

The Board of Commissioners for the Pontchartrain Levee District met at its office on Monday, August 18, 2008, pursuant to due notice given to each member in due time, form and manner as follows:

August 15, 2008

Dear Sir:

You are hereby notified that the Regular Board Meeting of the Board of Commissioners for the Pontchartrain Levee District will be held at 6:00 p.m. on Monday, August 18, 2008 at the Lucher Office, Lucher, Louisiana.

Very truly yours,

Monica Salins,
Executive Director

President Wilson called the meeting to order at 6:09 p.m. The following members were present: Messrs. Jesse Bartley, Bill Addison, Steve Wilson, Webb Harelson, Tony Cunningham and Mike Delaune. Absent: None.

Pontchartrain Levee District employees in attendance were: Messrs. Monica Salins - Executive Director, Dwight Poirrier - PLD Attorney, Kenny Steib, Sr. - Levee Operations Superintendent and Susan M. Canatella - Secretary to the Board. Also in attendance were: Joe Sevario - Executive Assistant to the Board, Clinton Rouyea - External Accountant, Jimmy Smith - Maintenance Consultant, and Mona Nosari - G.C.R. & Associates. Special guests included: Henry Picard, III of Burk-Kleinpeter, Les Waguespack of Shaw Coastal, Nathan Junius of Linfield, Hunter & Junius, Larry Ardoin of DOTD, Joel Landry and Rene Esneault of South Louisiana Fill Materials, LLC and Jake Millet of Glenn Shaheen & Associates, Inc.

The Pledge of Allegiance was led by Mr. Bartley.

A motion to approve the minutes of the Regular Board Meeting of July 28, 2008 was offered by Mr. Harelson and seconded by Mr. Cunningham and unanimously carried.

COMMITTEE REPORTS

Finance Committee: Mr. Jesse Bartley reported on the Finance meeting held on August 12, 2008. Mr. Cunningham moved to approve regular monthly invoices in the amount of \$66,158.57 as recommended by committee. This motion was seconded by Mr. Delaune and unanimously carried. Next, Mr. Bartley moved, seconded by Mr. Cunningham to approve payment in the amount of \$9,864.92 to G.C.R. & Associates for the period of July 1, 2008 through July 31, 2008 for Reach 1B, 2A & 2B. Mr. Delaune moved to approve the invoice from Civil Service in the amount of \$6,107.00 for PLD's annual pro-rata/comprehensive public training as recommended by committee. The motion was seconded by Mr. Harelson and also carried unanimously. Mr. Bartley moved, seconded by Mr. Cunningham to approve the expenses associated with the 27th Annual Congressional Breakfast in Washington, DC being held September 13 - 17th, 2008 as recommended by committee. This motion carried unanimously. Lastly, Mr. Bartley moved, seconded by Mr. Cunningham to

recommend the following resolution to support, submit and nominate the PLD President, Steve Wilson, for a term of one (1) year to serve on the Coastal Protection Restoration Authority, representing PLD and Region 3 as recommended by committee:

WHEREAS, as per La. R.S. 213.5 which states that one (1) representative selected from among the Region 3 levee districts, namely Lafourche Basin Levee District, Atchafalaya Basin Levee District, North Lafourche Levee District and Pontchartrain Levee District, shall serve on the Coastal Protection and Restoration Authority (CPRA) for a one (1) year term; and

WHEREAS, the Pontchartrain Levee District is in support of Pontchartrain Levee District President, Steve Wilson; and

WHEREAS, the Pontchartrain Levee District is a part of Region 3 of the said Coastal Protection and Restoration Authority; and

WHEREAS, the Pontchartrain Levee District is prepared to submit for their representation on this Coastal Protection and Restoration Authority for a term of one (1) year the Pontchartrain Levee District President, Steve Wilson.

NOW, THEREFORE, BE IT RESOLVED, by the Pontchartrain Levee District, that the Pontchartrain Levee District does hereby support, submit and nominate the Pontchartrain Levee District President, Steve Wilson, for a term of one (1) year to serve on the Coastal Protection and Restoration Authority of Region 3. This resolution carried unanimously.

Equipment Committee: Mr. Bartley reported on the meeting held on August 12, 2008. Mr. Bartley moved to approve the Equipment Maintenance Manual as presented to the Board at the July Equipment meeting and recommended by committee. The motion carried unanimously. Mr. Harelson moved to approve the bid specifications for a new dozer as approved by Board Attorney and proceed in accordance with LA R.S. 38:2212 as recommended. This motion was seconded by Mr. Cunningham and carried unanimously. Mr. Harelson then moved, seconded by Mr. Addison to approve the improvements at PLD Administrative/Headquarters Office converting the small, middle kitchen into an office for the PLD External Accountant, said improvements to be completed by the PLD Maintenance Department, as recommended by committee. The motion carried unanimously.

Security/Safety Committee: Mr. Mike Delaune reported on the security meeting held on August 14, 2008. Mr. Delaune reported that there were no action items for the month.

Personnel Committee: Mr. Tony Cunningham reported on the Personnel meeting which was held on August 14, 2008. Mr. Harelson moved, seconded by Mr. Delaune to approve the merit increases for PLD Employee Numbers #1482 & #158072 and #126436 as recommended by committee. This motion carried unanimously. Mr. Bartley moved to approve to extend the probationary period for PLD Employee Number 199546 for an additional ninety (90) days from employee's anniversary date and the merit increase be withheld at this time as recommended by committee. This motion was seconded by Mr. Delaune and carried unanimously. Mr. Delaune moved to approve changing the hours of operation for the PLD Maintenance Department only to a four (4) day work week/ten (10) hour work day, hours of operations are from 6:00 a.m. to 4:30 p.m. Monday through Thursday, to include proper notification to Civil Service, if necessary, and said change in operation to become effective on Monday, August 25, 2008. The motion was seconded by Mr. Bartley and carried unanimously.

STAFF REPORTS

Mrs. Mona Nosari gave a report on the Hurricane and Flood Control Projects. Discussion was had relative to design height requirements as they pertain to the Lake Pontchartrain and Vicinity, LA-St. Charles Parish Hurricane Protection Levee (SCP HPL). As per Mrs. Nosari's report, the Reach 2A levee lift to design height of 13.0' by USACE contractor, Clark Construction, has constructed the Reach 2A levee approximately 8/10ths to 1 foot lower than the project specifications as set forth in the USACE advertised contract. At this time, Mr. Cunningham moved to add an item to the agenda regarding the discrepancy regarding the design height requirements of the St. Charles Parish Hurricane Protection Levee project. This motion was seconded by Mr. Addison and carried unanimously. Mr. Cunningham then moved to authorize and instruct the Executive Director and Mona Nosari of GCR & Associates to notify the U.S. Army Corps of Engineers, New Orleans District, that the Pontchartrain Levee District will NOT accept 100% completion of this project, as authorized under the 3rd Supplemental Appropriations which accelerated completion of the SCP HPL to its original design height, and therefore, the maintenance and responsibility of this levee, until this SCP HPL is AT design height, as per the specifications and requirements as advertised by USACE and awarded to Clark Construction on or about June 29, 2007, is the responsibility of Clark Construction and NOT the Pontchartrain Levee District. This motion was seconded by Mr. Addison and also carried unanimously.

LETTERS OF NO OBJECTION

The following requests were presented to the Board for action:

At this time, Mr. Harelson moved, seconded by Mr. Cunningham to add to two (2) letters of no objection to the Board Agenda. This motion carried unanimously. Mr. Bartley moved, seconded by Mr. Addition to add two (2) requests for letters of no objection, specifically, Motiva Enterprises, LLC in St. James Parish and Davie Shoring, Inc. in St. John the Baptist Parish. This motion carried unanimously.

Motiva Enterprises LLC (Convent Refinery) - to construct a concrete walkway with steps and a handrail proceeding from the levee toe up to the crown to minimize the potential of slips and falls for employees requiring access to the Wharf No. 1 area, Convent, Louisiana St. James Parish, levee station 3146+00. Mr. Harelson moved, seconded by Mr. Addison to grant a "NO OBJECTION" to this request as per verbal approval from the Corps of Engineers and letter dated August 15, 2008 from LA DOTD. This motion carried unanimously with President Wilson not voting on this issue.

Davie Shoring, Inc. – to move the Elmira Plantation House which is located at 938 Highway 628 in LaPlace, Louisiana, St. John the Baptist Parish and to cross the levee near levee station 4940+00 predicated on Corps of Engineers and DOTD approval. Mr. Cunningham moved, seconded by Mr. Bartley to grant a "NO OBJECTION" to this request predicated on Corps and DOTD approval. Motion carried unanimously.

Honeywell Specialty – request dated June 18, 2008 concerning permission to drive approximately 24 piles for the construction of a centralized control room, levee station 2143+65, at Geismar, Louisiana, in Ascension Parish. Mr. Delaune moved, seconded by Mr. Bartley to grant a “NO OBJECTION” to this request as per letters of no objection from the Corps of Engineers, New Orleans District dated July 23, 2008 and the Louisiana Department of Transportation and Development dated July 21, 2008. The motion carried unanimously.

Entergy Louisiana, LLC - request of July 11, 2008 concerning permission to install a power pole at 4524+25, at Darrow, Louisiana, in Ascension Parish. Mr. Bartley moved, seconded by Mr. Delaune to grant a “NO OBJECTION” to this request as per letters of no objection from the Corps of Engineers, New Orleans District dated July 24, 2008 and the Louisiana Department of Transportation and Development dated July 16, 2008. The motion carried unanimously.

Entergy Louisiana, LLC - request of July 15, 2008 concerning permission to install two (2) power poles and supporting anchors, levee station 4945+46, at LaPlace, Louisiana, in St. John the Baptist Parish. Mr. Harelson moved, seconded by Mr. Delaune to grant a “NO OBJECTION” to this request as per letters of no objection from the Corps of Engineers, New Orleans District dated June 17, 2008, and the Louisiana Department of Transportation and Development dated August 6, 2008. The motion carried unanimously.

Entergy Louisiana, LLC - request of July 15, 2008, concerning permission to install one (1) power pole, at levee station 4929+23, at LaPlace, Louisiana, in St. John the Baptist Parish. It was moved by Mr. Bartley, seconded by Mr. Delaune to grant a “NO OBJECTION” to this request as per letters of no objection from the Corps of Engineers, New Orleans District dated July 17, 2008, and the Louisiana Department of Transportation and Development dated August 5, 2008. The motion carried unanimously.

Marathon Petroleum Company, LLC - request of July 9, 2008 concerning permission to install a 20-inch pipeline between two tanks, levee station 4527+00, at Garyville, Louisiana, St. John the Baptist Parish. Mr. Cunningham moved, seconded by Mr. Delaune to grant a “NO OBJECTION” to this request as per letters of no objection from the Corps of Engineers, New Orleans District dated July 23, 2008, and the Louisiana Department of Transportation and Development dated August 6, 2008. The motion carried unanimously.

Martin Oil Company - request of July 25, 2008 through Hydrodyne Environmental, Inc. concerning permission to drill one (1) soil boring and to perform excavation work at 1402 River Road (In & Out Food Store) at Reserve, Louisiana, St. John the Baptist Parish. Mr. Cunningham moved, seconded by Mr. Addison to grant a “NO OBJECTION” to this request as per letters of no objection from the Corps of Engineers, New Orleans District dated August 6, 2008, and the Louisiana Department of Transportation and Development dated August 7, 2008. The motion carried unanimously.

South Louisiana Fill Material, LLC - request of March 18, 2008 to transfer permit #9351744 in the name of DePen Co. Inc. and expand dirt pit operation, which includes a new ramp, larger stockpile area, new road, levee station 2825+00, at Darrow, Louisiana, in Ascension Parish. Mr. Cunningham is moved, seconded by Mr. Addison to grant a “NO OBJECTION” to this request as per letters of no objection from the Corps of Engineers, New Orleans District dated August 6, 2008 and the Louisiana Department of Transportation and Development dated April 14, 2008. The motion carried unanimously.

Volkert & Associates, Inc - request of August 1, 2008 through Aquaterra Engineering concerning permission to drill five (5) soil borings on the protected side and crown levee station 192+00 and 200+00, in East Baton Rouge Parish. Mr. Addison moved, seconded by Mr. Delaune to grant a “NO OBJECTION” to this request as per letters of no objection from the Corps of Engineers, New Orleans District dated August 4, 2008, and the Louisiana Department of Transportation and Development. The motion carried unanimously.

St. Michael’s Church - request of August 12, 2008 to hold a 5K Run event on the levee from St. Michael’s Church to Manresa and back to St. Michael’s Church on Sunday, October 5, 2008 and to also place signs at the base of the levee to advertise the fair and festivities, Convent, St. James Parish. Mr. Addison moved, seconded by Mr. Harelson to grant a “NO OBJECTION” to this request as per letters of no objection and have Board President sign hold harmless agreement. The motion carried unanimously.

RIGHTS OF ENTRY

Department of the Army, Corps of Engineers, New Orleans District - Request of July 24, 2008 from Linda C. LaBure to the Pontchartrain Levee District for right-of-entry for a period of one year beginning January 1, 2009 and ending December 31, 2009 including ingress and egress, to perform surveys, stone repairs and articulated concrete mattress repair work as required on the Corps drawing dated June 5, 2006, entitled “Pontchartrain Levee District Revetment Locations, Mississippi River, Channel Improvements Project, “file number H-46072, sheet identification C-01 and C-02. Mr. Cunningham moved, seconded by Mr. Addison to approve right of entry as requested. This motion carried unanimously.

Department of the Army, Corps of Engineers, New Orleans District – request of August 7, 2008 from Linda C. LaBure to the Pontchartrain Levee District for right-of-entry for a period of 24 months beginning August 25, 2008 and ending August 24, 2010 to conduct surveys, soil borings, environmental and cultural resourced investigations, and HTRW investigations in connection with the Mississippi River, East Bank Levee, B/L station 180+00 to B/L station 208+00, East Baton Rouge Parish, Louisiana. The limits of work are indicated on the enclosed map entitled “Mississippi River, East Bank Levee, Pontchartrain Levee District, East Baton Rouge Parish, Louisiana, sheet identification number X-01, dated July 31, 2008. Mr. Cunningham moved, seconded by Mr. Bartley to grant right of entry as requested and **predicated on approval from Board Attorney after further research and landowner notification and approval.** Motion carried unanimously.

PRESIDENT’S REMARKS

President Wilson addressed the Board and briefly gave an over-view concerning the projects within the Pontchartrain Levee District and funding.

OLD BUSINESS

None.

NEW BUSINESS

None.

PUBLIC COMMENTS

None.

ADJOURNMENT

At this time, Mr. Cunningham moved, seconded by Mr. Bartley to adjourn. The motion carried unanimously and President Wilson declared the meeting adjourned at 7:03 p.m.

 /s/ Susan M. Canatella
Susan M. Canatella, Secretary

 /s/ Steve Wilson
Steve Wilson, President
Pontchartrain Levee District