

The Board of Commissioners for the Pontchartrain Levee District met at its office on Monday, December 15, 2008, pursuant to due notice given to each member in due time, form and manner as follows:

December 12, 2008

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, December 15, 2008 at the Lutcher Office, 2204 Albert Street, Lutcher, Louisiana.

Very truly yours,
Monica Salins,
Executive Director

President Wilson called the meeting to order at 6:14 p.m. The following members were present: Messrs. Jesse Bartley, Steve Wilson, Bill Addison, Tony Cunningham, Jerry Savoy, Mike Delaune, Webb Harelson and Marty Poche. Absent: None.

Pontchartrain Levee District employees in attendance were: Messrs. Monica Salins - Executive Director, Dwight Poirrier - PLD Board Attorney, Kenny Steib, Sr.- (detailed) Levee Board Operations Superintendent, Norris Melancon- (detailed) Levee Maintenance Superintendent, Bart LeBlanc – (detailed) Shop Superintendent and Susan M. Canatella- Secretary to the Board. Also in attendance were: Joe Sevario - Executive Assistant to the Board, Clinton Rouyea – PLD External Accountant and Jimmy Smith – PLD Maintenance Consultant. Special guests included: LeVerne Brown, Mona Nosari of G.C.R. & Associates, Jesse McClendon and Misty Evans of the Louisiana Department of Transportation and Development, Les Waguespack and O’Neil Malbrough of Shaw Coastal, Nathan Junius of Linfield, Hunter & Junius, St. James Parish President Dale Hymel, John Graves and Ashlyn Graves of Evans-Graves Engineering, Nathan Poche, Jake Lambert of G.S.A. & Associates, Jerry Thibeau, Henry Picard, III of Burk-Kleinpeter, Inc., and Charlie Raymond of Taggart, Morton & Associates.

The Pledge of Allegiance was recited.

A motion to approve the minutes of the Regular Board Meeting of November 17, 2008 was offered by Mr. Cunningham, seconded by Mr. Delaune and unanimously carried.

COMMITTEE REPORTS

Insurance Committee: Mr. Jesse Bartley reported on the Finance meeting held on December 9, 2008. Mr. Bartley moved to approve and accept the recommendation of the PLD Insurance committee as presented, with the exception of the Excessive Crime coverage in which PLD Board of Commissioners chooses option #2 which is an additional cost of \$595.00, for a total 2009 insurance premium cost of \$344,108.14. This motion was seconded by Mr. Addison and carried unanimously. Mr. Harelson then moved, seconded by Mr. Savoy to approve to renew the Workers’ Compensation coverage of 2009 with Robert Insurance Agency and a total premium of \$96,311.00 as recommended by committee. Motion carried unanimously.

Finance Committee: Mr. Bartley reported on the meeting held on December 9, 2008. Mr. Delaune moved, seconded by Mr. Poche to approve regular monthly invoices in the amount of \$28,023.72 as recommended by committee. The motion carried unanimously. Mr. Cunningham moved, seconded by Mr. Addison to approve payment in the amount of \$4,925.26 to G.C.R. & Associates for Reach 1B for the period of November 1, 2008 through November 30, 2008 as recommended by committee. The motion carried unanimously. Next, Mr. Savoy moved to approve the invoice from the Louisiana Emergency Preparedness Association (LEPA) for the 2009 annual membership dues in the amount of \$300.00 as recommended by committee. This motion was seconded by Mr. Harelson and carried unanimously. Mr. Poche moved, seconded by Mr. Delaune to approve the contractual overage payment of the PLD Board Attorney in the amount of \$550.00 as recommended by committee. This motion carried unanimously. Mr. Bartley moved, seconded by Mr. Cunningham to approve the invoice from the Association of Levee Boards of Louisiana (ALBL) in the amount of \$2,000.00 for the 2009 Annual Membership Dues as recommended by committee. This motion carried unanimously. Lastly, Mr. Poche moved to approve to allow the Executive Director to withdraw the necessary funds from the General Fund Investment account and transfer same into the PLD Operating Fund to pay the necessary insurance premiums for the 2009 insurance coverages as recommended by committee. This motion was seconded by Mr. Cunningham and carried unanimously.

Equipment Committee: Mr. Webb Harelson reported on the meeting held on December 9, 2008. There were no action items to report.

Security/Safety Committee: Mr. Tony Cunningham reported on the security meeting held on December 11, 2008. There were no action items to report. At this time, Mr. Delaune moved to add an item to the agenda regarding language within the "Vehicles" section of the present PLD Police Standard Operating Procedure (PLD SOP) Manual, specific to the usage of PLD Police units assigned to PLD Officers residing outside of the jurisdiction boundaries of the PLD. This motion to add this item to the agenda was seconded by Mr. Addison and carried unanimously. At this time, President Wilson addressed the Board and read the current "Vehicles" section within the PLD SOP manual and stated that it was legal for the PLD to allow the PLD Police Department officers to drive their assigned units/vehicles to their residences, even those living outside of PLD jurisdiction, if the Board so chooses. President Wilson further stated that there are currently two (2) PLD Officers living only approximately five (5) miles outside of the PLD jurisdictional area, and as Police commissioned officers their assigned units/vehicles are vital to their ability to timely, properly respond to official PLD police business. Discussion was had relative to logging said mileage and procedures. Following brief discussion, Mr. Delaune moved, seconded by Mr. Poche to allow said officers to use PLD assigned units for travel to and from their residences for work. This motion carried unanimously.

Personnel Committee: Mr. Jesse Bartley reported on the personnel meeting held on December 11, 2008. Mr. Harelson moved, seconded by Mr. Delaune to approve the merit increases for January 2009 for eligible employees #147175, #199687, 147123, #199798, #122896 and #188456. This motion carried unanimously. Mr. Poche moved to approve the Professional Services Contract with GCR & Associates, Inc. contingent upon Board Attorney approval and to authorize the Board President to execute said contract as recommended by committee. Thos motion was seconded by Mr. Delaune and also carried unanimously.

STAFF REPORTS

Ms. Mona Nosari then gave the report relative to the Hurricane and Flood Control Projects.

LETTERS OF NO OBJECTION

The following requests were presented to the Board for action:

At this time, President Wilson advised members that a request from Aquaterra on behalf of Entergy needed to be added to the agenda. Mr. Bartley moved, seconded by Mr. Cunningham to add this request to the agenda. The motion carried unanimously. Request of November 25, 2008 from Entergy Louisiana through Aquaterra Engineering, LLC to drill ten (10) soil borings and install five piezometers between levee stations 5126+60 and 5140+30, at Montz, Louisiana, in St. Charles Parish. Mr. Cunningham 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 December 15, 2008 and the Louisiana Department of Transportation and Development “verbal” dated December 15, 2008. The motion carried unanimously.

Valero St. Charles Refinery – request of November 13, 2008 thru Wink Companies, LLC concerning permission to probe and excavate, near levee 5348+80, at Norco, Louisiana in St. Charles Parish. Mr. Cunningham 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 November 19, 2008 and the Louisiana Department of Transportation and Development “verbal” dated December 10, 2008. The motion carried unanimously.

Acadian Gas Pipeline – request of October 30, 2008 thru Morris P. Hebert, Inc. concerning permission to drill five (5) boreholes for the installation of cathodic protection anodes, levee station 3036+50, in Ascension 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 December 8, 2008 and the Louisiana Department of Transportation and Development “verbal” dated December 10, 2008. The motion carried unanimously.

Syngenta Crop Protection, Inc. – request of November 17, 2008 thru Eagle Environmental Inc., concerning permission to plug and abandon ten groundwater monitoring wells, levee station 1510+50 in Iberville Parish, Louisiana. Mr. Harelson 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 November 21, 2008 and the Louisiana Department of Transportation and Development “verbal” dated December 10, 2008. The motion carried unanimously.

Motiva Enterprises, LLC – request of October 27, 2008 thru CDI Engineering Solutions, concerning permission to install anew sign with lighting, levee station 3079+50, at Convent, Louisiana, St. James Parish. Mr. Harelson 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 November 19, 2008 and the Louisiana Department of Transportation and Development “verbal” dated December 10, 2008. The motion carried unanimously.

Motiva Enterprises, LLC – request of October 27, 2008 thru CDI Engineering Solutions, concerning permission to install six new fire hydrants and six new 8” water lines to hydrants, levee station 3076+39.20, at Convent, Louisiana, St. James Parish. Mr. Poche moved, seconded by Mr. Cunningham to grant a “NO OBJECTION” to this request as per letters of no objection from the Corps of Engineers, New Orleans District dated November 20, 2008 and the Louisiana Department of Transportation and Development “verbal” dated December 10, 2008. The motion carried unanimously.

Mammoet USA (Valero-St. Charles Refinery) – request of November 17, 2008, thru Kyle Associates, LLC concerning permission to drill seven (7) soil borings, four (4) in the vicinity of levee station 5171+77.60 and three in vicinity of levee station 5266+78.60, in St. Charles Parish. Mr. Cunningham 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 November 20, 2008 and the Louisiana Department of Transportation and Development dated December 10, 2008. The motion carried unanimously.

Hollis O’Neal – request of November 25, 2008, concerning permission to install a water well, levee station 380+70, East Baton Rouge Parish, Louisiana. 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 December 2, 2008 and the Louisiana Department of Transportation and Development “verbal” dated December 10, 2008. The motion carried unanimously.

New Orleans Track Club – request of December 4, 2008 concerning permission for a run and 10K race on top of the levee for the 30th Annual Louisiana 30K State Championship Run and 10K on January 4, 2008, St. Charles Parish. Mr. Cunningham moved, seconded by Mr. Savoy to grant a “NO OBJECTION” to this request. This motion carried unanimously.

RIGHTS OF ENTRY

Department of the Army, Corps of Engineers – right of entry request from the Corps of Engineers dated November 22, 2008. A motion was offered by Mr. Bartley and seconded by Mr. Addison that the request dated November 22, 2008 to Steven C. Wilson, President, Board of Commissioners of the Pontchartrain Levee District, to grant the Department of the Army, Corps of Engineers, New Orleans District, a right of entry, along with ingress and egress, for parking at the various job sites within our jurisdiction. The work is scheduled to take place from January 1, 2009 through December 31, 2009; be and is hereby granted. The motion carried unanimously.

PRESIDENT’S REMARKS

President Wilson addressed the Board relative to a resolution of gratitude for Levee Operations Superintendent, Allen Louviere. Mr. Louviere retired from PLD with 50+ years of dedicated service and commitment. President Wilson read the resolution into the record. The following resolution was offered by Mr. Webb Harelson and seconded by Mr. Jesse Bartley:

WHEREAS, Mr. Allen Louviere of St. James Parish, contributed 52 years of dedicated service as an employee for the Pontchartrain Levee District from October 1, 1956 to October 31, 2008; and

WHEREAS, Mr. Louviere served diligently and with distinction; and

WHEREAS, the Board of Commissioners from the Pontchartrain Levee District benefited greatly from the services and contributions of Mr. Louviere;

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners for the Pontchartrain Levee District expresses its grateful appreciation to Mr. Louviere for the services he has rendered;

BE IT FURTHER RESOLVED that this resolution be spread upon the permanent records of this Board and that Mr. Louviere shall receive a copy of this resolution.

And the resolution was declared adopted.

OLD BUSINESS

At this time, the Executive Director, Ms. Salins, gave an update relative to the recent acts of the legislature. Brief discussion was had.

NEW BUSINESS

Mr. Delaune addressed the Board and asked to add an item to the agenda regarding reconsideration for allowing sub-leasing relative to hunting leases. Mr. Delaune moved to add this item to the agenda for discussion. The motion to add was seconded by Mr. Addison and carried unanimously. President Wilson addressed the Board regarding a hunting lease in St. Charles Parish between the LaBranche Hunting Club and St. Rose Hunting Club. This matter had been brought up previously by the Board and PLD did not allow sub-leasing on any hunting leases within the district. Discussion was had. Following discussion, Mr. Harelson moved to allow sub-leasing hunting leases predicated on Board Attorney approval and all necessary insurance provided to PLD. This motion was seconded by Mr. Delaune and also carried unanimously.

PUBLIC COMMENTS

None.

ADJOURNMENT

At this time, Mr. Harelson moved, seconded by Mr. Bartley to adjourn. The motion carried unanimously and President Wilson declared the meeting adjourned at 6:58 p.m.

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

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