

The Board of Commissioners for the Pontchartrain Levee District met at its office on Monday, June 30, 2008, pursuant to due notice given to each member in due time, form and manner as follows:

June 27, 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, June 30, 2008 at the Lucher Office, Lucher, Louisiana.

Very truly yours,

Monica Salins,
Executive Director

President Wilson called the meeting to order at 6:11 p.m. The following members were present: Messrs. Jesse Bartley, William Addison, Steve Wilson, Webb Harelson, Mike Delaune and Tony Cunningham.* Absent were: Robert "Poncho" Roussel and Geri Broussard Baloney. (*Absent for roll call.)

Pontchartrain Levee District employees in attendance were: Messrs. Monica Salins - Executive Director, Dwight Poirier - PLD Attorney, Kenny Steib, Sr. - Levee Maintenance Superintendent, and Susan M. Canatella - Secretary to the Board. Also in attendance were: Clinton Rouyea - External Accountant, Jimmy Smith - Maintenance Consultant, and Joe Sevario - Executive Assistant to the Board. Special guests included: Henry Picard, III of Burk-Kleinpeter, Les Waguespack of Shaw Coastal, Misty Evans of the Louisiana Department of Transportation and Development, John Graves, Jack Morgan and Ashlyn Graves of Evans-Graves & Associates, and Scott Gaspard of The Law Offices of Scott Gaspard, APLC.

The Pledge of Allegiance was recited.

A motion to approve the minutes of the Regular Board Meeting of May 20, 2008 was offered by Mr. Harelson and seconded by Mr. Bartley and unanimously carried.

COMMITTEE REPORTS

Finance Committee: Mr. Jesse Bartley reported on the Finance meeting held on June 24, 2008. Mr. Bartley skipped over item 1A and proceeded with 2B. Mr. Harelson moved, seconded by Mr. Delaune approve and authorize the PLD President to task BKI with completion of the Feasibility Portion of Task Order No. 8, as per the amounts set forth in the PMP between PLD and USACE which totals \$2,737,800.00 (PLD's portion \$1,621,450.00) as recommended by committee on June 24, 2008. This motion carried unanimously. Mr. Bartley then moved to approve regular monthly invoices in the amount of \$56,366.99 as recommended by committee. This motion was seconded by Mr. Harelson and unanimously carried. Next, Mr. Harelson moved, seconded by Mr. Bartley to approve payment in the amount of \$16,791.30 to G.C.R. & Associates for the period of May 1 thru May 31, 2008 for Reaches 1B, 2A & 2B. 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 \$332.50 for website technical support from May 1, 2008 through May 31, 2008 as recommended by committee. The motion carried unanimously. Mr. Bartley moved, seconded by Mr. Harelson to approve the invoice from G.C.R. & Associates in the amount of \$475.00 for computer technical support from April 1, 2008 through April 30, 2008. The motion carried unanimously. Next, Mr. Delaune moved, seconded by Mr. Bartley to approve the invoice from G.C.R. & Associates in the amount of \$59.99 for the annual PLD website hosting fee as recommended by committee. The motion carried unanimously. Mr. Bartley then moved to approve the overage amount from the invoice of the Board Attorney in the amount of \$820.00 as recommended. This motion was seconded by Mr. Harelson and carried unanimously. Mr. Harelson moved, seconded by Mr. Delaune to approve the invoice from the Mississippi Valley Flood Control Association for annual dues from July 1, 2008 through June 30, 2009, in the amount of \$3,860.00 as recommended by committee. This motion carried unanimously. Mr. Addison moved to approve and authorize the PLD President to execute the Agreement with Motiva Enterprises, LLC and Shell Chemical LP and the Pontchartrain Levee District and acceptance of the \$7,000,000.00 contribution towards construction of the Cross Bayou Pump Station as recommended by committee. The motion was seconded by Mr. Addison and carried unanimously. *At 6:19 p.m., Mr. Cunningham arrived and took his seat at the table. Mr. Cunningham moved, seconded by Mr. Harelson to approve and authorize the PLD President to sign the documents necessary to accept the \$7,000,000.00 from the LA DOTD Statewide Flood Control Funds to be transferred for construction of the Cross Bayou Pump Station as recommended by committee. The motion carried unanimously. Mr. Cunningham moved, seconded by Mr. Harelson to approve and authorize the PLD President to request/accept the transfer of the escrow interest funds from USACE to construction of the Cross Bayou Pump Station up to the limits of the escrow agreement as recommended by committee. The motion carried unanimously. Mr. Cunningham then moved to approve and authorize the PLD President to execute the amended agreement with Evans-Graves to complete design and bid specifications regarding the Cross Bayou Pump Station as recommended. This motion was seconded by Mr. Addison and also carried unanimously. Mr. Graves was present and addressed member regarding said bid package, advertising specifications and time frame and issuance of a Notice to Proceed. Mr. Graves stated that if all goes as planned, bids would more than likely be opened at the September 15, 2008 Board Meeting. Mr. Harelson moved, seconded by Mr. Delaune to approve and authorize Monica Salins, Jean Bush and Clinton Rouyea to set up a specific, separate account at a banking institution providing PLD with the best interest rate for the Cross Bayou Pump Station Construction Fund Account. The motion carried unanimously as amended. Mr. Bartley then went back to Item #1A previously skipped. Mr. Bartley then moved, seconded by Mr. Addison to approve the contract with Volkert & Associates, Inc. regarding the EBR Duncan Point Seepage Study, contract amount not to exceed \$66,458.67, all subject to review and approval by the PLD Board Attorney. Mr. Harelson questioned the proposed contract regarding fees charged and the sub-contractor amount. Discussion was had regarding adding the Iberville Parish activities to said study. Following discussion, members decided to wait to add any additional area(s) to said study and continue the completion of this study in the East Baton Rouge Parish vicinity, particularly the Duncan Point area, and evaluate the path forward once said study complete on the sand boil area in Iberville Parish. This motion to move forward with EBR area only carried unanimously. President Wilson further referenced a letter from Walter O. Baumy, Jr., P.E., Chief, Engineering Division from USACE dated June 26, 2008 stating there was “no danger to the Mississippi River during high river stages...sand boils (were) 5,145 feet from the MRL on the north side and 4,588 feet from the MRL on the south side of Plaquemine Point...” regarding a site visit to the Iberville area on June 23, 2008.

Equipment Committee: Mr. Webb Harelson reported on the meeting held on June 24, 2008 and advised there were no action items to report.

Security/Safety Committee: Mr. Tony Cunningham reported on the security meeting held on June 26, 2008. Mr. Cunningham advised that there were no action items to report.

Personnel Committee: Mr. Tony Cunningham reported on the Personnel meeting which was held on June 26, 2008. Mr. Harelson moved to approve to remove employee #188123 from probationary status and thus grant said employee permanent status as recommended by committee. This motion was seconded by Mr. Bartley and unanimously carried. Mr. Cunningham moved, seconded by Mr. Addison to approve the merit increases for eligible employees #7227, 10741, 1575, 2725, 15388, 188123. It was noted for the record that employee #8561 was not eligible for merit increase due to PLD and Civil Service Policy relative to sick leave. This motion carried unanimously. Mr. Harelson then moved, seconded by Mr. Delaune to extend the contract of James Smith, Maintenance Consultant, until July 31, 2008 and retroactive to March 25, 2008 as recommended by committee. This motion was unanimously carried. Mr. Bartley moved, seconded by Mr. Harelson to extend the contract of Dwight Poirrier, Board Attorney, until July 31, 2008 and retroactive to April 17, 2008 as recommended. This motion carried unanimously. Lastly, Mr. Delaune moved, seconded by Mr. Bartley to extend the contract of Clinton Rouyea, External Accountant, until July 31, 2008 as recommended. This motion carried unanimously.

STAFF REPORTS

A written report on the Hurricane and Flood Control Projects was submitted by Ms. Mona Nosari of G.C.R. & Associates and presented by President Wilson.

LETTERS OF NO OBJECTION

The following requests were presented to the Board for action:

St. John the Baptist Parish – request dated May 30, 2008 concerning permission to host the annual “Salute to Our Veterans” Independence Day Celebration on Thursday, July 3, 2008 with fireworks exhibitions and a flagpole on the levee, at Reserve, Louisiana in St. John the Baptist Parish. Mrs. Broussard Baloney moved, seconded by Mr. Bartley to grant a “NO OBJECTION” to this request. This motion carried unanimously.

Karr Builders, Inc. – request of May 9, 2008 concerning permission to develop a residential subdivision when river is below elevation +13.0 feet for excavations within 300 feet of the centerline and +15.0 feet for excavation further than 300 feet of the centerline at levee station 4910+00, at LaPlace, Louisiana, in St. John the Baptist Parish. Mr. Cunningham 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 May 29, 2008 and the Louisiana Department of Transportation and Development dated May 28, 2008. This motion carried unanimously.

Pioneer Americas LLC d/b/a Olin Chlor Alkali Products – request of May 12, 2008 through Providence Engineering and Environmental Group LLC concerning permission to drive approximately 400 piles when river is below elevation +14.0 feet, at St. Gabriel, Louisiana, in Iberville Parish. Mr. Harelson 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 June 4, 2008 and the Louisiana Department of Transportation and Development dated May 28, 2008. This motion carried unanimously.

Huntsman Rubicon Refinery – request of April 24, 2008 through Mammoet USA, Inc. concerning permission to transport three reactors, one absorber, and one salt pump when the river is below elevation +11.0 feet, at Geismar, Louisiana in Ascension Parish. Mr. Bartley 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 June 12, 2008 and the Louisiana Department of Transportation and Development dated May 28, 2008. The motion was unanimously carried.

Marathon Oil Company – request of April 22, 2008 through URS Corporation concerning permission to construct a temporary stability berm and to transport vessels as part of Phase 1A when the river is below elevation +11.0 feet, at levee station 4554+00, at Garyville, Louisiana, in St. John the Baptist Parish. Mr. Cunningham moved, seconded by Mr. Harelson to grant a “NO OBJECTION” to this request as per letters of no objection from the Corps of Engineers, New Orleans District dated May 20, 2008 and the Louisiana Department of Transportation and Development dated May 14, 2008. This motion carried unanimously.

Marathon Petroleum Company, LLC – request of May 7, 2008 concerning permission to replace the cathodic protection system for Tank 75-2 when the river is below elevation +11.0 feet, at levee station 4544+00, at Garyville, Louisiana, in St. John the Baptist 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 May 23, 2008 and the Louisiana Department of Transportation and Development dated May 20, 2008. This motion carried unanimously.

Marathon Petroleum Company, LLC – request of May 8, 2008 concerning permission to drill footings and perform excavation work to extend the firewater system when the river is below elevation +11.0 feet at levee station 4520+00, at Garyville, Louisiana, in St. John the Baptist Parish. Mr. Harelson 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 May 23, 2008 and the Louisiana Department of Transportation and Development dated May 14, 2008. This motion carried unanimously.

LBC Tank Terminals – request of May 12, 2008 concerning permission to perform excavations for the construction of underground fire water lines and drainage lines when the river is below elevation +13.0 feet at levee station 1291+50, at Sunshine, Louisiana, in Iberville Parish. Mr. Harelson 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 June 20, 2008 and the Louisiana Department of Transportation and Development dated May 27, 2008. This motion carried unanimously.

LC Geismar Services, LLC – request of May 28, 2008 to renew letter of no objection #05041814 through Shaw Environmental & Infrastructure for Monochem, Inc. which is now LC Geismar Services, LLC concerning permission to replace three existing diesel tanks with on tank, at levee station 2270+00, at Geismar, Louisiana, in Ascension Parish. Mr. Bartley 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 April 12, 2008 and the Louisiana Department of Transportation and Development dated June 12, 2008. This motion carried unanimously.

Steve Bercegeay – request of June 5, 2008 concerning permission to dig a pond when the river is below elevation +14.0 feet at levee station 2440+00. at Geismar, Louisiana, in Ascension Parish. Mr. Delaune 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 June 17, 2008 and the Louisiana Department of Transportation and Development dated June 25, 2008. This motion carried unanimously.

Valero-St. Charles Refinery – request of May 23, 2008 concerning permission to replace utility poles and install an electrical duct bank when the river is below elevation +14.0 feet at levee stations 5350+00 and 5396+00, in St. Charles Parish. Mr. Cunningham moved, seconded by Mr. Harelson to grant a “NO OBJECTION” to this request as per letters of no objection from the Corps of Engineers, New Orleans District dated June 10, 2008 and the Louisiana Department of Transportation and Development dated June 3, 2008. This motion carried unanimously.

Ancient Domain, Inc. – request of February 4, 2008 through Lanier & Associates, Inc. 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 when the river is below elevation +11.0 feet at levee station 3168+85.51, at Convent, Louisiana, in St. James Parish. Mr. Cunningham moved, seconded by Mr. Harelson to grant a “NO OBJECTION” to this request as per letters of no objection from the Corps of Engineers, New Orleans District dated June 6, 2008 and the Louisiana Department of Transportation and Development dated May 6, 2008. This motion carried unanimously.

Cameron Compressions – request of May 28, 2008 concerning permission to excavate to expose a fire protection main to repair a leak when the river is below elevation +15.0 feet at levee station 5860+00, in St. Charles Parish. Mr. Cunningham 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 June 5, 2008 and the Louisiana Department of Transportation and Development dated June 3, 2008. This motion carried unanimously.

Hilcorp Energy Company – request of March 17, 2008 and revised letter dated March 24, 2008 through Tim Morton & Associates concerning permission to drill an oil/gas well (S.L. 5021 Well No. 4) and to construct a drill pad when the river is below elevation +11.0 feet, at levee station 503+88, 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 June 10, 2008 and the Louisiana Department of Transportation and Development dated April 14, 2008. This motion carried unanimously.

Ahmad Home Site - request of May 7, 2008 through J. L. Arnold, Inc. concerning permission to drill two (2) soil borings when the river is below elevation +15.0 feet at levee station 1291+62, at Sunshine, Louisiana, in Iberville Parish. Mr. Harelson 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 May 30, 2008 and the Louisiana Department of Transportation and Development dated May 23, 2008. This motion carried unanimously.

Gnots Reserve, Inc. - request of May 28, 2008 through Eustis Engineering concerning permission to drill one (1) soil boring when the river is below elevation +11.0 feet, at levee station 5677+31, at Destrehan, Louisiana, in St. Charles Parish. Mr. Cunningham 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 June 3, 2008 and the Louisiana Department of Transportation and Development dated June 3, 2008. This motion carried unanimously.

Jesse Duplantis Ministries – request of May 23, 2008 through G & R Custom Homes, LLC concerning permission to drive 476 timber piles when the river is below elevation +12.0 feet and to perform excavations when the river is below elevation +11.0 feet for a residence at 13912 River Road, at levee station 5492+66, at Destrehan, Louisiana, in St. Charles Parish. Mr. Harelson 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 June 24, 2008 and the Louisiana Department of Transportation and Development dated July 1, 2008. This motion carried unanimously.

Valero-St. Charles Refinery – request of June 11, 2008 through Keystone Engineering, Inc. concerning permission to drive 90 timber piles for the new MCC building when the river is below elevation +15.0 feet, at levee station 5375+01, at Norco, Louisiana, 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 June 26, 2008 and the Louisiana Department of Transportation and Development dated June 25, 2008. This motion carried unanimously.

International Matex Tank Terminals (BASF Facility) – request of June 3, 2008 through T. Baker Smith, Inc. concerning permission to install two wooden power poles when the river is below elevation +11.0 feet, at levee station 2378+70, in Ascension Parish, Louisiana. Mr. Delaune 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 June 12, 2008 and the Louisiana Department of Transportation and Development dated May 28, 2008. The motion was carried unanimously.

RIGHTS OF ENTRY

Department of the Army, Corps of Engineers, New Orleans District – request of May 12, 2008, from Linda C. LaBure to the Pontchartrain Levee District for right-of-entry to perform construction of the Lake Pontchartrain, Louisiana and Vicinity, High Level Plan, St. Charles Hurricane Protection Levee, North of Airline Highway, Gulf South Pipeline Gap Closure, for a period of 90 days or until completion of work, Baseline Station 283+90 to 293+50, St Charles Parish, Louisiana. Mr. Cunningham moved, seconded by Mr. Addison to grant right of request as requested. The motion carried unanimously.

PRESIDENT'S REMARKS

President Wilson addressed the members and discussed committee assignments. President Wilson reviewed each committee and made the necessary changes due to changes in Board Members.

OLD BUSINESS

President Wilson addressed the Board and presented the Regular Board Meeting Schedule for the Fiscal Year 2008/2009. Mr. Cunningham moved, seconded by Mr. Harelson to adopt said schedule as presented. The motion carried unanimously. Mr. Harelson then moved, seconded by Mr. Cunningham to approve renewal of the official journal, *The News Examiner*, at the same amount of \$450 per month. This motion carried unanimously. Mr. Bartley also addressed the Board concerning the Personnel Committee and stated that the whole Board should be declared as members. All members agreed.

NEW BUSINESS

The first item for discussion was a Resolution declaring support for the Nucor Corporation project to be located in St. James Parish. The following resolution was offered by Mr. Webb Harelson and seconded by Mr. Tony Cunningham and unanimously carried:

A resolution declaring support for the Nucor Corporation project to be located in St. James Parish, Louisiana, and authorizing the negotiation of an appropriate document regulating the ad valorem tax abatement for the project.

WHEREAS, the Pontchartrain Levee District Board of Commissioners pledges its support of the Nucor Corporation project in St. James Parish, Louisiana and further agrees to cooperate and assist the Port of South Louisiana and Nucor Corporation to evaluate and consider all permits, applications and requests made to this Board in an expedient and efficient manner, all in accordance with the Department of Transportation and Development and the United States Army Corps of Engineers specifications and standards.

NOW THEREFORE, BE IT RESOLVED, that the Pontchartrain Levee District does hereby declare its support for the Nucor Corporation to be constructed in St. James Parish, Louisiana.

The second item on the agenda was Executive Session regarding litigation issues. At this time, Mr. Bartley moved to go into Executive Session to discuss legal matters for approximately forty (45) minutes. This motion was seconded by Mr. Addison and unanimously carried. Executive Session began at 7:05 p.m. At 7:48 p.m., Mr. Harelson moved, seconded by Mr. Bartley to return to regular session. The motion carried unanimously and members returned to the agenda. President Wilson stated that during Executive Session, litigation issues were discussed and no official action was necessary at this time.

PUBLIC COMMENT

None.

ADJOURNMENT

At this time, Mr. Bartley moved, seconded by Mrs. Addison to adjourn. The motion carried unanimously and President Wilson declared the meeting adjourned at 7:49 p.m.

/s/ Susan M. Canatella

Susan M. Canatella, Secretary

/s/ Steve Wilson

**Steve Wilson, President
Pontchartrain Levee District**