

The Board of Commissioners for the Pontchartrain Levee District met at its office on Monday, February 16, 2009, pursuant to due notice given to each member in due time, form and manner as follows:

February 13, 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, February 16, 2009 at the Lutchter Office, 2204 Albert Street, Lutchter, Louisiana.

Very truly yours,  
Monica Salins,  
Executive Director

Vice-President Webb Harelson called the meeting to order at 6:04 p.m. The following members were present: Messrs. Jesse Bartley, Tony Cunningham\*, Mike Delaune, Bill Addison, Marty Poche, Allen St. Pierre and Webb Harelson. Absent were President Steve Wilson and Jerry Savoy. (\*Absent for roll call.)

Pontchartrain Levee District employees in attendance were: Messrs. Monica Salins - Executive Director, Dwight Poirrier - PLD Attorney, Kenny Steib – Levee Operations Superintendent (Detailed) Norris Melancon – Levee Operations Superintendent (Detailed) and Susan M. Sheets - Secretary to the Board. Also in attendance were: Joe Sevario – Executive Assistant to the Board, Clinton Rouyea – External Accountant and Jimmy Smith - Maintenance Consultant. Special guests included: Les Waguespack and Hamid Alizahad of Shaw Coastal, Henry Picard of Burk-Kleinpeter, Misty Evans of LA DOTD, Bert Gamble of Rio Bravo, Jay LeBlanc, Robert Hoover of COPR, Ronnie Brown of SMH Capital, Jake Lambert of GSA, Charlie Raymond and David Roger of Taggard Morton and Nathan Junius of Linfield Hunter & Junius.

The Pledge of Allegiance was recited.

A motion to approve the minutes of the Regular Board Meeting of January 20, 2009 was offered by Jesse Bartley, seconded by Marty Poche and unanimously carried.

At this time, Mr. Bartley moved to go into Executive Session for approximately one (1) hour to discuss legal matters. This motion was seconded by Mr. St. Pierre seconded this motion and it carried unanimously. Executive Session began at approximately 6:08 p.m. \*Mr. Cunningham arrived at 6:10 p.m. and took his seat. At 7:00 p.m., Bartley moved, seconded by Mr. Poche to return to regular session. Motion carried unanimously. During Executive Session, legal matters were discussed but no action was taken at this time. Mr. Bartley moved to add an item to the agenda regarding an update and status report regarding investments. This motion to add this discussion was seconded by Mr. Addison and carried unanimously. Mr. Bartley then called on Mr. Brown who provided members with a copy of the investment reports. Discussion was had relative to options and strategies. Mr. Brown updated members as to the most recent portfolios as well as discussion concerning the market. Discussion continued. Members thanked Mr. Brown for the update.

## COMMITTEE REPORTS

**Finance Committee:** Mr. Jesse Bartley reported on the Finance meeting held on February 10, 2009. Mr. Poche moved, seconded by Mr. Delaune to approve regular monthly invoices in the amount of \$21,618.53 as recommended by committee. The motion carried unanimously. Mr. Bartley moved, seconded by Mr. Delaune to approve payment in the amount of \$3,753.09 to G.C.R. & Associates for FEMA Claims Work as recommended by committee. The motion carried unanimously. Mr. St. Pierre then moved, seconded by Mr. Poche to approve the new By-Laws as amended and recommended by committee. This motion carried unanimously. Next, Mr. Delaune moved, seconded by Mr. Poche to approve the expenses associated with the National Hurricane Conference to be held on April 6 – 10, 2009 in Austin, Texas. This motion carried unanimously. Next, Mr. Bartley moved, seconded by Mr. Poche to approve the expenses associated with the Annual Association of Levee Boards of Louisiana Workshop to be held May 7-8, 2009 in Baton Rouge. This motion carried unanimously. Mr. Bartley moved, seconded by Mr. Addison to approve the expenses regarding the Mississippi River Freshwater Diversion Summit to be held on March 3-5, 2009 in New Orleans, Louisiana as recommended by committee. This motion also carried unanimously. Lastly, Mr. St. Pierre moved to amend the Board Attorney's contract concerning approval of payment on a monthly basis and invoice shall be approved by the Board of Commissioners along with the regular monthly invoices as recommended by committee. This motion was seconded by Mr. Addison and also carried unanimously.

**Equipment Committee:** Mr. Addison reported on the meeting held on February 10, 2009. Mr. Addison moved to approve the lowest quote meeting specifications, Michel's Electric regarding new lighting for the PLD Headquarters in the amount of \$5,880.00. This motion was seconded by Mr. Bartley and carried unanimously. Mr. Addison moved, seconded by Mr. Delaune to approve to install the Kirshner Blades for two (2) PLD Dozers at a total cost of \$3,667.00 as recommended by committee. This motion carried unanimously.

**Security/Safety Committee:** Mr. Mike Delaune reported on the security meeting held on February 12, 2009. Mr. Poche moved to approve the purchase of seven (7) Glock 22 .40 Caliber handguns, including holsters, ammunition and web gear for the PLD Police Department at a cost estimate of approximately \$7,000.00. This motion was seconded by Mr. Addison and carried unanimously. Mr. Delaune then moved, seconded by Mr. St. Pierre to approve the renovations/improvements for a separate office for the PLD Police Captain to the rear of the EOC area, cost estimated to be approximately \$3,000.00. The motion carried unanimously. Next, Mr. Bartley moved to approve the purchase of new PLD Police Officer uniforms at a cost of approximately \$5,800.00. This motion was seconded by Mr. Addison and also carried unanimously. Mr. Bartley moved to approve the purchase of mobile and portable radios for the emergency response personnel to include seven (7) Motorola XTL 2500, 700/800 MHz mobile radios at an estimated cost of \$3,500.00 each and fifteen (15) Motorola XTS 2500 700/800 MHz portable radios at a cost of \$2,396.00 each, to include programming and installation fees associated with all of these radios, for a total cost estimated to be approximately \$62,500.00 as recommended by committee. This motion was seconded by Mr. Delaune and also carried unanimously. At this time, Mr. Delaune moved to add an item to the agenda for discussion concerning a replacement PLD police unit. This motion to add was seconded by Mr. Poche and carried unanimously. Discussion was had relative to replacing PLD Police Truck #12 which had over 150,000 miles. Following brief discussion, Mr. Delaune moved, seconded by Mr. Poche to purchase the truck in the amount of \$25,600 which was in the 2008/2009 budget under state contract.

**Personnel Committee:** Mr. Cunningham reported on the personnel meeting held on February 12, 2009. Mr. Poche moved, seconded by Mr. St. Pierre to approve the merit increases for March 2009 for eligible employees' number: #1485, #126518, #126539, and #126436. The motion carried unanimously.

## STAFF REPORTS

Mr. Cunningham gave the update relative to the Hurricane and Flood Control Projects due to Ms. Nosari's absence. Mr. Bartley moved, seconded by Mr. Delaune to add an item to the agenda regarding an update concerning the Laurel Ridge Project. The motion carried unanimously. Mr. Jake Lambert of GSA Engineering then gave an update on said project.

## LETTERS OF NO OBJECTION

The following requests were presented to the Board for action:

**River Road Historical Society** – request of February 4, 2009 to park vehicles on the base of the levee during their Spring Festival held March 14 and 15, 2009 in St. Charles Parish. Mr. Delaune 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 and the Louisiana Department of Transportation and Development. The motion carried unanimously.

**United Way of St. Charles** – request of January 20, 2009 to allow parking on the Mississippi River levee in front of Destrehan Plantation and bridge park area 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 and the Louisiana Department of Transportation and Development. The motion carried unanimously. At 7:35 p.m. Mr. Cunningham left the meeting due to a prior commitment.

**Hollis O'Neal** – request of January 21, 2009 concerning permission to construct a resident, at levee station 470+00, in 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 February 6, 2009 and the Louisiana Department of Transportation and Development. The motion carried unanimously.

**Louisiana Department of Transportation and Development** – request of December 19, 2008 concerning permission to overlay 2 inches of asphalt over LA 44 and to replace an existing cross drain, at levee station 3076+40, between Ascension and St. James Parishes, Louisiana. Mr. Delaune 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 29, 2008 and the Louisiana Department of Transportation and Development dated January 9, 2009. The motion carried unanimously.

**ADM Grain Elevator (Destrehan Facility)** – request of January 15, 2009 thru T.E. Ibberson Company, concerning permission to drive eight (8) steel piles, at levee station 5476+10, at Destrehan, Louisiana, in St. Charles Parish. Mr. St. Pierre 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 January 22, 2009 and the Louisiana Department of Transportation and Development dated January 23, 2009. The motion carried unanimously.

**ADM Midland Company** – request of January 21, 2009 thru Eustis Engineering Services, LLC, concerning permission to drill eight (8) soil borings and to perform eight (8) cone penetrometer tests, at levee station 4002+68, at St. Elmo, Louisiana in St. James Parish. Mr. St. Pierre 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 January 23, 2009 and the Louisiana Department of Transportation and Development dated January 23, 2009. The motion carried unanimously.

**E.I. du Pont de Nemours & Company (Pontchartrain Site)** – request of January 21, 2009 concerning permission to replace the existing 22-inch underground firewater piping, at levee station 4783+56, at LaPlace, Louisiana, in 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 January 26, 2009 and the Louisiana Department of Transportation and Development dated January 23, 2009. The motion carried unanimously.

**E.I. de Pont de Nemours & Company (Pontchartrain Site)**\_- request of February 20, 2009, thru Compliance Solutions Group concerning permission to replace one 19-inch pile dolphin and two 7 pile dolphins at the DuPont River Water Intake Structure, at levee station 4772+00, at LaPlace, Louisiana, in St. John the Baptist Parish. Mr. St. Pierre moved, seconded by Mr. Bartley to grant a “NO OBJECTION” to this request as per letters of no objection from the Corps of Engineers dated January 26, 2009 and the Louisiana Department of Transportation and Development. The motion carried unanimously.

**Mosaic Company** – request of January 15, 2009 thru Aquaterra Engineering, LLC concerning permission to drill two (2) soil borings and to perform one (1) cone Penetrometer test, at levee station 3506+00, at Convent, Louisiana, in St. James 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 January 22, 2009 and the Louisiana Department of Transportation and Development. The motion carried unanimously.

**Louisiana Department of Transportation and Development/St. John the Baptist Parish** – request of December 23, 2008 thru Meyer Engineers, LTD. concerning permission to construct the St. John Mississippi River Trail – Phase I, between levee stations 4916+89 and 5029+07, at LaPlace, Louisiana, in St. John the Baptist Parish. Mr. St. Pierre 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 February 11, 2009 and the Louisiana Department of Transportation and Development dated January 13, 2009. The motion carried unanimously.

## **RIGHTS OF ENTRY**

**Department of the Army, Corps of Engineers, New Orleans District** – unsigned request of November 14, 2008 from Linda C. LaBure to the Pontchartrain Levee District for right-of-entry for a period of one year or until completion of work to conduct surveys, soil borings, environmental and cultural resources investigations, and hazardous, toxic and radioactive wastes (HTRW) assessments in connection with the Lake Pontchartrain and Vicinity High Level Plan, Reach 1A, Phase II Levee Enlargement, St. Charles Parish, Louisiana, as per drawing entitled “Lake Pontchartrain, LA and Vicinity, St. Charles Parish, Hurricane Protection Levee, North of Airline Highway, Reach 1A Request Survey ROE,” dated October 29, 2008, File Number 46879, Sheet Identification C-01, said

grant of right-of-entry predicated on PLD obtaining a letter of no objection from LaDOTD and notifying private landowners pursuant to Louisiana State Legislative Act 182 (Revised Statute 38:301)(D). Mr. St. Pierre moved, seconded by Mr. Delaune to grant right of entry as requested. This motion carried unanimously.

**Department of the Army, Corps of Engineers, New Orleans District** – unsigned request of November 14, 2008 from Linda C. LaBure to the Pontchartrain Levee District for right-of-entry for a period of one year or until completion of work to conduct surveys, soil borings, environmental and cultural resources investigations, and hazardous, toxic and radioactive wastes (HTRW) assessments in connection with the Lake Pontchartrain and Vicinity High Level Plan, Reach 1A Option, Phase II Levee Enlargement, St. Charles Parish, Louisiana, as per drawing entitled “Lake Pontchartrain, LA and Vicinity, St. Charles Parish, Hurricane Protection Levee, St. Rose Bridge, Reach 1A - Option Request Survey ROE, 100 Year Protection,” dated October 29, 2008, Sheet Identification R-01, said grant of right-of-entry predicated on PLD obtaining a letter of no objection from La DOTD and notifying private landowners pursuant to Louisiana State Legislative Act 182 (Revised Statute 38:301)(D). Mr. Delaune moved, seconded by Mr. Bartley to grant right of entry as requested. This motion carried unanimously.

**Department of the Army, Corps of Engineers, New Orleans District** – unsigned request of November 13, 2008 from Linda C. LaBure to the Pontchartrain Levee District for right-of-entry for a period of one year or until completion of work to conduct surveys, soil borings, environmental and cultural resources investigations, and hazardous, toxic and radioactive wastes (HTRW) assessments in connection with the Lake Pontchartrain and Vicinity High Level Plan, Reach 1B, Phase II Levee Enlargement, St. Charles Parish, Louisiana, as per drawing entitled “Lake Pontchartrain, LA and Vicinity, St. Charles Parish, Hurricane Protection Levee, North of Airline Highway, Reach 1B Request ROE, 100 Year Protection,” dated October 29, 2008, File Number 46880, Sheet Identification C-01 – C-03, said grant of right-of-entry predicated on PLD obtaining a letter of no objection from La DOTD and notifying private landowners pursuant to Louisiana State Legislative Act 182 (Revised Statute 38:301)(D). Mr. Bartley moved, seconded by Mr. Addison to grant right of entry as requested. This motion carried unanimously.

**Department of the Army, Corps of Engineers, New Orleans District** – unsigned request of November 7, 2008 from Linda C. LaBure to the Pontchartrain Levee District for right-of-entry for a period of one year or until completion of work to conduct surveys, soil borings, environmental and cultural resources investigations, and hazardous, toxic and radioactive wastes (HTRW) assessments in connection with the Lake Pontchartrain and Vicinity High Level Plan, Reaches 2A and 2B, Phase II Levee Enlargement, St. Charles Parish, Louisiana, as per drawing entitled “Lake Pontchartrain, LA and Vicinity, St. Charles Parish, Hurricane Protection Levee, North of Airline Highway, Reach 2A, 100 Year Protection, Request Survey ROE,” dated October 27, 2008, File Number H-08-46877, Sheet Identification R-01 – R-04, and “Lake Pontchartrain, LA and Vicinity, St. Charles Parish, Hurricane Protection Levee, North of Airline Highway, Reach 2B, 100 Year Protection, Request Survey ROE,” dated October 27, 2008, File Number H-08-46877, Sheet Identification R-01 – R-04, said grant of right-of-entry predicated on PLD obtaining a letter of no objection from La DOTD and notifying private landowners pursuant to Louisiana State Legislative Act 182 (Revised Statute 38:301)(D). Mr. Addison moved, seconded by Mr. Bartley to grant 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 resources 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. *This right of entry was approved at the August 18, 2008. A modification to this original request was submitted to install piezometers. The piezometers would be installed between the ditch and the landside toe of the levee. They would be installed by a Corps contractor. There could be as many as 5 piezometers as new laws may preclude possibility of putting piezometers with different tip elevations in the same hole. We would like these piezometers to remain in place until we can get some high water readings so they could be in place for a long time, say 5 years, the Corps would be responsible for maintenance, monitoring, and replacement. The piezometers will consist of a riser pipe, most likely PVC, with a piezometer tip at the end set in sand at desired elevation in aquifer, above the sand a bentonite plug will be set, then remainder of annulus to ground surface will be grouted similar to a normal boring. A water well installation report would be furnished to DOTD and PLD with particulars on each piezometer.* Mr. Delaune moved, seconded by Mr. Addison to grant right of entry as requested. This motion carried unanimously.

**Department of the Army, Corps of Engineers, New Orleans District** – to extend the 90 day right of entry dated June 12, 2008 and previously approved at the PLD Board Meeting in June of 2008 for the Gulf South Pipeline Gap Closure, and a second extension of 90 days which was approved at the PLD Board Meeting in September of 2008, and the request for a third extension of 120 days, at Baseline Station 283+90 to 293+50, in St Charles Parish, Louisiana. Mr. Bartley moved, seconded by Mr. St. Pierre to grant right of entry as requested. This motion carried unanimously.

### **PRESIDENT’S REMARKS**

Vice President Harelson had no remarks.

### **OLD BUSINESS**

The only item under old business was to approve the invoice from Board Attorney. Mr. Delaune questioned a bill submitted by Mr. Robert. Following brief discussion, Mr. Bartley moved, seconded by Mr. Poche to approve invoice from Board Attorney, Dwight Poirrier in the amount of \$3,644.98. The motion carried unanimously.

### **NEW BUSINESS**

None.

### **PUBLIC COMMENTS**

Mr. Harelson asked members to review the budget explanation and draft budget for adoption next month.

## ADJOURNMENT

At this time, Mr. Delaune moved, seconded by Mr. Addison to adjourn. The motion carried unanimously and President Wilson declared the meeting adjourned at 7:50 p.m.

/s/ Susan M. Sheets

**Susan M. Sheets, Secretary**

/s/ Webb Harelson

**Webb Harelson, Vice-President**  
Pontchartrain Levee District