

The Board of Commissioners for the Pontchartrain Levee District met at its office on Monday, August 17, 2009, pursuant to due notice given to each member in due time, form and manner as follows:

August 14, 2009

Dear Sir:

You are hereby notified that the next Regular Board Meeting of the Board of Commissioners for the Pontchartrain Levee District will be held at 6:00 p.m. on Monday, August 17, 2009 at the Lutcher Office, Lutcher, Louisiana.

Very truly yours,

Monica Salins,  
Executive Director

President Wilson called the meeting to order at 6:03 p.m. The following members were present: Messrs. LC Irvin, William Addison, Marty J. Poche, Allen J. St. Pierre, Sr. Jerry Savoy, Michael Delaune and Steve Wilson. Absent: None.

Pontchartrain Levee District employees in attendance were: Messrs. Kenny Steib – Levee Board Operations Superintendent (detailed), Norris Melancon – Levee Maintenance Superintendent (detailed) and Susan M. Sheets - Secretary to the Board. Also in attendance were: Clinton Rouyea - External Accountant, Jimmy Smith - Maintenance Consultant, and Dwight Poirrier – PLD Legal Counsel. Special guest included: A.J. Domangue and Mona Nosari from G.C.R. & Associates, Les Waguespack and Jeff Pena of Shaw Coastal, Misty Evans from DOTD, Nathan Junius of Linfield, Hunter and Junius, Charlie Raymond of Taggart, Morton and Jack Morgan of Evans Graves.

The Pledge of Allegiance was recited.

President Wilson advised that he would be voting on all matters.\*

A motion to approve the minutes of the Regular Board Meeting of July 20, 2009 was offered by Mr. Addison, seconded by Mr. Delaune and unanimously carried.

## COMMITTEE REPORTS

**Finance Committee:** Mr. Jerry Savoy reported on the Finance Meeting held on August 13, 2009. Mr. Delaune moved, seconded by Mr. Poche to approve the regular monthly invoices in the amount of \$45,984.34 as recommended by committee. The motion carried unanimously. Next, Mr. Delaune moved, seconded by Mr. St. Pierre to approve the invoice from G.C.R. & Associates in the amount of \$43,324.74 for the 100-Year Protection of the St. Charles Parish HPL portion of the LP&V project for the period of July 1, 2009 thru July 31, 2009. This motion carried unanimously. Mr. Poche moved, seconded by Mr. Delaune to approve the invoice from G.C.R. & Associates for computer technical support work in the amount of \$1,840.00 for the period of June 1, 2009 through June 30, 2009 as recommended by committee. This motion carried unanimously. Mr. Delaune moved, seconded by Mr. Irvin to approve the invoice from Board Attorney, Dwight Poirrier in the amount of

\$2,456.13 as recommended by committee. This motion carried unanimously. Mr. Addison moved, seconded by Mr. Poche to approve the invoice from the Department of Civil Service for the annual Pro-Rata Share in the amount of \$6,027.00 as recommended by committee. The motion carried unanimously. Mr. Delaune moved to approve the expenses for the External Accountant to attend the annual GFOA Workshop on October 7-9, 2009 in Baton Rouge as recommended. It was noted that PLD shares costs 50/50 with Lafourche Levee District. This motion was seconded by Mr. St. Pierre and also carried unanimously. Mr. Savoy noted that the courses and/or presentations scheduled were very informative and encouraged any members interested to attend. Lastly, Mr. Addison moved, seconded by Mr. Irvin to approve the contract overage for the External Accountant in the amount of \$465.00 as recommended by committee. This motion carried unanimously.

**Equipment Committee:** Mr. Mike Delaune reported on the Equipment Meeting held on August 13, 2009. There were no action items to report.

**Security/Safety Committee:** Mr. Mike Delaune reported on the Security Meeting held on August 13, 2009. There were no action items to report.

**Personnel Committee:** Mr. Marty Poche reported on the Personnel meeting which was held on August 13, 2009. Mr. Delaune moved, seconded by Mr. St. Pierre to approve the merit increases for employees #1482 and #158072 on their respective anniversary date as recommended by committee. This motion carried unanimously.

\*At this time, Mr. Addison moved to deviate from the agenda order and skip the staff and project reports and continue with action items. This motion was seconded by Mr. Delaune and carried unanimously. Members agreed to handle action items first due to Mr. Delaune's need to leave in order to report to work. Project reports would be given at the end the said items.

## STAFF REPORTS

Passed at this time.

## LETTERS OF NO OBJECTION

The following requests were presented to the Board for action:

**St. Michael's Church** – request of August 12, 2009 to have a 5K Walk/Run Event on the levee from St. Michael's Church to Manresa and back to St. Michael's Church on Sunday, October 4, 2009 and to also place signs at the base of the levee to advertised the fair and festivities, Convent, Louisiana, St. James Parish. Mr. Poche moved, seconded by Mr. Savoy to grant a "NO OBJECTION" to this request. The motion carried unanimously.

**Cooper T Smith** - request dated June 15, 2009 concerning permission to replace one (1) power pole on the flood side, at levee station 2520+65, at Arrow, Louisiana, Ascension Parish. Mr. Delaune moved, seconded by Mr. Irvin to grant a "NO OBJECTION" to this request as per letters of no objection from the Corps of Engineers, New Orleans District dated July 20, 2009 and the Louisiana Department of Transportation and Development dated August 10, 2009. The motion carried unanimously.

**Cheryl & Woody Mulkey** – request dated June 23, 2009 concerning permission to excavate a pond on the protected side, at levee station 3190+00, at Convent, Louisiana, St. James Parish. Mr. Poche 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 3, 2009 and the Louisiana Department of Transportation and Development dated July 16, 2009. The motion carried unanimously.

**International Matex Tank Terminals** – request dated July 10, 2009 with modifications to LONO# 09061543 requesting approval for revisions to their original plans which includes drilling two (2) soil borings, at levee station 5715+40, at St. Rose, Louisiana, in St. Charles Parish. Mr. Addison moved, seconded by Mr. Savoy to grant a “NO OBJECTION” to this request as per letters of no objection from the Corps of Engineers, New Orleans District dated July 16, 2009 and the Louisiana Department of Transportation and Development dated July 29, 2009. The motion carried unanimously.

**CGB Services at LaPlace, Inc.** – request dated July 3, 2009 concerning permission to install an office trailer, at levee station 4959+34, at Lap lace, Louisiana, in St. John the Baptist Parish. Mr. St. Pierre moved, seconded by Mr. Savoy 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, 2009 and the Louisiana Department of Transportation and Development dated July 27, 2009. The motion carried unanimously.

**City of Baton Rouge/East Baton Rouge Parish** – request dated March 9, 2009 through CSRS Program Management, to perform construction of the Brightside Lane Improvements on the protected side, at levee station 138+35 and 154.61, at Baton Rouge, Louisiana, 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 July 24, 2009 and the Louisiana Department of Transportation and Development dated March 16, 2009. The motion carried unanimously.

**Tower Engineering, Inc.** - request dated July 2, 2009 through Austere Engineering, LLC, concerning permission to drill one (1) soil boring, at levee station 5908+90.8, at St. Rose, Louisiana, in St. Charles Parish. Mr. Poche moved, seconded by Mr. St. Pierre to grant a “NO OBJECTION” to this request as per letters of no objection from the Corps of Engineers, New Orleans District dated July 22, 2009 and the Louisiana Department of Transportation and Development dated July 6, 2009. The motion carried unanimously.

**Perry Verret Investments, LLC - request** dated May 12, 2008 through Lanier & Associates Consulting Engineers, concerning permission to propose a new barge fleeting operation, at levee station 253+72 and 272+00, in East Baton Rouge Parish. Mr. Addison moved, seconded by Mr. Poche to grant a “NO OBJECTION” to this request as per letters of no objection from the Corps of Engineers, New Orleans District dated April 29, 2008 and the Louisiana Department of Transportation and Development dated May 28, 2008. The motion carried unanimously.

**Shell Pipeline Company, LP** – request dated June 29, 2009 through Delta Consultants concerning permission to drill one (1) soil boring, at levee station 687+82, 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 July 24, 2009 and the

Louisiana Department of Transportation and Development dated July 2, 2009. The motion carried unanimously.

**Merrill Home Site** – request dated July 15, 2009 through J.L. Arnold concerning permission to drill two (2) soil borings, at levee station 1040+00, in Iberville Parish. Mr. Savoy 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 22, 2009 and the Louisiana Department of Transportation and Development dated July 16, 2009. The motion carried unanimously.

**Entergy Louisiana, LLC** – request dated June 29, 2009 concerning permission to install a new power pole at 220 West 2<sup>nd</sup> Street, at levee station 4878+99, at LaPlace, Louisiana, in St. John the Baptist Parish. Mr. St. Pierre moved, seconded by Mr. Irvin 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, 2009 and the Louisiana Department of Transportation and Development dated July 15, 2009. The motion carried unanimously.

**Entergy Louisiana, LLC** – request dated June 29, 2009 concerning permission to install three (3) new power poles, anchors and conductors at 6182 Highway 44, between levee stations 3646+99 and 3649+10, at Convent, Louisiana, in St. James Parish. Mr. Poche moved, seconded by Mr. Savoy 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, 2009 and the Louisiana Department of Transportation and Development dated July 15, 2009. The motion carried unanimously.

**Entergy Louisiana, LLC** - request dated July 14, 2009 concerning permission to install three (3) new power poles at 173 Shirley Lane, at levee station 4424+25, at Grayville, Louisiana, St. John the Baptist Parish. Mr. St. Pierre 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, 2009 and the Louisiana Department of Transportation and Development dated July 14, 2009. The motion carried unanimously.

**Petrologistics Olefins, LLC** – request of April 2, 2009 through Gremminger and Associates, Inc. with revisions to LONO# 09042026 requesting approval for revisions to their original plans which includes installing the concrete slope paving over the pipeline instead of under the pipeline as originally proposed, at levee station 1637+60, in Iberville Parish. Mr. Poche 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 21, 2009 and the Louisiana Department of Transportation and Development. The motion carried unanimously.

**Motiva Enterprises, LLC** – request of May 18, 2009 concerning permission to construct a floating boathouse in the Mississippi River and construction to include driving three (3) piles approximately 75’ in length and fender system to divert debris away from dock, walkway with handrails, at levee station 5324+59, at Norco, Louisiana, in St. Charles Parish. Mr. Delaune moved, seconded by Mr. St. Pierre to grant a “NO OBJECTION” to this request as per letters of no objection from the Corps of Engineers, New Orleans District dated August 19, 2009 and the Louisiana Department of Transportation and Development dated June 9, 2009. The motion carried with President Wilson abstaining from the vote.

## RIGHTS OF ENTRY

At this time, Mr. Addison moved, seconded by Mr. Irvin to add a right of entry concerning the Cross Bayou Bridge to the agenda. This motion carried unanimously.

**Department of the Army, Corps of Engineers, New Orleans District** – request of August 14, 2009 from Linda C. LaBure to the Pontchartrain Levee District for right-of-entry for construction for a period of one (1) year or until completion of construction in connection with the **Lake Pontchartrain and Vicinity, Louisiana Project, North of Airline Highway, St. Charles Parish, Cross Bayou Access Bridge and Pile Load Test, LPV 07b.2a** as per drawings entitled “Lake Pontchartrain and Vicinity, Louisiana Project, North of Airline Highway, St. Charles Parish, Cross Bayou Access Bridge and Pile Load Test dated August 13, 2009, File Number H-4-47189, Sheet Identification NOS. G-001, R-01 and R-02, *said grant of right-of-entry predicated on PLD obtaining a driveway permit from LaDOTD for the construction of a new access bridge and receipt from USACE of the final 100% plans and specifications.* Mr. Poche moved, seconded by Mr. Delaune to grant said request as submitted. Motion carried unanimously.

**Department of the Army, Corps of Engineers, New Orleans District** – request of February 20, 2009, revised June 12, 2009, last revised June 19, 2009 from Linda C. LaBure to the Pontchartrain Levee District for right-of-entry within existing PLD right-of-way only for construction for a period of 3 years or until completion of construction in connection with the Lake Pontchartrain and Vicinity, Louisiana Project, North of Airline Highway, St. Charles Parish, Louisiana, Reach 2B From Goodhope To Cross Bayou-Phase-2, LPV 05.2B as per drawings entitled “**Lake Pontchartrain and Vicinity, Louisiana Project, North of Airline Highway, St. Charles Parish, Levee - Reach 2B From Goodhope To Cross Bayou – Phase-2, LPV 05.2B**” dated June 2, 2009, File Number H-8-46877, Sheet Identification R-01 through R-04 *predicated upon obtaining a fully executed Agreement from the property owner(s), as well as, receipt from USACE of the final 100% plans and specifications.* Mr.. Mr. Delaune moved, seconded by Mr. Addison to grant said request. The motion carried unanimously.

**Department of the Army, Corps of Engineers, New Orleans District** – request of May 6, 2009 from Linda C. LaBure to the Pontchartrain Levee District for right-of-entry for construction for a period of 3 years or until completion of construction in connection with the Lake Pontchartrain and Vicinity, Louisiana Project, North of Airline Highway, St. Charles Parish, Cross Bayou Drainage Structure- Phase-2, LPV 07b.2 as per drawings entitled “**Lake Pontchartrain and Vicinity, Louisiana Project, North of Airline Highway, St. Charles Parish, Cross Bayou Drainage Structure – Phase-2, LPV 07b.2**” dated April 30, 2009, File Number H-8-46865, Sheet Identification G-001 and C-101, *said grant of right-of-entry predicated on PLD receiving a revised ROE request and ROW maps from USACE, Real Estate Division, whereby the access/bridge is removed from the project.* Mr. Savoy moved, seconded by Mr. St. Pierre to grant request as presented. This motion carried unanimously.

**Department of the Army, Corps of Engineers, New Orleans District** – request of June 10, 2009, revised July 8, 2009, from Linda C. LaBure to the Pontchartrain Levee District for right-of-entry that falls outside of the existing PLD right-of-way, for construction of a **temporary access road (TAR) for a period of 3 years beginning August 31, 2009 through August 31, 2012** or until completion of construction in connection with the Lake Pontchartrain and Vicinity, Louisiana Project, North of Airline Highway, St. Charles Parish, Louisiana, Almedia/Walker Drainage Structures - Phase-2, LPV-07d.2, as per drawings entitled “**Lake Pontchartrain and Vicinity, Louisiana Project, North**

**of Airline Highway, St. Charles Parish, Almedia/Walker Drainage Structures - Phase-2, LPV-07d.2"** dated May 21, 2009, revised July 1, 2009, File Number H-8-46753, Sheet Identification G-001, C-101 and C-102, *predicated upon obtaining a fully executed Easement Agreement from the property owners.* Mr. Delaune moved, seconded by Mr. Poche to grant request as presented. Motion carried unanimously.

**Department of the Army, Corps of Engineers, New Orleans District** – request of July 28, 2009 from Linda C. LaBure to the Pontchartrain Levee District for right-of-entry to conduct surveys, soil and borrow borings, environmental and cultural resource investigations, HTRW investigations, and install piezometers for a period of 2 years in connection with the Mississippi River Levees, New River Bend Seepage Repair, Station 2220+00 to Station 2290+00, Ascension Parish, Louisiana project as per drawings **entitled “Mississippi River, Louisiana East Bank Levee, Pontchartrain Levee District STA. 2220+00 to STA. 2290+00, New River Bend Seepage Repair”** dated July 28, 2009, Sheet reference numbers 1 and 2, *said grant of right-of-entry predicated on PLD sending certified notification letters to affected landowners 15 days prior to granting right of entry pursuant to La. R.S. 38:301(D).* Mr. St. Pierre moved, seconded by Mr. Irvin to grant request as presented. This motion carried unanimously.

### **PRESIDENT’S REMARKS**

President Wilson discussed the annual Mississippi River Valley Flood Control Association Breakfast Meeting scheduled for September 16, 2009 in Washington, D.C. Following brief discussion, Mr. Delaune moved, seconded by Mr. Savoy to approve expenses associated with said meetings as necessary. This motion carried unanimously.

### **OLD BUSINESS**

Under old business, Executive Session was scheduled to discuss land owner legal matters. This matter was passed at this time.

### **NEW BUSINESS**

Under new business, President Wilson presented a resolution specific to the 100 year protection project.

On the motion of Mr. Addison, seconded by Mr. Delaune, the following resolution was adopted:

A Resolution authorizing Steven C. Wilson to sign any and all documents, agreements, permits, rights-of-entry and any other instruments on behalf of the Pontchartrain Levee District in furtherance of the delivery of lands, easements, rights-of-way, relocations and disposal area improvements “LERRD’s” in connection with the Lake Pontchartrain and Vicinity (LPV), Louisiana Project, St. Charles Parish.

**WHEREAS**, on September 22, 2008, the Coastal Protection Restoration Authority of Louisiana, (non-federal sponsor) executed a Project Partnering Agreement with the Department of the

Army (federal sponsor) for the construction of the Lake Pontchartrain and Vicinity (LPV), Louisiana Project “Project”.

**WHEREAS**, the non-federal sponsor and other non-federal interests may provide lands, easements, rights-of-way, relocations and disposal area improvements “LERRD’s” required for construction of the Project.

**WHEREAS**, the Pontchartrain Levee District is assisting the non-federal sponsor in the delivery of “LERRD’s” for the St. Charles Parish portion of the Project.

**NOW THEREFORE BE IT RESOLVED**, by the Board of Commissioners for the Pontchartrain Levee District, in regular session assembled, that Steven C. Wilson be and is hereby authorized to sign any and all documents, agreements, permits, rights-of-entry and any other instruments on behalf of the Pontchartrain Levee District in furtherance of the delivery of lands, easements, rights-of-way, relocations and disposal area improvements “LERRD’s” in connection with the Lake Pontchartrain and Vicinity (LPV), Louisiana Project, St. Charles Parish.

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS:	Wilson, St. Pierre, Poche, Savoy, DeLaune, Addison, Irvin
NAYS:	None
ABSENT:	None

Motion carried unanimously.

## **PUBLIC COMMENTS**

There were no public comments. At this time the Board went back to the staff reports and project report updates concerning the Amite River & Tributaries Bayou Manchac and Ecosystem, West Shore, St. Charles Urban, St. Charles Hurricane Protection Levee, Laurel Ridge Levee/Bayou Conway-Panama Canal, Duncan Point Seepage and the Mississippi River Bike Trail. \*At 7:00 p.m., Mr. Delaune left said meeting. Following project updates, the Board of Commissioners took up the last agenda item, namely Executive Session to discuss legal matters. Mr. Addison moved to go into Executive Session for approximately one (1) hour to discuss legal matters concerning landowners. This motion was seconded by Mr. Savoy and carried unanimously. Executive Session began at 7:03 p.m. At 8:16 p.m. Mr. Addison moved, seconded by Mr. St. Pierre to return to regular session. Motion carried unanimously. President Wilson stated for the record that during Executive Session, members discussed land owner legal issues relative to the Hurricane Protection Project. At this time, Mr. Addison moved, seconded by Mr. Savoy to have Board Attorney complete negotiations with landowners in connection with construction of the Lake Pontchartrain and Vicinity, Louisiana Project. The motion carried unanimously.

## **ADJOURNMENT**

At this time, Mr. Savoy moved, seconded by Mr. Poche to adjourn. The motion carried unanimously and President Wilson declared the meeting adjourned at 8:19 p.m.

/s/ Susan M. Sheets  
**Susan M. Sheets, Secretary**

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