

The Board of Commissioners for the Pontchartrain Levee District met at its office on Monday, March 15, 2010, pursuant to due notice given to each member in due time, form and manner as follows:

March 12, 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 Monday, March 15, 2010 at the Lutcher Office, Lutcher, Louisiana.

Very truly yours,

Monica Salins,
Executive Director

President Steve Wilson called the meeting to order at 6:32 p.m. The following members were present: Messrs. Bill Addison, Marty Poche, Allen St. Pierre, Jerry Savoy, L.C. Irvin, Mike Delaune and Steve Wilson. Absent: None.

Pontchartrain Levee District employees in attendance were: Messrs. Monica T. Salins – Executive Director, Norris Melancon – Levee Maintenance Superintendent, Joe Lawler – Police Officer 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: A.J. Domangue of G.C.R. & Associates, Henry Picard, III. of BKI, John Monzon of OCPR, Les Waguespack of Shaw, Nathan Junius of Linfield, Hunter & Junius, Jake Lambert of G.S.A. & Associates, Jack Morgan of Evans Graves Engineers, Andre Rodrigue and Vyron Bernard of ABMS, Jeff Loup of T. Baker Smith and Eric Poche of SJB Group.

The Pledge of Allegiance was recited.

A motion to approve the minutes of the Regular Board Meeting of February 22, 2010, 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 March 9, 2010. There were no action items to report.

Equipment Committee: Mr. Mike Delaune reported on the meeting held on March 9, 2010. There were no action items to report.

Finance Committee: Mr. Jerry Savoy reported on the Finance meeting held on March 11, 2010. Mr. Addison moved, seconded by Mr. Irvin to approve the regular monthly invoices in the amount of \$25,205.57 as recommended by committee. The motion carried unanimously. Mr. Poche then moved, seconded by Mr. St. Pierre to approve the invoice from G.C.R. and Associates for 100 year protection in the amount of \$48,547.42 as recommended by committee. This motion carried unanimously. Mr. Irvin moved, seconded by Mr. Delaune to approve the invoice from Board Attorney, Dwight Poirrier in the amount of \$4,811.20 as recommended by committee. This motion carried unanimously. Mr. Addison moved, seconded by Mr. Irvin to

approve half the expenses for the Louisiana GFOA Spring Conference in Lake Charles on April 28-30, 2010 as recommended by committee. This motion also carried unanimously. Mr. Delaune moved, seconded by Mr. Poche to approve expenses for the Grand Isle Mayor's Conference in Grand Isle on April 22-24, 2010 as recommended by committee. This motion carried unanimously. Mr. St. Pierre moved to approve and authorize PLD, President, Steve Wilson, to execute an agreement between the PLD and St. John the Baptist Parish acknowledging the local non-Federal portion of the Feasibility Study for the West Shore-Lake Pontchartrain, Louisiana, is now estimated to be \$7,112,080.00; as such, the parties had previously agreed to cost share this study in a prior agreement back in 1997 and the parties now desire that the cost share be amended to reflect that the Pontchartrain Levee District be responsible for 80% and St. John the Baptist be responsible for 20% of the local non-federal portion of the project as recommended by committee. This motion was seconded by Mr. Irvin and carried unanimously.

The following resolution was offered by Mr. Allen St. Pierre and seconded by Mr. Marty Poche to authorize the President, Steve Wilson, to execute an agreement between the Pontchartrain Levee District and St. John the Baptist Parish as follows:

WHEREAS, the U.S. Army Corps of Engineers has conducted a reconnaissance study of hurricane protection for the West Shore-Lake Pontchartrain, Louisiana, and has determined that further study in the nature of a "Feasibility Phase Study" (hereinafter the "Study") is required to assess the extent of Federal interest in participating in a solution to the problem of hurricane protection and flood control in St. John the Baptist Parish; and

WHEREAS, Section 105 of the Water Resource Development Act of 1986 specifies the cost sharing requirements applicable to the Study; and

WHEREAS, the local non-Federal portion of the cost of the Study is now estimated to be SEVEN MILLION ONE HUNDRED TWELVE THOUSAND EIGHTY AND NO/100 (\$7,112,080.00) DOLLARS; and

WHEREAS, neither the Pontchartrain Levee District nor St. John the Baptist Parish is financially capable of bearing one hundred (100%) percent of the total local non-Federal portion of the Study, and had previously agreed to a cost share in a prior agreement between the parties in 1997, setting forth the Pontchartrain Levee District with seventy-seven and 50/100 (77.50%) percent and St. John the Baptist Parish with twenty-two and 50/100 (22.50%) percent of the local non-Federal portion of the project costs; and

WHEREAS, it is now desired that the cost share be amended to reflect that the Pontchartrain Levee District be responsible for eighty (80%) percent and St. John the Baptist Parish be responsible for twenty (20%) percent of the local non-Federal portion of the project costs;

NOW THEREFORE, IT IS AGREED AS FOLLOWS:

1. Paragraph 1 of the initial agreement between the Pontchartrain Levee District and St. John the Baptist Parish is hereby amended to provide that the Pontchartrain Levee District shall provide eighty (80%) percent of the local non-Federal portion of the project costs and St. John the Baptist Parish shall provide twenty (20%) percent of the local non-Federal portion of the project costs for the St. John the Baptist Parish Hurricane Protection and Flood Control Study to be conducted by the U.S. Army Corps of Engineers.

2. Paragraph 5 of the initial agreement between the Pontchartrain Levee District and St. John the Baptist Parish is hereby amended to provide that in the event St. John the Baptist Parish should choose to provide funding for the Study beyond its twenty (20%) percent obligation, the Pontchartrain Levee District shall repay St. John the Baptist Parish such overpayments upon a schedule to be agreed upon between the Pontchartrain Levee District and St. John the Baptist Parish.
3. All other terms and conditions of the initial agreement between the Pontchartrain Levee District and St. John the Baptist Parish not in conflict herewith shall remain in full force and effect as originally agreed.

The resolution carried unanimously and was declared adopted.

Personnel Committee: Mr. Marty Poche reported on the Personnel meeting which was held on March 11, 2010. Mr. Savoy moved, seconded by Mr. Irvin to approve the merit increases for April for the following employees Nos. 1161, 12522, 5153, 1011, 20999 and 20123 on their respective anniversary dates and to approve permanent status of employee Nos. 20999 and 20123 and 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
- 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

LETTERS OF NO OBJECTION

The following requests were presented to the Board for action:

Evergreen Baptist Church – request of February 23, 2010 concerning permission to carry out the Reenactment of the “Crucifixion of Christ” by placing three (3) crosses on the levee, parishioner procession will follow, to be held on Good Friday, April 2, 2010, at Paulina, Louisiana, in St. James Parish. Mr. Poche moved, seconded by Mr. Addison to grant a “Letter of No Objection” to this request. This motion carried unanimously.

Mark Ryan – request of January 19, 2010 through Professional Service Industries, Inc. on behalf of Murray Architects, concerning permission to drill two (2) soil borings for a proposed warehouse at 6066 Hwy, 44, levee station 3664+50 and 3667+00, at Convent, 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 February 24, 2010 and OCPR dated February 8, 2010 and reaffirmed by PLD. This motion carried unanimously.

Mississippi River Diversion (Blind River Project) – request of January 18, 2010 through Professional Service Industries, Inc., concerning permission to drill one (1) soil boring on the flood side, to drill four (4) soil borings on the protected side and to drill one (1) soil boring on the left descending bank, between levee stations 3416+70 and 3420+70, at Romeville, Louisiana, in St James Parish. Mr. St. Pierre 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 March 1, 2010, 2010 and OCPR dated January 28, 2010 and reaffirmed by PLD. This motion carried unanimously.

St. James Properties - request of January 8, 2010 concerning permission to construct a storage warehouse consisting of a metal building approximately 60’ x 90’ on a 4” concrete slab requiring nominal excavation, primarily for standard footers, along with a waiver approval of 15’, levee station 3239+00, at Convent, Louisiana, in St. James Parish. Mr. Poche moved, seconded by Mr. Delaune 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 February 23, 2010 and reaffirmed by PLD. This motion carried unanimously.

St. Charles Parish School Board (Harry Hurst Middle School) – request of January 19, 2010 through Professional Service Industries, Inc. on behalf of Murray Architects, concerning permission to drill two (2) soil borings at 170 Road Runner Lane, levee station 5556+85, at Destrehan, Louisiana, in St. Charles Parish. Mr. Irvin moved, seconded by Mr. Delaune 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 February 18, 2010 and OCPR dated February 11, 2010 and reaffirmed by PLD. This motion carried unanimously.

Roy Andermann – request of January 27, 2010 concerning permission to drill a domestic water well between 150 and 250 feet deep, levee station 3727+00, at Union, Louisiana, in St. James Parish. Mr. Addison 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 March 2, 2010 and OCPR dated February 1, 2010 and reaffirmed by PLD. This motion carried unanimously.

Prison Enterprises (Division of the Louisiana Department of Public Safety and Corrections) – request of February 8, 2010 concerning permission to drill a water well approximately 120’ deep, for a proposed cattle operation. Additionally, electrical service will be provided by trenching no more than 2’ underground for a distance of approximately 200’ from the nearest existing electrical supply. All work to take place approximately 350’ from the base of the levee stations 1700 and 1710 at the Elayn Hunt Correctional Center, St. Gabriel, Louisiana, in Iberville Parish. Mr. Delaune 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 March 10, 2010 and OCPR dated February 23, 2010 and reaffirmed by PLD. This motion carried unanimously.

Cameron Compression – request of December 14, 2009 concerning permission to construct a metal building at 10446 River Road, levee station 5866+00, at St. Rose, Louisiana, in St. Charles Parish. Mr. Addison 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 March 3, 2010 and OCPR dated February 8, 2010 and reaffirmed by PLD. This motion carried unanimously.

St. John the Baptist Parish Council – request of February 18, 2010 concerning permission to conduct improvements to the Lions Water Plant consisting of construction of a 2MGD filter addition and an office building, a 2.5MGD clarifier unit replacement, a 3.0 MGD clarifier unit reconditioning, and sludge pit expansion and construction requires driving of 50-foot piles for the new filter building, levee station 4586+65, in Reserve, St. John the Baptist Parish. Mr. St. Pierre 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 March 3, 2010 and OCPR dated March 3, 2010 and reaffirmed by PLD. This motion carried unanimously.

Olin Chlor Alkali Products - request of October 19, 2009 concerning permission to repair the cathodic protection system on plant facilities at 4205 Highway 75, levee station 1532+75, at St. Gabriel, Louisiana, in Iberville Parish. Mr. Delaune 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 March 3, 2010 and OCPR dated November 10, 2009 and reaffirmed by PLD. This motion carried unanimously.

St. Charles Parish Department of Public Works – waiver request of February 11, 2010 through Krebs, LaSalle, LeMieux Consultants, Inc. concerning permission to replace the existing culverts under Thoroughbred Avenue and install a temporary roadway (LONO # 09122194) when the river stage is above +11.0 feet on the Carrollton Gage; waiver was granted by the USACE letter dated February 24, 2010 up to a maximum of +15.0 feet, levee station 5080+00, at Montz, Louisiana, in St. Charles Parish. Mr. St. Pierre moved, seconded by Mr. Delaune to grant a “Letter of No Objection” to this request, per the requirements and prohibitions set forth in the Letter of No Objection of USACE dated February 24, 2010 and reaffirmed by PLD. This motion carried unanimously.

Entergy Louisiana, LLC – request of July 21, 2009 and revised August 19, 2009 concerning permission to install one (1) new 55’ pole and remove one (1) rotten 55’ pole, backfill, remove secondary cable, install one anchor and 3 guy wires and transfer its facilities, levee station 5813+31, at St. Rose, Louisiana, in St. Charles 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 January 4, 2010 and OCPR dated March 2, 2010 and reaffirmed by PLD. This motion carried unanimously.

Entergy Louisiana, LLC – request of January 8, 2010 concerning permission to replace two (2) 50’ wooden poles and remove one (1) 50’ wooden pole per USACE Project LPV-05.2A Good Hope and Shell Pipeline Floodwall on the hurricane protection levee, near levee station 142+41.3, in St. Charles Parish. Mr. Delaune 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 March 2, 2010 and OCPR dated January 14, 2010 and reaffirmed by PLD. This motion carried unanimously.

Entergy Louisiana, LLC – request of October 1, 2009 concerning permission to replace a rotten 50’ wooden pole and transfer its facilities to new pole, levee station 5570+76.9, at Destrehan, Louisiana, in St. Charles Parish. Mr. Addison 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 February 26, 2010 and OCPR dated October 8, 2009 and reaffirmed by PLD. This motion carried unanimously.

Entergy Louisiana, LLC – request of February 22, 2010 concerning permission to install one (1) 55’ wooden power pole and its facilities (cables and grounds) at 10090 River Road (La. Hwy. 48), levee station 5897+52.7, St. Rose, Louisiana, in St. Charles Parish. Mr. Addison moved, seconded by Mr. Delaune 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 March 2, 2010 and OCPR dated March 2, 2010 and reaffirmed by PLD. This motion carried unanimously.

Entergy Louisiana, LLC – request of February 11, 2010, concerning permission to replace one (1) 35’ pole with a 40’ pole and to install one (1) new 40’ pole at 176 Apricot Street, levee station 4830+00, at LaPlace, Louisiana, in St. John the Baptist 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 March 2, 2010 and OCPR dated February 23, 2010 and reaffirmed by PLD. This motion carried unanimously.

Entergy Louisiana, LLC - request of February 8, 2010 concerning permission to replace eight (8) existing poles and conductors to provide service to the new Yara North America Facility, levee station 3188+00, in St. James Parish (Note: Modification emailed March 10, 2010 to be considered at a later date, in conjunction with this LONO). 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 March 3, 2010 and OCPR dated February 23, 2010 and reaffirmed by PLD. This motion carried unanimously.

At this time, Mr. Delaune moved, seconded by Mr. Addison to add two (2) Letters of No Objection to the agenda. This motion carried unanimously and the items were taken up.

Rivere Casino & Hotel (Formerly Pinnacle Casino & Hotel) – request of February 1, 2010 through Natural Resource Professionals, Inc. concerning permission to construct the casino facility, conduct a Phase III Cultural Resource Survey, and installation of a 50’ landscape buffer. Construction of the casino facility involved clearing and grubbing the entire project area (8.1 acres), including removal of all trees; relocation of approximately one (1) mile of River Road; construction of a basin contained within a T-wall; construction of a floating casino secured with piles; construction of an access drive over the levee; construction of a hotel and above grade pond, connected to the casino with an elevated walkway; excavation of borrow pits to be used for fill; and construction of associated drives, parking and utility infrastructure. The Phase III Cultural Survey consists of excavation and backfilling at four (4) locations via mechanical and hand methods to depths up to 3.3’. This will be between levee stations 585+00 and 620+00m East Baton Rouge Parish, Louisiana, predicated on Corps and OCPR provisions and hard copies of same. Mr. Delaune 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 and reaffirmed by PLD. This motion carried unanimously.

City of St. Gabriel – request of February 24, 2010 concerning permission to install an 8-inch water pipe as part of the Ravier Street Water Improvement project, levee station 1358+00, Sunshine, Louisiana, Iberville Parish. Mr. Poche 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 March 12, 2010 and OCPR dated March 2, 2010 and reaffirmed by PLD. This motion carried unanimously.

RIGHTS OF ENTRY

Department of the Army, Corps of Engineers, New Orleans District – request of February 19, 2010 and revised March 9, 2010 from Linda C. LaBure, Chief of Real Estate Division, to Steven C. Wilson, President of the Pontchartrain Levee District for right-of-entry for a period of one (1) year to perform surveys in connection with the Comprehensive Evaluation of Project Datums (CEPD), Mississippi River Gages, St. Charles and St. John the Baptist Parishes, Louisiana as shown on the maps entitled “Mississippi River Gage/Area 2, Right of Entry,” index sheet and sheet number 1, last modified March 8, 2010. Right of Entry is predicated upon notification of a private levee ramp owner. Mr. Addison moved, seconded by Mr. Delaune to grant said request. This motion carried unanimously.

PRESIDENT’S REMARKS

President Wilson briefly updated members regarding the Levee Inspection Report received March 10, 2010. Brief discussion was had. President Wilson also discussed the upcoming Mississippi Valley Flood Control Association Spring meetings in Washington, D.C. March 20-24, 2010.

OLD BUSINESS

At this time, Mr. Poche moved, seconded by Mr. St. Pierre to add an item to the agenda concerning the exchange of property with PLD and Tod’s Catering. This motion carried unanimously and Board Attorney, Mr. Poirrier addressed the Board. Mr. Irvin then moved to open the public hearing. This motion as seconded by Mr. Delaune and carried unanimously. Mr. Poirrier asked if there was anyone present to speak in opposition to Ordinance No. 1 of 2010, which was introduced on February 22, 2010 at the regular meeting of the Board of commissioners of the Pontchartrain Levee District. The Ordinance is setting forth the reasons for and terms of an exchange of property owned by the Pontchartrain Levee District for property owned by Detillier Properties, LLC in compliance with LA R.S. 33:4712. This Ordinance was properly advertised three (3) times in the News Examiner on February 25, 2010, March 4, 2010, and March 11, 2010, with no opposition to date. Hearing no opposition, then a Motion to Adopt Ordinance No. 1 of 2010 setting forth the reasons and terms of said exchange of property owned by the Pontchartrain Levee District for property owned by Detillier Properties, LLC, said PLD Ordinance No. 1 to take effect ten (10) days after today’s adoption. Mr. St. Pierre moved, seconded by Mr. Irvin to adopt said PLD Ordinance No. 1 as set forth herein. The motion carried unanimously.

NEW BUSINESS

The next item on the agenda was the adoption of the 2010-2011 Budget. There was no opposition.

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

WHEREAS, the Legislature of the State of Louisiana has requested all state governing boards, agencies political subdivisions to adopt a budget for each fiscal year, and;

WHEREAS, the Board of Commissioners for the Pontchartrain Levee District, in order to be in compliance with Acts 1985, No. 785, effective July 22, 1985 (LA R.S. 38:318) and to honor the request and intent of the Legislature, and;

WHEREAS, the major mission of said district is to maintain the east bank Mississippi River levee system as defined in LA R.S. 38:291 (L), to insure the levee integrity and capability, to safely understand river stages and hurricane tidal surges, and;

WHEREAS, said District's additional purpose is to construct or support construction by others of new or enhanced levels of protection, to anticipate weaknesses in the levee system in order to avoid flooding caused by high river stages or hurricane tidal surges, and;

WHEREAS, careful consideration has been given to the assets and liabilities of the Pontchartrain Levee District, and;

WHEREAS, considering taxing revenues and other income and reviewing the anticipated expenditures of said District,

NOW, THEREFORE, with the recommendations of the Administrative Staff of the Pontchartrain Levee District, the following budget for the fiscal year ending June 30, 2011 be adopted:

SEE ADDENDUM "A"

Anyone having any objection to the foregoing budget should contact the Board Office in Lusher, Louisiana and a public hearing will be scheduled.

The resolution to adopt the budget carried unanimously and is therefore adopted.

PUBLIC COMMENTS

None.

ADJOURNMENT

At this time, Mr. Irvin moved, seconded by Mr. Savoy to adjourn. The motion carried unanimously and President Wilson declared the meeting adjourned at 7:55 p.m.

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

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