

The Board of Commissioners for the Pontchartrain Levee District met at its office on Monday, July 20, 2009, pursuant to due notice given to each member in due time, form and manner as follows:

July 17, 2009

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 Monday, July 20, 2009 at the Lucher Office, Lucher, Louisiana.

Very truly yours,

Monica Salins,  
Executive Director

President Steve Wilson called the public meeting to order at 6:00 p.m. The following members were present: Messrs. Bill Addison, Marty Poche, Allen St. Pierre, Jerry Savoy and Steve Wilson. Absent was Mike Delaune. \*President Wilson announced he would be voting on all matters.

Pontchartrain Levee District employees in attendance were: Messrs. Monica Salins - Executive Director, Norris Melancon – Levee Operations Superintendent (Detailed) 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 from G.C.R. & Associates, Henry Picard of BKI, Misty Evans and Sarah Kemp from DOTD, John Monzon and Larry Ardoin of OCPR and Charlie Raymond of Taggart Morton.

The Pledge of Allegiance was recited.

President Wilson opened discussion concerning the millage for the 2009 tax year. There were no members of the public present for said millage public hearing and therefore no discussion was necessary.

Mr. St. Pierre moved to close the public hearing. This motion was seconded by Mr. Addison and carried unanimously. The public hearing closed at 6:08 p.m.

At 6:08 p.m., President Wilson called the regular board meeting to order.

A motion to approve the minutes of the Regular Board Meeting of June 15, 2009 was offered by Mr. Savoy, seconded by Mr. Poche and unanimously carried.

A motion to approve the minutes of the Special Board Meeting of July 8, 2009 was offered by Mr. Poche, seconded and Mr. Addison and unanimously carried.

## COMMITTEE REPORTS

**Finance Committee:** Mr. Jerry Savoy reported on the Finance meeting held on July 14, 2009. Mr. Poche moved, seconded by Mr. Addison to approve the regular monthly invoices in the amount of \$46,654.89 as recommended by committee. The motion carried unanimously. Next, Mr. St. Pierre moved, seconded by Mr. Addison to approve the invoice from G.C.R. & Associates in the amount of \$31,625.50 for the 100 year protection of the St. Charles Parish, HPL portion of the LP&V project for the period of June 1, 2009 thru June 30, 2009. This motion carried unanimously. Mr. Addison moved to approve the invoice from G.C.R. & Associates for computer technical support work in the amount of \$1,235.00 as recommended by committee. This motion was seconded by Mr. Poche and carried unanimously. Mr. St. Pierre moved, seconded by Mr. Wilson to approve the invoice from Board Attorney, Dwight Poirrier in the amount of \$1,865.00 as recommended by committee. This motion carried unanimously. Mr. Poche moved, seconded by Mr. St. Pierre to approve the invoice from Methods, Inc. in the amount of \$6,401.00 which includes the Hardware Maintenance Fee in the amount of \$2071.00, Payroll/Budget Software Fee in the amount of \$3,930.00 and Direct Deposit Software Fee in the amount of \$400.00 for the fiscal year ending June 30, 2010. The motion carried unanimously. Mr. Wilson then moved, seconded by Mr. Addison to approve the expenses for the Annual Low Water Inspection trip on August 20<sup>th</sup> and 21<sup>st</sup>, 2009 as recommended by committee. The motion carried unanimously. Mr. Addison moved, seconded by Mr. Poche to approve the execution of the General Contract for Scope of Services between PLD and SJB Group concerning the Multi Parish Bike Path as recommended. The motion carried unanimously. Mr. Addison moved, seconded by Mr. St. Pierre to purchase four (4) fireproof file cabinets as budgeted in the Administrative Capital Outlay Fiscal Year 2009/2010 as recommended. The motion carried unanimously. Mr. Addison moved, seconded by Mr. Wilson to approve the purchase of one (1) fireproof storage cabinet as budgeted in the Police Department Capital Outlay Fiscal Year 2009/2010 as recommended by committee. The motion carried unanimously. Mr. Wilson moved, seconded by Addison to add an item to the agenda concerning PLD budget operating procedures. The motion carried unanimously. Mr. Wilson moved to adopt PLD Board policy and allow the appointing authority to make the approved purchases provided said purchases are outlined and approved as set forth in the PLD budget, therefore, those items need not come back before committee meetings as discussed. This motion was seconded by Mr. Addison and carried unanimously.

**Equipment Committee:** Mr. Marty Poche reported on the meeting held on July 14, 2009. Mr. Savoy moved to approve the purchase of two (2) extended cab pickup trucks and one (1) crew cab truck under state contract, and as set forth in the PLD 2009/2010 Budget, as recommended by committee. This motion was seconded by Mr. St. Pierre and carried unanimously. Mr. Savoy moved to the approve the purchase of one (1) Bobcat 335 Mini Excavator through state contract in the amount of \$37,999.88 as recommended. This motion was seconded by Mr. Addison and also carried unanimously. The next agenda item concerned the purchase of mowers. At committee lengthy discussion was had relative to PLD deviating from the John Deere mowers (bush hogs) presently under state contract and remain with the Woods brand of mowers. This deviation was recommended by maintenance staff and based on the rust program offered by Woods and the fact that John Deere mowers do not displace the grass clippings. President Wilson explained that bids would be needed in order to move forward with said purchases. Mr. Wilson moved, seconded by Mr. Addison to move forward with the process in order to secure a mower that meets the overall needs of PLD provided all laws and guidelines are met. This motion carried unanimously. Next, Mr. Savoy moved, seconded by Mr. Wilson to approve the purchase of a 7 ft. Bionic Hydraulic Blade through Sunshine Equipment in the amount of \$4,280.00 as recommended. This motion carried unanimously. Lastly, Mr. St. Pierre moved, seconded by Mr. Savoy to approve the purchase of two (2) 6430 John Deere

tractors with cab A/C Heating through state contract in the amount of \$45,000.00 each for a total of \$90,000.00 as recommended by committee. This motion carried unanimously.

**Security/Safety Committee:** Mr. Michael Delaune reported on the security meeting held on July 16, 2009. Mr. Addison moved to approve the Statement of Work as provided by Tomba Communications, dated June 22, 2009, Project No. P73245, for a total cost of \$4,411.30 as recommended by committee. This motion was seconded by Mr. Wilson and carried unanimously.

**Personnel Committee:** Mr. Marty Poche reported on the Personnel meeting which was held on July 16, 2009. Mr. St. Pierre moved, seconded by Mr. Addison to approve the merit increase for employees #3779 and #200912 on their respective anniversary dates as recommended by committee. The motion carried unanimously. The next agenda item was concerning the Bluff Swamp lease. Mr. Wilson moved, seconded by Mr. Savoy to approve to allow Board Attorney to proceed with the termination of the lease, per the Attorney General's opinion, specific to the Bluff Swamp Wildlife Refuge and Botanical Gardens as discussed in Executive Session on July 16, 2009. Further discussion was had. Following more discussion, members agreed to allow an additional thirty (30) days in which to clarify any possible 'option(s)' prior to any formal lease termination. Mr. Wilson then offered a substitute motion to instruct the Board Attorney to further review and/or research within the next thirty (30) days and clarify any possible 'option(s)' concerning said lease and final action be taken at the August 17, 2009 PLD Board Meeting. This substitute motion was seconded by Mr. Savoy and carried unanimously. Mr. St. Pierre moved, seconded by Mr. Savoy to approve to authorize Board Attorney to investigate, proceed and secure the purchase of adjacent property within St. James Parish as discussed in Executive Session on July 16, 2009. This motion carried unanimously.

## STAFF REPORTS

A report on the Hurricane Protection Levee Project was presented by Ms. Nosari of G.C.R & Associates. Updates were given for each of the following projects by the respective engineer and/or representative:

- a) St. Charles Hurricane Protection Levee
- b) Amite River & Tributaries Bayou Manchac & Ecosystem
- c) West Shore
- d) St. Charles Urban Flood Control Study
- e) Laurel Ridge Levee/Bayou Conway –Panama Canal
- f) Duncan Point Seepage
- g) Mississippi River Bike Trail

\*President Wilson asked Executive Director to notify contractors and remind them that their report on said respective projects must be received timely.

A motion was made by Mr. Poche, seconded by Mr. St. Pierre to authorize Board Attorney to issue notice to proceed concerning the Laurel Ridge Project after proper review by Board counsel.

## LETTERS OF NO OBJECTION

The following requests were presented to the Board for action:

Prior to considering said requests, Mr. Savoy questioned the Executive Director as to the criteria and necessary documentation concerning all requests before the Board. Ms. Salins explained that before said requests are placed on the agenda, DOTD and the Corps of Engineers have reviewed said requests and they are ready for action. The Executive Director further explained that if there are any exceptions and/or deviation from normal process, it would be noted in request.

**Marathon Petroleum Company, LLC** – request of July 10, 2009 to extend letter of no objection #08063027 for an additional 90 days, levee station 4520+00, at Garyville, Louisiana, in St. John the Baptist Parish. Mr. St. Pierre moved, seconded by Mr. Poche to grant a “NO OBJECTION” to this request. The motion carried unanimously.

**Entergy Louisiana, LLC** - request of June 10, 2009 through URS Corporation, concerning permission to drill ten (10) soil borings, between levee stations 3336+50 and 3345+00, at Convent, Louisiana, in St. James 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 June 22, 2009 and the Louisiana Department of Transportation and Development dated June 17, 2009. The motion carried unanimously.

**Entergy Louisiana, LLC** – request of May 28, 2009 concerning permission to install one (1) power pole and conductor at 155 W 10<sup>th</sup> Street, levee station 4633+78, at Reserve, Louisiana, in St. John the Baptist 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 July 6, 2009, and the Louisiana Department of Transportation and Development dated July 2, 2009. The motion carried unanimously.

**Entergy Louisiana, LLC** – request of June 25, 2009 concerning permission to install one (1) power pole for new service at 9211 Ester Street, levee station 3701+36, at Convent, Louisiana, in St. James Parish. Mr. Poche 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 June 29, 2009 and the Louisiana Department of Transportation and Development dated June 26, 2009. The motion carried unanimously.

**Entergy Louisiana, LLC** – request of May 14, 2009 concerning permission to install power poles and conductors to provide service to 160 West Campus Drive, levee station 5587+41, at Destrehan, Louisiana, in St. Charles Parish. Mr. Addison 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 June 18, 2009 and the Louisiana Department of Transportation and Development dated May 12, 2009. The motion carried unanimously.

**Entergy Louisiana, LLC** – request of March 25, 2009 concerning permission to install one(1) power pole and conductor, levee station 3177+79, at Union, Louisiana, in St. James Parish. Mr. Poche 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 June 29, 2009 and the Louisiana Department of Transportation and Development dated March 23, 2009. The motion carried unanimously.

**Entergy Louisiana, LLC** – request of July 6, 2009 concerning permission to replace one (1) power pole, levee station 4198+50, at Lutchet, Louisiana, in St. James Parish. Mr. Poche 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 July 15, 2009 and the Louisiana Department of Transportation and Development. The motion carried unanimously.

**Valero-St. Charles Refinery** - request of June 30, 2009 through Conestoga Rovers concerning permission to install thirty (30) soil borings/temporary monitoring wells and ten (10) monitoring wells, between levee stations 5341+00 and 5401+35, in St. Charles Parish. Mr. Addison moved, seconded by Mr. St. Pierre to grant a “NO OBJECTION” to this request as per letters of no objection from the Corps of Engineers, New Orleans District dated July 13, 2009 and the Louisiana Department of Transportation and Development. The motion carried unanimously.

**AT&T** – request of July 7, 2009 concerning permission to directional bore a fiber optic cable, levee station 5380+00, at Norco, 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 July 15, 2009 and the Louisiana Department of Transportation and Development. The motion carried unanimously.

## **RIGHTS OF ENTRY**

At this time, Mr. Addison moved, seconded by Mr. St. Pierre to add a request to the agenda. This motion carried unanimously.

**Department of the Army, Corps of Engineers, New Orleans District** – request of April 29, 2009 from Linda C. LaBure to the Pontchartrain Levee District for right-of-entry for a period of three (3) years or until completion of construction to perform construction in connection with the Lake Pontchartrain and Vicinity Louisiana Project, North of Airline Highway, St. Charles Parish, St. Rose Drainage Structure and Levee-Phase 2, LPV-07c.2 as per drawings entitled “Lake Pontchartrain and Vicinity Louisiana Project, North of Airline Highway, St. Charles Parish, St. Rose Drainage Structure and Levee-Phase 2, LPV-07c.2, Right of Way” dated April 23, 2009. File Number H-4-46804, Sheet Identification Nos. G-001 and C-101. The right of entry is predicated upon the approval of the 100% Plans and Specifications. Mr. Addison moved, seconded by Mr. Poche to approve said request as presented. Motion carried unanimously.

**Department of the Army, Corps of Engineers, New Orleans District** – request of June 1, 2009 from Linda C. LaBure to the Pontchartrain Levee District for right-of-entry for a period of three (3) years or until completion of construction to perform construction in connection with the Lake Pontchartrain and Vicinity Louisiana Project, North of Airline Highway, St. Charles Parish, Levee-Reach 1A from Cross Bayou to St. Rose and Gulf South Floodwall-Phase 2, LPV-04.2A as per drawings entitled “Lake Pontchartrain and Vicinity Louisiana Project, North of Airline Highway, St. Charles Parish, Levee-Reach 1A from Cross Bayou to St. Rose-Phase 2, LPV-04.2A, Right of Way” dated April 13, 2008, revised November 26, 2008, January 29, 2009, May 7, 2009 and May 20, 2009, File Number H-4-09007, Sheet Identification Nos. G-001, C-101 and C-102. Mr. Addison moved, seconded by Mr. Poche to approve said request as presented. Motion carried unanimously.

**PRESIDENT’S REMARKS**

None.

**OLD BUSINESS**

None.

**NEW BUSINESS**

The following tax resolution was offered by Mr. Addison and seconded by Mr. Savoy:

**BE IT RESOLVED**, that the following millage are hereby levied on the 2009 tax roll on all property subject to taxation by the Pontchartrain Levee District:

**MILLAGE**

**General Fund Millage**

**3.52 mills**

**BE IT FURTHER REVOLVED**, that the proper administrative officials of the Parishes of St. Charles, St. John the Baptist, St. James, Ascension, Iberville and East Baton Rouge, State of Louisiana, be and they are hereby empowered, authorized, and directed to spread said taxes, as hereinabove set forth, upon the assessment roll of said parishes for the year 2009, and to make the collection of the taxes imposed for and on behalf of the taxing authority, according to law, and that the taxes herein levied shall become a permanent lien and privilege on all property subject to taxation as herein set forth, and collection thereof shall be enforceable in the manner provided by Law.

The foregoing resolution was read in full, the roll was called on the adoption, thereof, and the resolution was adopted by the following votes:

    5     **YEAS**        0     **NAYS**        1     **ABSENT**

**PUBLIC COMMENTS**

Under public comments, Mr. Larry Ardoin of OCPR discussed the transition of the Department of Natural Resources and the LA DOTD. Discussion was had. President Wilson also informed members of the retirement celebration honoring Ed Preau for his forty-one (41) years of service.

## **ADJOURNMENT**

At this time, Mr. Addison moved, seconded by Mr. Poche to adjourn. The motion carried unanimously and President Wilson declared the meeting adjourned at 7:13 p.m.

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

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