

The Board of Commissioners for the Pontchartrain Levee District met at its office on Tuesday, January 19, 2010, pursuant to due notice given to each member in due time, form and manner as follows:

January 15, 2010

Dear Sir:

You are hereby notified that a public meeting and the next Regular Board Meeting of the Board of Commissioners for the Pontchartrain Levee District will be held at 6:00 p.m. on Tuesday, January 19, 2010 at the Lucher Office, Lucher, Louisiana.

Very truly yours,

Monica Salins,  
Executive Director

President Steve Wilson called the meeting to order at 6:13 p.m. The following members were present: Messrs. Bill Addison, Marty Poche, Allen St. Pierre, Mike Delaune, Jerry Savoy, L.C. Irvin and Steve Wilson. Absent: None.

Pontchartrain Levee District employees in attendance were: Messrs. Monica Salins - Executive Director, Kenny Steib, Sr. – Levee Board Operations Superintendent (Detailed), Norris Melancon – Levee Maintenance Superintendent (Detailed), Dan Falcon- Police Captain, and Susan M. Sheets - Secretary to the Board. Also in attendance were: Clinton Rouyea - External Accountant, Jimmy Smith - Maintenance Consultant, Joe Sevario – Executive Assistant to the Board and Dwight Poirrier – PLD Legal Counsel. Special guest included: Mona Nosari and A.J. Domangue of G.C.R. & Associates, Henry Picard, III. of BKI, Eric Poche of SJB Group, Les Waguespack of Shaw, Nathan Junius of Linfield, Hunter & Junius, Jake Lambert of G.S.A. & Associates, and Jonathan Hird of Moffatt & Nichol.

The Pledge of Allegiance was recited.

A motion to approve the minutes of the Regular Board Meeting of December 21, 2009 was offered by Mr. Irvin, seconded by Mr. Poche and unanimously carried.

## COMMITTEE REPORTS

**Finance Committee:** Mr. Jerry Savoy reported on the Finance meeting held on January 12, 2010. Mr. Poche moved, seconded by Mr. Irvin to approve the regular monthly invoices in the amount of \$25,755.87 as recommended by committee. The motion carried unanimously. Mr. Delaune then moved, seconded by Mr. Addison to approve the invoice from G.C.R. & Associates in the amount of \$27,823.76 for the 100 year protection of the St. Charles Parish, HPL portion of the LP&V project for the period of December 1, 2009 thru December 31, 2009. This motion carried unanimously. Mr. Irvin then moved to approve the invoice from G.C.R. & Associates for computer technical support work in the amount of \$690.00 for the period of November 1, 2009 thru November 30, 2009 as recommended by committee. This motion was seconded by Mr. Delaune and carried unanimously. Mr. St. Pierre moved, seconded by Mr. Irvin to approve the invoice from Board Attorney, Dwight

Poirrier in the amount of \$3,425.90 for the period of December 1, 2009 thru December 31, 2009 as recommended by committee. This motion carried unanimously. Mr. Poche moved, seconded by Mr. Addison to approve the expenses associated with the expenses for the GFOA conference on February 4, 2010 as recommended by committee. This motion carried unanimously. Mr. Delaune moved, seconded by Mr. Irvin to approve the invoice from Stegall, Benton & Associates, LLC in the amount of \$5,000.00 for survey work as recommended by committee. The motion carried unanimously. At this time, Mr. Irvin moved, seconded by Mr. Delaune to add an item to the agenda regarding President Wilson's attendance at congressional meetings relative to the WRDA hearings. This motion carried unanimously. Mr. Addison then moved to approve expense for President Wilson to attend meeting in Washington, D.C. from January 21<sup>st</sup> through January 23<sup>rd</sup>, 2010, relative to the WRDA hearings. This motion carried unanimously. President Wilson gave a brief update relative to the bid opening for the Cross Bayou Pump Station earlier in the day. President Wilson advised that eight bids had been submitted. The Engineering Consultant would review said bids and once the lowest, compliant bidder is determined same would be recommended to the Pontchartrain Levee District. After the bid tabulation sheet has been compiled the list will be available to the public at PLD Headquarters or on-line at Central Auction House.

**Equipment Committee:** Mr. Mike Delaune reported on the meeting held on January 12, 2010. Mr. Poche moved to approve the purchase of a vehicle service rack for the PLD Maintenance Shop presently on State Contract No. 406290 for the sum of \$66,221.35, as recommended by committee. This motion was seconded by Mr. Irvin and carried unanimously.

**Security/Safety Committee:** Mr. Marty Poche reported on the security meeting held on January 14, 2010. There were no action items to report.

**Personnel Committee:** Mr. Marty Poche reported on the Personnel meeting which was held on January 14, 2010. Mr. St. Pierre moved, seconded by Mr. Irvin to approve to remove from probationary status employee #199798 and grant permanent status to said employee, effective January 7, 2010, as recommended by committee. This motion carried unanimously.

## **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- Les Waguespack
- b) West Shore-Lake Pontchartrain Hurricane Protection Project- Henry Picard
- c) St. Charles Urban/Cross Bayou Pump Station
- d) Laurel Ridge Levee/Bayou Conway –Panama Canal- Jake Lambert
- e) Mississippi River Levee Multi-Use Trail- Eric Poche
- f) St. Charles Hurricane Protection Levee- A.J. Domangue
- g) LaBranche Shoreline Restoration- Jonathan Hird

## LETTERS OF NO OBJECTION

The following requests were presented to the Board for action:

At this time, Mr. Delaune moved, seconded by Mr. Poche to add four (4) letters of no objection to the agenda for consideration. This motion carried unanimously.

**Entergy Louisiana, LLC** – request of January 8, 2010 concerning permission to install (1) 55’ wooden pole at its facilities and to provide service for customer at 13912 River Road (Hwy 48) levee station 5495+60, in Destrehan, Louisiana, St. Charles Parish. Mr. Poche 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 and OCPR dated January 14, 2010 and reaffirmed by PLD. This motion carried unanimously.

**Entergy Louisiana, LLC** – request of January 8, 2010 concerning permission to install one (1) 35’ wooden pole and its facilities and to provide service for customer at 10282 River Road (Hwy 48), levee station 5877+91.1 in Destrehan, Louisiana, St. Charles Parish. Mr. Delaune moved, seconded by Mr. Addison 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 and OCPR dated January 14, 2010, and reaffirmed by PLD. This motion carried unanimously.

**Entergy Louisiana, LLC** – request of January 8, 2010 concerning permission to install seven (7) 35’ wooden poles and its facilities and to provide service for customer 10016 River Road (Hwy 48), St. Rose, Louisiana in St. Charles Parish. Mr. Poche moved, seconded by Mr. St. Pierre 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 January 27, 2010 and OCPR dated January 14, 2010, and reaffirmed by PLD. This motion carried unanimously.

**Magnolia Springs Subdivision** – request of November 2, 2009 through Carpenter Engineering, Inc., concerning permission to construct the Magnolia Subdivision, levee station 2005+00 at Carville, Louisiana, in Iberville Parish. Mr. Savoy 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 January 19, 2010 and OCPR dated November 5, 2009, and reaffirmed by PLD. This motion carried unanimously.

**New Orleans Track Club** – request of December 17, 2009 to hold the 31<sup>st</sup> Annual Louisiana 30K State Championship and 10K Race on Sunday, January 31, 2010. Mr. Addison moved, seconded by Mr. Poche to grant a “Letter of No Objection” to this request. This motion carried unanimously.

**MWH America’s** – request of September 17, 2009 through Ardaman & Associates, Inc., requesting approval for revisions to their original plans for letter of no objection #09092165 to include drilling two (2) additional soil borings, levee station 620+64, in East Baton Rouge Parish. Mr. Delaune moved, seconded by Mr. Addison 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 December 10, 2009 and OCPR dated January 5, 2010, and reaffirmed by PLD. This motion carried unanimously.

**Hexion Speciality Chemicals** – request of November 20, 2009 concerning permission to replace a current 10” methanol supply line with a same diameter line and running the same path, levee station 2272+58, at Geismar, Louisiana, in Ascension Parish. Mr. Savoy 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 January 7, 2010 and OCPR dated November 25, 2009, and reaffirmed by PLD. This motion carried unanimously.

**Air Products and Chemicals, Inc.** – request of October 2, 2009 concerning permission to perform adjustment, which is the removal of the flanges, to a 14-inch diameter hydrogen pipeline over the St. Charles Hurricane Protection Levee, in St. Charles Parish. Mr. St. Pierre moved, seconded by Mr. Savoy 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 December 29, 2009 and OCPR dated October 29, 2009, and reaffirmed by PLD. This motion carried unanimously.

**Ancient Domain Inc.** – request of December 29, 2009 regarding letter of no objection #08063032 and extension letter dated November 17, 2009 concerning permission to install pile supported trusses, ship breasting dolphins, ship mooring dolphins, pile supported towers, shuttle conveyor tower, and floating barge docks with captive monopiles to construct a new ship and barge dock. Subsequently, the Corps has reviewed the email requesting a waiver to perform pile driving work and install the mooring structure when the Mississippi River stage is above elevation +11.0 feet on the Carrollton Gage and due to the soil conditions in the area and stability concerns, **a waiver request is denied** for any work over the levee in order to protect the integrity of the flood protection system. This includes the movement of heavy equipment over the levee to accommodate the pile driving operations. However, the pile driving work on the flood side of the levee, beyond 40 feet of the levee toe, can be performed when the Mississippi River stage is below elevation +15.0 feet on the Carrollton gage, levee station 3168+65, in Convent, St. James Parish. Mr. Poche 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 January 12, 2010, and reaffirmed by PLD. This motion carried unanimously.

**St. Charles Borromeo Church** - request received via email on Saturday, January 9, 2010, concerning a partially after-the-fact construction of a new parking lot and subsurface drainage. Excavation of topsoil, installation of compacted sand, and installation of catch basins have already taken place, however concrete has not been poured. Additionally, excavation for spread footings are requested and required for a bus drop-off structure, for the new Msgr. John N. Phuc Education Center at St. Charles Borromeo Church in Destrehan, Louisiana, in St. Charles Parish. Mr. Poche moved, seconded by Mr. St. Pierre 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 January 19, 2010 and OCPR dated January 14, 2010, and reaffirmed by PLD. This motion carried unanimously.

## **RIGHTS OF ENTRY**

At this time, Mr. Delaune moved, seconded by Mr. Poche to add an item to the agenda. This motion carried unanimously. Mr. Delaune moved, seconded by Mr. Addition to add a Right of Entry request from USACE specific to an interim seepage protection berm at Duncan Point in East Baton Rouge Parish. This motion carried unanimously.

**Department of the Army, Corps of Engineers, New Orleans District** – request of January 14, 2010 from Linda C. LaBure, Chief of Real Estate Division to Steven CF. Wilson, president of the Pontchartrain Levee District for right-of-entry for a period of 12 months or until completion of construction to construct an interim seepage protection measure with compacted fill material in

connection with the Mississippi River Levees, Duncan Point Seepage Berm and Interim Repair Project, East Baton Rouge Parish, Louisiana, as per maps entitled "Mississippi River Levees, Left Descending Bank, Mile 225.9 to 225.0, Duncan Point Seepage Berm and Road Relocation, East Baton Rouge Parish, Louisiana drawings entitled "Lake Pontchartrain, Louisiana and Vicinity , Pontchartrain Levee District, Request for Right of Entry," file number H-8-47217, Sheet No. R-01 dated September 11, 2009, Sheet R-02 dated December 5, 2009, and Sheet No. R-03 dated September 11, 2009, right of entry predicated on the Pontchartrain Levee District entering into an agreement with the Amite River Basin Commission for use of certain portions of land and borrow material as required for construction. Discussion was had relative to this matter and the details concerning the cost of the borrow material. Mr. Poirrier stated that a meeting was scheduled for Thursday, January 21, 2010. Following discussion, members decided to defer this matter to Executive Session at the end of agenda.

### **PRESIDENT'S REMARKS**

President Wilson discussed the upcoming Mississippi Valley Flood Control Association Spring meetings in Washington, D.C. from March 20<sup>th</sup> through March 24<sup>th</sup>, 2010. Members were reminded to make said arrangements through the Board Secretary as to attendance. Mr. St. Pierre moved to approve expenses for said spring meetings in Washington, D.C. This motion was seconded by Mr. Addison and carried unanimously.

### **OLD BUSINESS**

At this time, Mr. Irvin moved, seconded by Mr. Delaune to change the February 15, 2010 regular monthly board meeting to February 22, 2010 due to the Mardi Gras Holiday. This motion carried unanimously.

### **NEW BUSINESS**

Executive Session – Discussion of Legal Issues by Board Attorney – Dwight Poirrier. At this time, Mr. St. Pierre moved, seconded by Mr. Irvin to go into Executive Session for approximately one (1) hour to discuss legal matters. This motion carried unanimously and executive session began at approximately 7:28 p.m. At 8:20 p.m., Mr. Savoy moved, seconded by Mr. Delaune to return to regular session. Motion carried unanimously and members returned to the agenda. Mr. Savoy moved to authorize Board President, Steve Wilson to negotiate the acquisition of borrow material, secure a right of entry for the use of the right of way for removal of said borrow material from the Lilly Bayou Stockpile from the Amite River Basin Commission regarding the request from USACE specific to the Duncan Point seepage berm in East Baton Rouge Parish. This motion was seconded by Mr. Delaune and carried unanimously. Mr. St. Pierre then moved to approve the designation of the property known as Parcel B as surplus property as its use is no longer needed due to the configuration of the tract and approve the entry of the exchange of property (Roussel tract) on the agreed upon terms and conditions in accordance with the appraisal of Steven Stegall. This motion was seconded by Mr. Irvin and also carried unanimously.

### **PUBLIC COMMENTS**

**None.**

**ADJOURNMENT**

At this time, Mr. Poche moved, seconded by Mr. Savoy to adjourn. The motion carried unanimously and President Wilson declared the meeting adjourned at 8:25 p.m.

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

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