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**MINUTES OF REGULAR MEETING OF THE  
LONG BEACH WATER MANAGEMENT DISTRICT  
SEPTEMBER 21, 2023**

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The regular meeting of the Long Beach Water Management District was convened on Thursday, September 21, 2023, at the Law Offices of Dukes, Dukes, Keating & Faneca, P.A., 13334 Seaway Road, Ste. 203, Gulfport, Mississippi 39503.

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

David W. Marshall  
Brett Mallette  
Mary Ladner

Also present was Sarah McLellan with Covington Civil and Environmental, Candi Holloway and James Wedworth, residents of the City of Long Beach, and general counsel, Je'Nell Blum 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.

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

Upon Motion duly made by Commissioner Ladner, seconded by Commissioner Marshall and unanimously carried, the Agenda for the September 21, 2023 meeting was adopted. A copy of the September 21, 2023 Agenda is attached hereto as **Exhibit "3"**.

A discussion was held with Candi Holloway and James Wedworth regarding concerns they have about potential erosion in the bank of Canal 2/3 behind the Holloway property. Sarah McLellan with Covington Engineering discussed the final letter report from the surveys prepared of the canal bank behind the Holloway and Wedworth properties. Sarah explained that the findings based on the surveys indicate that there has been very minor erosion to the bank along those properties in the last 10 years. No further action was taken. A copy of the survey letter dated September 15, 2023 is attached hereto as **Exhibit "4"**.

Upon Motion duly made by Commissioner Ladner, seconded by Commissioner Mallette, and unanimously carried, the Minutes of the Regular Meeting of August 17, 2023 were approved. A copy of the Minutes for August 17, 2023 is attached hereto as **Exhibit "5"**.

Upon Motion duly made by Commissioner Marshall, seconded by Commissioner Ladner and unanimously carried, the Minutes for the Special Telephonic Meeting of September 1, 2023 were approved. A copy of the Minutes for the Special Telephonic meeting of September 1, 2023 is attached hereto as **Exhibit "6"**.

Upon Motion duly made by Commissioner Marshall, seconded by Commissioner Mallette and unanimously carried, the Minutes for the Special Telephonic Meeting of July 28, 2023 were approved. A copy of the Minutes for the Special Telephonic meeting of July 28, 2023 is attached hereto as **Exhibit "7"**.

Upon Motion duly made by Commissioner Ladner, seconded by Commissioner Marshall, and unanimously carried, the Docket of Claims for September 21, 2023, was approved. A copy of the Docket of Claims is attached hereto as **Exhibit "8"**.

Upon Motion duly made by Commissioner Marshall, seconded by Commissioner Ladner, and unanimously carried, the Resolution for Attorneys Fees for the period of August 16, 2023 through September 19, 2023 was approved, see Resolution attached hereto as **Exhibit "9"**.

A discussion was held regarding the status of the Canal No. 1 Improvement Project. Upon Motion duly made by Commissioner Marshall, seconded by Commissioner Ladner, and unanimously carried, the Resolution Approving the Permanent Award of the Contract for the Canal No. 1 Improvement Project to JLB Contractors, LLC was approved. A copy of the Resolution is attached hereto as **Exhibit "10"**.

Upon further discussion regarding Canal No. 1 Improvement Project, Sarah McLellan with Covington provided an update stating that the Contracts, Bonds and Insurances have been signed and provided by JLB and all documents were ready for final signatures. See Project Status Report attached hereto as **Exhibit "11"**.

A discussion was held regarding the USACE Project for Canal 2/3 and Sarah McLellan with Covington provided a status update stating that they had attended the final walk-through inspection with the USACE and Contractor on September 20, 2023. Sarah further stated that Joe Culpepper approved the lay down area, and that locks would need to be placed on the new gates at Beatline and Espy. See Report attached hereto as **Exhibit "11"**.

A discussion was held regarding the status of the Maintenance Plan for Canal No. 1 and Canal 2/3 as required by the USACE. Sarah with Covington stated that once the amended OMRRR is provided by USACE, the Maintenance Plan will be updated and finalized. Sarah further stated that the USACE indicated that the OMRRR will be amended and updated once the Canal 2/3 project is completely closed out. See Report attached hereto as **Exhibit "11"**.

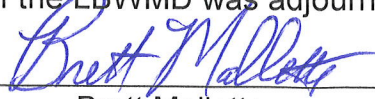
A discussion was held regarding requesting a proposal from the City of Long Beach/H2O for services associated with maintenance work on the canals pursuant to the Maintenance Plan. No further action was taken.

A discussion was held regarding an increase in the rate for attorney fees with the law firm of Dukes, Dukes, Keating & Faneca, P.A. It was discussed that the firm has been in the process of increasing rates firm wide and that all governmental clients, i.e. the City of Gulfport, the Gulfport-Biloxi Regional Airport Authority and LBWMD would have the same rate. Upon Motion duly made by Commissioner Ladner, seconded by Commissioner Marshall and unanimously carried, the rate of \$175.00 per hour for attorney and the rate

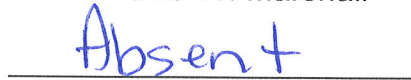
of \$85.00 per hour for paralegal was approved and shall be effective October 1, 2023.

The next meeting of the Long Beach Water Management District was scheduled to be held on Thursday, October 19, 2023.

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

  
Brett Mallette

  
David W. Marshall

  
Mary Ladner