

The Board of Commissioners for the Pontchartrain Levee District met at its office on Monday, August 16, 2010, pursuant to due notice given to each member in due time, form and manner as follows:

August 13, 2010

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 16, 2010 at the Lucher Office, Lucher, Louisiana.

Very truly yours,

Monica Salins,  
Executive Director

President Steve Wilson called the meeting to order at 6:10 p.m. The following members were present: Messrs. Marty Poche, L.C. Irvin, Mike Delaune, Allen St. Pierre and Steve Wilson. Absent was Jerry Savoy.

Pontchartrain Levee District employees in attendance were: Messrs. Kelly Poche, Acting Secretary. Also in attendance were: Clinton Rouyea - External Accountant, Joe Sevario - Executive Assistant to the Board, Dwight Poirrier - PLD Legal Counsel and James Smith - Maintenance Consultant. Special guest included: A.J. Domangue of G.C.R. & Associates; Les Waguespack of Shaw; Nathan Junius of Linfield, Hunter & Junius; Jake Lambert of G.S.A. & Associates; Jack Morgan of Evans Graves Engineers; Keegan Roberts of Moffatt & Nichol; Lance LaPlace of LaPlace Consulting Services; Billy Wall of OCPR, Henry Picard of Burk Kleinpeter Inc. and Eric Poche of SJB Group.

The Pledge of Allegiance was recited.

A motion to approve the minutes of the Regular Board Meeting of July 19, 2010, was offered by Mr. St. Pierre, seconded by Mr. DeLaune and unanimously carried. President Wilson noted for the record that all matters before the Board would require a unanimous vote due to only five (5) members present. President Wilson stated that Mr. Tony Cunningham was reappointed to the board and would resume his duties at the September committee meeting.

Mr. DeLaune moved, seconded by Mr. Irvin to deviate from the agenda and add an item to the agenda. The motion carried unanimously.

Mr. Irvin moved, seconded by Mr. St. Pierre to go into Executive Session for approximately 15 minutes to discuss potential litigation. The motion carried unanimously. The Board went into Executive Session at 6:15 p.m. and returned from Executive Session at 6:25 p.m. Mr. DeLaune moved, seconded by Mr. Poche to reconvene to the regular agenda. The motion carried unanimously. Litigation was discussed during this executive session.

The following two (2) motions came from the Executive Session:

Mr. DeLaune moved, seconded by Mr. Poche to instruct and approve GCR & Associates, Inc. to proceed with a counter offer and administrative settlement for an amount not to exceed the Corps approved administrative settlement and in-kind credit regarding compensation for Tract 200E, 3 year temporary access road easement, relative to 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. The motion carried unanimously.

Mr. St. Pierre moved, seconded by Mr. Irvin to instruct and approve Board Attorney, Dwight Poirrier, to proceed with the process necessary for expropriation, regarding Tract 200E, 3 year temporary access road easement, relative to 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 should a compensation amount not be negotiated within the one (1) year expiration period. The motion carried unanimously.

## COMMITTEE REPORTS

**Security/Safety Committee:** Mr. DeLaune reported on the security meeting held on August 10, 2010. There were no action items to report.

**Equipment Committee:** Mr. DeLaune reported on the meeting held on August 10, 2010. There were no action items to report.

**Finance Committee:** Mr. St. Pierre reported on the Finance meeting held on August 12, 2010. Mr. Poche moved, seconded by Mr. DeLaune to approve the regular monthly invoices in the amount of \$61,743.68 as recommended by committee. The motion carried unanimously. Mr. Irvin then moved, seconded by Mr. Poche to approve the invoice from G.C.R. and Associates for the St. Charles Parish Hurricane Protection 100 year protection in the amount of \$48,490.52 as recommended by committee. This motion carried unanimously. Mr. Poche moved, seconded by Mr. DeLaune to approve the invoice from Department of State Civil Service for the annual dues in the amount of \$5,294.00 as recommended by committee. The motion carried unanimously. A motion was offered by Mr. Irvin and seconded by Mr. DeLaune that a request by the Legislative Auditor to complete the Louisiana Compliance Questionnaire for Audit Engagement of Governmental Entities by the governing body is hereby completed and adopted by the Board of Commissioners of the Pontchartrain Levee District. The motion carried unanimously. Mr. Poche moved, seconded by Mr. DeLaune to approve the expenses for the annual Association of Levee Boards of Louisiana and the Mississippi Valley Flood Control Association on December 1 - 4, 2010 in New Orleans, Louisiana as recommended by committee. The motion carried unanimously. Mr. DeLaune moved, seconded by Mr. Poche to approve the expenses for the annual Mississippi Valley Flood Control Association Fall Breakfast on September 14 - 16, 2010 as recommended by committee. The motion carried unanimously. Lastly, Mr. Irvin moved, seconded by Mr. DeLaune to approve the expenses for the annual GFOA Fall Conference on October 6-8, 2010 as recommended by committee. Mr. DeLaune noted that ½ the expenses are paid for the External Accountant's attendance. The motion carried unanimously.

**Personnel Committee:** Mr. Poche reported on the Personnel meeting which was held on August 12, 2010. Mr. St. Pierre moved, seconded by Mr. DeLaune to approve the merit increases for

September for the following employees Nos. 1482 and 158072, on their respective anniversary dates as recommended by the committee. This motion carried unanimously. Mr. Wilson stated that the employee performances were being approved but merit increases were not being given due to the merit freeze.

## **STAFF REPORTS**

Updated reports were given for each of the following projects by the respective engineer and/or representative:

- a) Amite River & Tributaries Bayou Manchac & Ecosystem
- b) West Shore-Lake Pontchartrain Hurricane Protection Project
- c) St. Charles Urban/Cross Bayou Pump Station
- d) Laurel Ridge Levee/Bayou Conway –Panama Canal
- e) Mississippi River Levee Multi-Use Trail
- f) St. Charles Hurricane Protection Levee
- g) LaBranche Shoreline Restoration Project

## **LETTERS OF NO OBJECTION**

The following requests were presented to the Board for action:

**United Way of St. Charles Battle for the Paddle** – request of July 15, 2010 concerning permission to allow cars to be parked on the levee in front of the East Bank Bridge Park on Thursday, October 7, 2010 in St. Charles Parish. Mr. DeLaune moved, seconded by Mr. Poche to grant a “Letter of No Objection” to this request. The motion carried unanimously.

**St. Michael’s Church** – request of August 12, 2010 concerning permission to have a 5K Walk/Run on the levee on October 3, 2010 and also for the placement of signs at the base of the levee to advertise the festivities, in Convent, Louisiana, in St. James Parish. Mr. Poche moved, seconded by Mr. Irvin to grant a “Letter of No Objection” to this request. The motion carried unanimously.

**Entergy Louisiana, LLC** – request of July 26, 2010 concerning permission to install one (1) power pole at 472 West Second Street, when the river is below elevation +11.0 feet on the Carrollton Gage, levee station 4878+00, at LaPlace, Louisiana, in St. John the Baptist Parish. Mr. St. Pierre moved, seconded by Mr. DeLaune to grant a “Letter of No Objection” to this request, per the requirements and prohibitions set forth in the Letters of No Objection of USACE dated July 29, 2010 and OCPR dated July 28, 2010 and reaffirmed by PLD. The motion carried unanimously.

**AT&T** – request of February 11, 2010 and revised June 28, 2010 through Byers Engineering, concerning permission to directional bore 1,069 linear feet and place 4-inch flex pipe and fiber cable on River Road when the river is below elevation +11.0 feet on the Carrollton Gage, levee station 5288+79, at Norco, Louisiana, in St. Charles Parish. Mr. Irvin moved, seconded by Mr. Poche to grant a “Letter of No Objection” to this request, per the requirements and prohibitions set forth in the Letters of Objection of USACE dated July 29, 2010 and OCPR dated February 23, 2010 and reaffirmed by PLD. The motion carried unanimously.

**Valero Refining-New Orleans, LLC** – request of July 14, 2010 through Conestoga Rovers concerning permission to install soil borings/temporary groundwater monitoring wells and monitoring wells when the river is below elevation +11.0 feet on the Carrollton Gage, between levee station 4348+00 and 5406+00. at Norco, Louisiana, in St. Charles Parish. Mr. St. Pierre moved, seconded by Mr. Irvin to grant a “Letter of No Objection” to this request, per the requirements and prohibitions set forth in the Letters of No Objection of USACE dated July 16, 2010 and OCPR dated July 22, 2010 and reaffirmed by PLD. The motion carried unanimously.

**TOTAL Petrochemicals** – request of April 23, 2010 and revised July 6, 2010 through Richard Wright & Associates, Inc. and Deep South Crane & Rigging Company concerning permission to transport equipment over an existing ramp when the river is between elevation +5.5 feet and +11.0 feet on the Carrollton Gage, levee station 2238+81, at Geismar, Louisiana, in Ascension Parish. Mr. DeLaune moved, seconded by Mr. Irvin to grant a “Letter of No Objection” to this request, per the requirements and prohibitions set forth in the Letters of No Objection of USACE dated July 16, 2010 and OCPR dated May 17, 2010 and reaffirmed by PLD. The motion carried unanimously.

**City of St. Gabriel** – request of May 24, 2010 through J&J Engineers, Inc. concerning permission to install a sidewalk along LA Highway 75, install 5,200 feet of drainage and to construct two (2) bridges across Bayou Braud when the river is below elevation +11.0 feet on the Carrollton Gage, levee station 2009+90, at Carville, Louisiana, in Iberville Parish. Mr. Irvin moved, seconded by Mr. DeLaune to grant a “Letter of No Objection” to this request, per the requirements and prohibitions set forth in the Letters of No Objection of USACE dated July 29, 2010 and OCPR dated August 11, 2010 and reaffirmed by PLD. The motion carried unanimously.

**St. John the Baptist Parish Government** – request of June 25, 2010 through N-Y Associates, Inc. concerning permission to drill two (2) soil borings, when the river is below elevation +11.0 feet on the Carrollton Gage, between levee stations 4867+00 and 4880+00, at LaPlace, Louisiana, in St. John the Baptist Parish. Mr. St. Pierre moved, seconded by Mr. DeLaune to grant a “Letter of No Objection” to this request, per the requirements and prohibitions set forth in the Letters of No Objection of USACE dated June 23, 2010 and OCPR dated August 10, 2010 and reaffirmed by PLD. The motion carried unanimously.

**AT&T** – request of July 23, 2010 through Byers Engineering, concerning permission to bury 40 feet of fiber cable and install an aerial fiber cable, when the river is below elevation +11.0 feet on the Carrollton Gage, between levee stations 4957+00 and 4960+00, at LaPlace, Louisiana, in St. John the Baptist Parish. Mr. St. Pierre moved, seconded by Mr. Poche to grant a “Letter of No Objection” to this request, per the requirements and prohibitions set forth in the Letters of No Objection of USACE dated August 4, 2010 and OCPR dated August 3, 2010 and reaffirmed by PLD. The motion carried unanimously.

**Entergy** – request of August 3, 2010 concerning permission to replace one (1) power pole at the corner of East 3<sup>rd</sup> Street and Highway 44, when the river is below elevation +11.0 feet on the Carrollton Gage, levee station 4688+50, at Reserve, Louisiana, in St. John the Baptist Parish. Mr. St. Pierre moved, seconded by Mr. DeLaune to grant a “Letter of No Objection” to this request, per the requirements and prohibitions set forth in the Letters of No Objection of USACE dated August 11, 2010 and OCPR dated August 5, 2010 and reaffirmed by PLD. The motion carried unanimously.

**Entergy** – request of August 10, 2010 concerning permission to replace one (1) power pole at San Francisco Plantation, when the river is below elevation +11.0 feet on the Carrollton Gage, levee

station 4510+00, at Garyville, Louisiana, in St. John the Baptist Parish . Mr. St. Pierre moved, seconded by Mr. Irvin to grant a “Letter of No Objection” to this request, per requirements and prohibitions set forth in the Letters of No Objection of USACE dated August 11, 2010 and OCPR dated August 12, 2010 and reaffirmed by PLD. The motion carried unanimously.

**Valero Refining – New Orleans, LLC** – request of September 8, 2009 through Kyle Associates, LLC, and Mammoet USA concerning permission to transport equipment, when the river is below elevation +11.0 feet on the Carrollton Gage, levee station 5180+00, at Montz, Louisiana, in St. Charles Parish. Mr. DeLaune moved, seconded by Mr. Poche to grant a “Letter of No Objection: to this request, per requirements and prohibitions set forth in the Letters of No Objection of USACE dated July 6, 2010 and OCPR dated August 11, 2010 and reaffirmed by PLD. The motion carried unanimously.

### **RIGHTS OF ENTRY**

None.

### **PRESIDENT’S REMARKS**

President Wilson asked that an item be added to agenda. Mr. Irvin moved, seconded by Mr. Poche to add an item to the agenda. The motion carried unanimously. Mr. Irvin moved, seconded by Mr. Poche to move the September committee and board meetings back one (1) week to September 21<sup>st</sup> and September 23<sup>rd</sup>, 2010, and the board meeting on September 27, 2010. The motion carried unanimously.

### **OLD BUSINESS**

None.

### **NEW BUSINESS**

None.

### **PUBLIC COMMENTS**

President Wilson called on Clinton Rouyea to comment on the recent audit. Mr. Rouyea stated that all went well with the audit. Mr. Wilson commended Mr. Rouyea and the staff on a job well done.

### **ADJOURNMENT**

At this time, Mr. Poche moved, seconded by Mr. Irvin to adjourn. The motion carried unanimously and President Wilson declared the meeting adjourned at 7:00 p.m.

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**Kelly S. Poche, Acting Secretary**

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**Steve C. Wilson, President  
Pontchartrain Levee District**