

The Board of Commissioners for the Pontchartrain Levee District met at its office on Tuesday, January 17, 2012 pursuant to due notice given to each member in due time, form and manner as follows:

January 14, 2012

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 17, 2012 at the Lutcher Office, Lutcher, Louisiana.

Very truly yours,

Monica Salins,
Executive Director

Vice-President Mike Delaune called the meeting to order at 6:02 p.m. The following members were present: Messrs. Ricky Bosco, Mike Delaune, L.C. Irvin, Marty Poche, Allen St. Pierre and Jerry Savoy. Absent was Steve Wilson.

Pontchartrain Levee District employees in attendance were: Messrs. Dean Smith – Police Captain and Susan M. Sheets - Secretary to the Board. Also in attendance was: Dwight Poirrier – PLD Legal Counsel. Special guest included: A.J. Domangue of G.C.R. & Associates, Les Waguespack of Shaw, Steve Braquet of Linfield, Hunter & Junius, Jake Lambert of G.S.A. & Associates, Jack Morgan of Evans Graves Engineers, Henry Picard of Burk Kleinpeter, Eric Poche of SJB Group, Chris Williams of Moffatt & Nichol, Billy Wall of CPRA, Charlie Raymond of Taggart & Morton and Bud Preston of Noranda Alumina, LLC.

The Pledge of Allegiance was recited.

A motion to approve the minutes of the Regular Board Meeting of December 19, 2011, was offered by Mr. St. Pierre, seconded by Mr. Irvin and unanimously carried.

COMMITTEE REPORTS

Security/Safety Committee: Mr. Mike Delaune reported on the security meeting held on January 10, 2012. There were no action items to report.

Equipment Committee: Mr. Mike Delaune reported on the meeting held on January 10, 2012. There were no action items to report.

Finance Committee: Mr. Jerry Savoy reported on the Finance meeting held on January 12, 2012. Mr. Poche moved, seconded by Mr. Bosco to approve the regular monthly invoices in the amount of \$39,949.56 as recommended by committee. The motion carried unanimously. Mr. St. Pierre then moved, seconded by Mr. Irvin to approve the invoice from G.C.R. and

Associates for the St. Charles Parish Hurricane Protection 100 year protection in the amount of \$23,201.66 as recommended by committee. This motion carried unanimously. Mr. Irvin moved, seconded by Mr. Bosco to approve the invoice from G.C.R. & Associates for computer technical support in the amount of \$690.00 as recommended by committee. This motion carried unanimously. Mr. Poche moved, seconded by Mr. St. Pierre to approve the invoice from the National Waterways Conference, Inc. for the 2012 Annual Dues in the amount of \$1,305.00 as recommended by committee. This motion carried unanimously. Mr. Irvin moved, seconded by Mr. Bosco to approve the expenses for the Mississippi Valley Flood Control Association Spring Meeting in Washington, D.C. on March 5-7, 2012 as recommended by committee. The motion carried unanimously. Lastly, Mr. St. Pierre moved, seconded by Mr. Bosco to approve half (1/2) of the expenses for the External Accountant to attend the LA GFOA 2012 Winter Workshop in Baton Rouge, Louisiana on February 7-8, 2012 as recommended by committee. This motion carried unanimously.

Personnel Committee: Mr. Marty Poche reported on the Personnel meeting which was held on January 12, 2012. Mr. Savoy moved to approve to move the February board meeting from Monday, February 20, 2012 to Monday, February 27, 2012 as recommended by committee due to conflict. This motion was seconded by Mr. St. Pierre and also carried unanimously.

STAFF REPORTS

Written 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 Wetlands

LETTERS OF NO OBJECTION

The following requests were presented to the Board for action:

Williams Gas Pipeline – Transco – request of January 12, 2012 concerning permission to install a pig receiver, levee station 3320+00, in St. James Parish, Louisiana. 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 9, 2012 and CPRA dated January 6, 2012 and reaffirmed by PLD. This motion carried unanimously.

Cox Communications – request of December 12, 2011 through Torry Telecom & Cable, Inc., concerning permission to directional bore a 2-inch HDPE conduit, between levee stations 5835+00 and 5855+00, at St. Rose, Louisiana, in St. Charles Parish. Mr. Bosco 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 6, 2012 and CPRA dated December 15, 2011 and reaffirmed by PLD. This motion carried unanimously.

Innophos, Inc. – request of January 6, 2012 through GeoEngineers, Inc., concerning permission to drill two (2) soil borings, levee station 2146+00, at Geismar, Louisiana, in Ascension Parish. Mr. Irvin 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 January 6, 2012 and CPRA dated January 11, 2012 and reaffirmed by PLD. This motion carried unanimously.

Entergy Louisiana, LLC – request of January 4, 2012 concerning permission to install one (1) power pole to provide service to 6346 Louisiana Highway 44, levee station 3629+00, at Convent, Louisiana, in St. James Parish. Mr. Poche moved, seconded by Mr. Bosco 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 10, 2012 and CPRA dated January 10, 2012 and reaffirmed by PLD. This motion carried unanimously.

Mosaic Fertilizer, Inc. – request of January 5, 2012 concerning permission to replace drain piping, levee station 3510+00, at Uncle Sam, Louisiana, in 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 9, 2012 and CPRA dated January 10, 2012 and reaffirmed by PLD. This motion carried unanimously.

Cargill, Inc. – request of November 23, 2011 through C-K Associates, LLC, concerning permission to construct twelve (12) new grain shipping bins, 4 new grain conveyor systems, associated tower footings, gravel roads and a new facility control room at the Terre Haute Marine Facility, between levee stations 4570+00 and 4580+00 at Reserve, Louisiana, in St. John the Baptist Parish. Mr. St. Pierre moved, seconded by Mr. Bosco 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 28, 2011 and CPRA dated December 1, 2011 and reaffirmed by PLD. This motion carried unanimously.

Crown Castle South LLC – request of December 22, 2011 through Tierra Tech, concerning permission to perform one (1) cone penetrometer test, levee station 1472+00, at St. Gabriel, 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 4, 2012 and CPRA dated January 5, 2012 and reaffirmed by PLD. This motion carried unanimously.

Entergy Louisiana, LLC – request of November 30, 2011 concerning permission to replace three (3) rotten power poles and install one (1) new power pole at Little Gypsy Power Plant at 17420 River Road, levee station 5135+50, at Montz, Louisiana, in St. Charles Parish. Mr. Bosco 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 19, 2011 and CPRA dated December 1, 2011 and reaffirmed by PLD. This motion carried unanimously.

McKinney Fleet & Barge Services, Inc. – request of October 3, 2011 through Richard Wright & Associates, Inc., concerning permission to modify letter of no objection #09101978 to include installing eleven (11) anchor piles, four (4) pilings and one (1) dolphin and a waiver to drive piles when the river is above +11.0 feet, between levee stations 95+00 and 110+63, at Baton Rouge, Louisiana, in East Baton Rouge 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 No Objection of USACE dated December 29, 2011 and CPRA dated November 3, 2011 and reaffirmed by PLD. This motion carried unanimously.

Noranda Alumina, LLC – request of November 1, 2011 concerning permission to excavate and drill soil borings, levee station 4283+00, at Gramercy, Louisiana, in St. James 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 December 28, 2011 and CPRA dated November 10, 2011 and reaffirmed by PLD. This motion carried unanimously.

LSU School of Veterinary Medicine – request of January 13, 2012 to extend for two (2) years letter of no objection #10022216, in East Baton Rouge Parish. Mr. Irvin moved, seconded by Mr. Savoy to grant a “Letter of No Objection” to this request. This motion carried unanimously.

RIGHTS OF ENTRY

None.

PRESIDENT’S REMARKS

Vice-President Delaune asked members to keep President Wilson in their prayers as he prepares for surgery tomorrow.

OLD BUSINESS

Mr. Irvin moved, seconded by Mr. Poche to amend the motion of the October 17, 2011 PLD Board Meeting to reflect the exact amount between PLD and the (Baton Rouge) Parish Water Company agreement specific to the Duncan Point Seepage project in the amount of \$67,362.15. This motion carried unanimously.

At this time, Mr. Wall was called on and he gave an update relative to the efforts by CPRA relative to the proposed permitting process. Mr. Wall stated that all participants approached would be joining this endeavor and discussed the costs involved. Following brief discussion.

The following resolution was offered by Mr. Irvin and seconded by Mr. St. Pierre:

As stated at the December 19th, 2011 PLD Board Meeting, the Pontchartrain Levee District is in support of the CPRA's proposed Levee Automation Software to assist the levee districts and the U.S. Army Corps of Engineers with all Letters of No Objection and creating an automated database for same.

WHEREAS, the Pontchartrain Levee District Board of Commissioners pledges its support to CPRA's proposed Levee Permitting, Automated System and further agrees to share in the development cost of the Levee Permitting, Automated Software up to a maximum one-time-only software payment in the amount of \$19,200.00; and that any future costs for the operation and maintenance of this permitting database shall be borne by future applicants' fees and at no cost to the Pontchartrain Levee District.

NOW THEREFORE, BE IT RESOLVED, that the Pontchartrain Levee District does hereby declare its support of the CPRA's proposed Levee Permitting, Automated Software and agrees to share in the development cost of the Levee Permitting, Automated Software up to a maximum one-time-only software payment in the amount of \$19,200.00.

The resolution carried.

At this time, Mr. Steve Braquet of Linfield, Hunter & Junius provided a brief update relative to the PLD Maintenance Building improvements.

Following update, Mr. Savoy moved to add an item to the agenda to amend the Resolution and Declaration of Surplus Property and Intent to Auction through Nationwide Marketing, Ltd. This motion was seconded by Mr. Irvin and carried unanimously. Mr. Poirrier explained that an additional PLD truck was to be added to public sale.

Mr. Savoy moved, seconded by Mr. Irvin to amend the Resolution and Declaration of Surplus Property and Intent to Auction through Nationwide Marketing, Ltd as follows:

WHEREAS, the Pontchartrain Levee District Maintenance Department through its Levee Board Operations Superintendent, Kenneth Steib, Sr., has compiled a listing of equipment that is considered to be surplus equipment; on or about December 19th, 2011, a Resolution and Declaration of Surplus Property and Intent to Auction through Nationwide Marketing, Ltd., was adopted;

WHEREAS, it is the intent of the Board of Commissioners of the Pontchartrain Levee District to declare an additional vehicle as 'surplus property and intent to auction through Nationwide Marketing, Ltd., the following added surplus property:

2005 Ford F-150 Pick-up Truck, Automatic
½ Ton, V-8, 4.6 L
VIN No. 1FTRX14W15NB16728
State Tag No. 1660

WHEREAS, it is the intent of the Board of Commissioners of the Pontchartrain Levee District to allow Kelly Poche, to represent our interests at said auction and to execute any and all documents necessary for the sale, transfer and/or release of the surplus property referenced herein throughout, as deemed necessary and appropriate at said auction.

WHEREAS, it is the intent of the Board of Commissioners of the Pontchartrain Levee District to maintain the previously declared equipment referenced below, surplus property, as stated in the Resolution of December 19th, 2011:

- a. 2003 Ford F-350 Crew Cab, Automatic
1 Ton Stake Body 2x4
VIN No. 1FDWW36S93EB57273
State Tag No. 1611
- b. 2003 Ford F-350 Crew Cab
1 Ton Stake Body 2x4
VIN No. 1FDWW36S03EB57274
State Tag No. 1609
- c. 2005 Ford F-350 Crew Cab
1 Ton Stake Body 2x4
VIN No. 1FDWW36Y15ED28248
State Tag No. 1662
- d. 2001 New Holland TS110 Cab & Air
Serial #: 16862B
State Tag No. 1570
Engine: 95HP
Hours: 6569
- e. 1998 New Holland TS110 Open Cab
Serial #: 097698B
State Tag No. 1487
Engine: 95HP
Hours: 3970
- f. 2001 New Holland TS110 Cab & Air
Serial #: 165719B
State Tag No. 1561
Engine: 95HP
Hours: 6339
- g. 2002 Woods 7' Rotary Cutter
Model: BB8400D
Serial #: 844155
State Tag No.: 1605
- h. 2004 John Deere 7' Flail Mower
Model: 390
Serial#: P00390X005811
State Tag No.: 1653

- i. 2002 John Deere 7' Flail Mower
Model: 390
Serial #: P00390X005815
State Tag No.: 1648
- j. 1999 Alkota Stream Cleaner
Model: 2142AE
Serial #: 191911
State Tag No. 1521
- k. Four (4) Pallets of Spare Parts
Including miscellaneous tractor and bush hog parts
- l. Furniture
Miscellaneous office furniture desk, etc. (5 pieces)

WHEREAS, it is the intent of the Board of Commissioners to remove this property and the amended property referenced herein from the Pontchartrain Levee District inventory;

WHEREAS, it is understood and agreed by the Board of Commissioners of the Pontchartrain Levee District that the Pontchartrain Levee District was invited to participate in an auction to be hosted by the Lafourche Basin Levee District through the auction house, Nationwide Marketing, Ltd.;

WHEREAS, it is the intention of the Board of Commissioners of the Pontchartrain Levee District to authorize the herein referenced and declared surplus property, and the amended property referenced herein, to be sold via auction by Nationwide Marketing, Ltd.;

WHEREAS, it is understood and agreed upon by the Board of Commissioners of the Pontchartrain Levee District that the auction by Nationwide Marketing, Ltd., is a joint effort between the Lafourche Basin Levee District, St. James Public Works and the Pontchartrain Levee District and that all three (3) agencies will participate and share in the costs of said advertising and expenses necessary for said auction;

WHEREAS, it is understood and agreed upon by the Board of Commissioners of the Pontchartrain Levee District that the auction is to be held at the Lafourche Basin Levee District located at 21380 Highway 20, Vacherie, Louisiana;

WHEREAS, it is understood and agreed upon by the Board of Commissioners of the Pontchartrain Levee District that said auction of the herein referenced, amended and declared surplus property by Nationwide Marketing, Ltd., will be held on Saturday, January 21st, 2012, beginning at 10:00 a.m.;

WHEREAS, it is understood and agreed upon by the Board of Commissioners of the Pontchartrain Levee District that the herein referenced declared surplus property is to be transferred from the Pontchartrain Levee District Maintenance Yard located at 9620 Hwy. 44, Convent, Louisiana to the Lafourche Basin Levee District yard at 21380 Highway 20, Vacherie, Louisiana for said auction;

WHEREAS, it is understood and agreed upon by the Board of Commissioners of the Pontchartrain Levee District that a separate contract will be executed by each of the three (3) agencies between Nationwide Marketing, Ltd., and the Pontchartrain Levee District contract with Nationwide Marketing, Ltd. will be as per the terms and conditions set forth by the Board of Commissioners of the Pontchartrain Levee District and approved by the Pontchartrain Levee District Board Attorney, Dwight Poirrier.

The resolution carried.

NEW BUSINESS

At this time, Mr. Savoy moved, seconded by Mr. Poche to go into Executive Session for approximately thirty (30) minutes to discuss pending litigation. This motion carried unanimously and Executive Session began at 6:33 p.m. Mr. Irvin left the meeting at this time. At 6:58 p.m., Mr. Savoy moved, seconded by Mr. St. Pierre to return to regular session. This motion carried unanimously.

PUBLIC COMMENTS

There were no public comments.

ADJOURNMENT

At this time, Mr. Poche moved, seconded by Mr. Savoy to adjourn. The motion carried unanimously and Vice-President Delaune declared the meeting adjourned at 6:59 p.m.

Susan M. Sheets, Secretary

**Mike Delaune, Vice-President
Pontchartrain Levee District**