreement or to prepare a separate agreement for construction. See Report attached hereto as **Exhibit "6"**.

A discussion was held regarding the Canal No. 1 Easement Project, wherein Bobby

Long provided an update regarding the litigation set for August 10, 2022, being LBWMD v. Sally Lackey. Mr. Long indicated that Robert Schwartz, attorney for Ms. Lackey had submitted an offer of settlement for the monetary amount of \$20,845.00 and included provisions that LBWMD would put up a new fence along Kux Road, a new culvert and a driveway into her property from Kux Road. After a discussion, the Commissioners authorized Mr. Long to counter-offer with \$20,000.00 monetary compensation only, with no provisions to put up a fence or culvert. The Commissioners determined that there had never been an entrance to Ms. Lackey's property from Kux Road, thus it would be unequitable to agree to such. No further action was taken.

A brief discussion was held regarding the Storm Debris Removal Project. Ben Benvenuti with Covington provided a status update indicating that the Contractor had completed the areas from Espy to 28th Street along Canal 2/3 and from Menge to Bayou Portage. Ben stated that Covington has reviewed pay applications #1 and #2 in the amounts of \$21,322.75 and \$16,150.00. Covington recommended approval pending the outcome of the follow-up site visit scheduled for Monday, July 25, 2022. See Report attached hereto as **Exhibit "6"**.

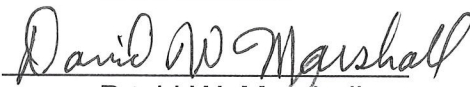
A discussion was held regarding the USACE Project for Canal 2/3. Ben Benvenuti with Covington provided a status update indicating that a pre-bid meeting was scheduled for Friday, July 29, 2022 at 9:30 a.m. Additionally, the bid opening date was scheduled for August 9, 2022. See Report attached as **Exhibit "6"**.

A brief discussion was held regarding the Castine Point Development, this matter was not on the Agenda for this meeting; however, Ben Benvenuti provided information to the Commissioners that the culvert installed for the development was having issues with erosion, and as far as Ben could tell, these issues were not being addressed. Upon Motion duly made by Commissioner Marshall, seconded by Commissioner Ladner, and unanimously carried, Ben Benvenuti was directed to send a letter to the developer for Castine Point to raise awareness and promote a solution to this erosion. See Report attached as **Exhibit "6"**.

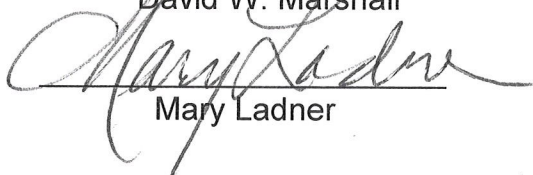
The next meeting of the Long Beach Water Management District was scheduled to be held on August 18, 2022.

There being no further business to come before the meeting, and upon Motion duly made by Commissioner Marshall, seconded by Commissioner Ladner, and unanimously carried, the meeting of the Long Beach Water Management District was adjourned.

Brett Mallette



David W. Marshall



Mary Ladner