

The Board of Commissioners for the Pontchartrain Levee District met at its office on Tuesday, May 20, 2008, pursuant to due notice given to each member in due time, form and manner as follows:

May 16, 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, May 20, 2008 at the Lucher Office, Lucher, Louisiana.

Very truly yours,

Monica Salins,  
Executive Director

President Wilson called the meeting to order at 6:01 p.m. The following members were present: Messrs. Webb Harelson, Jesse Bartley, Chucky Tillis, Geri Broussard Baloney, Mike Delaune and Steve Wilson. Absent were: Robert "Poncho" Roussel and Tony Cunningham.

Pontchartrain Levee District employees in attendance were: Messrs. Monica Salins - Executive Director, Kenny Steib - Levee Maintenance Superintendent, Mack Bush - Captain of Police Department and Susan M. Canatella - 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 - Legal Counsel. Special guest included: Mona Nosari of G.C.R. & Associates, Les Waguespack of Shaw Coastal, Charlie Raymond of Taggart, Morton, LLC., and Carley Fleming of Cali & LaPlace Engineers.

The Pledge of Allegiance was recited.

A motion to approve the minutes of the Regular Board Meeting of April 21, 2008 was offered by Mr. Tillis, seconded by Mr. Bartley and unanimously carried.

### COMMITTEE REPORTS

**Finance Committee:** Mr. Jesse Bartley reported on the Finance meeting held on May 15, 2008. Mr. Harelson moved, seconded by Mr. Tillis to approve the regular monthly invoices in the amount of \$52,027.20 as recommended by committee. The motion carried unanimously. Next, Mr. Bartley moved, seconded by Mr. Tillis to approve the invoice from G.C.R. & Associates in the amount of \$5,192.09 for the period of April 1, 2008 thru April 30, 2008 for Reach 1B. This motion carried unanimously. Mr. Tillis moved, seconded by Mr. Delaune to approve the invoice from G.C.R. & Associates in the amount of \$47.50 for the period of March 1, 2008 through March 31, 2008 for website technical support as recommended by committee. This motion carried unanimously. Lastly, Mr. Bartley moved, seconded by Mr. Tillis to approve the invoice from G.C.R. & Associates in the amount of \$581.24 for the period of September 1, 2007 through March 31, 2008 for computer technical support as recommended by committee. This motion carried unanimously.

**Equipment Committee:** Mr. Webb Harelson reported on the meeting held on May 15, 2008. There were no action items to report.

**Security/Safety Committee:** Mr. Mike Delaune reported on the security meeting held on May 15, 2008. Mr. Harelson moved to approve to upgrade the consolette radios at the Headquarters in the amount of \$274.00 as recommended by committee. This motion was seconded by Mr. Bartley and this motion carried unanimously.

**Personnel Committee:** Mr. Chucky Tillis reported on the Personnel meeting which was held on May 15, 2008. Mrs. Broussard Baloney moved to approve the merit increase for June, 2008 as recommended by committee for employee #6775. This motion was seconded by Mr. Harelson and carried unanimously.

## STAFF REPORTS

A report on the Hurricane Protection Levee Project was presented by Ms. Mona Nosari.

## LETTERS OF NO OBJECTION

The Following requests were presented to the Board for action:

President Wilson addressed the Board and requested that two (2) Letters of No Objection from Valero be added to the agenda for consideration. Mr. Harelson moved to add these items to the agenda. This motion was seconded by Mrs. Broussard Baloney and carried unanimously.

**Valero St. Charles Refinery** – request of May 14, 2008 to perform dock improvements at Dock #4 at the Valero St. Charles Refinery. Mrs. Broussard Baloney 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 2 2008 and the Louisiana Department of Transportation and Development verbal email dated May 20, 2008, **provided said work is performed when the river is below elevation +11.0 feet on the Carrollton gage.** The motion carried unanimously.

**Valero St. Charles Refinery** – request of May 7, 2008 through Conestoga-Rovers & Associates to perform six (6) soil borings/temporary monitor wells within 1,500 feet of the Mississippi River levee at Valero St. Charles Refinery. Mrs. Broussard Baloney 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 14, 2008 and the Louisiana Department of Transportation and Development verbal email dated May 20, 2008, **provided said work is performed when the river is below elevation +15.0 feet on the Carrollton gage.** The motion carried unanimously.

**Marathon Oil Company** – request dated April 17, 2008 through URS Corporation concerning permission to transport vessels as part of Phase 1A which includes grading to fix ruts, matting the area and moving equipment from the barges and across the levee at levee station 4554+00, at Garyville, Louisiana in St. John the Baptist Parish. Mrs. Broussard Baloney 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 13, 2008 and the Louisiana Department of Transportation and Development dated April 30, 2008, **provided said work is performed when the river is below elevation +11.0 feet on the Carrollton gage.** The motion carried unanimously.

**\*Marathon Oil Company** – request of May 5, 2008 through Entergy Louisiana, LLC concerning permission to install a power pole at levee station 4497+30 in St. John the Baptist Parish. Mrs. Broussard Baloney 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 14, 2008 and the Louisiana Department of Transportation and Development dated May 14, 2008, **provided said work is performed when the river is below elevation +15.0 feet on the Carrollton gage.** The motion carried unanimously.

**\*Pinnacle Casino** – request of April 17, 2008 through Natural Professionals, LLC concerning permission to perform excavations between levee stations 605+00 and 638+40, **Area 1 work can be performed when river is below elevation +11.0 on the Carrollton gage and Area 2 is performed when river is below elevation +13.0 on the Carrollton gage,** said work to be done in East Baton Rouge Parish. Mr. Tillis 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 2, 2008 and the Louisiana Department of Transportation and Development dated May 13, 2008. The motion carried unanimously

**\*Motiva (Convent Refinery)** – request of April 15, 2008 through Lanier & Associates Consulting Engineers, Inc. concerning permission to install a breasting dolphin at levee station 3099+60 at Convent, Louisiana in St. James 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 April 15, 2008 and the Louisiana Department of Transportation and Development dated May 13, 2008, **provided said work is performed when the river is below elevation +15.0 feet on the Carrollton gage.** The motion carried unanimously.

**\*International Matex Tank Terminals** – request of March 31, 2008 through Lanier & Associates Consulting Engineers, Inc. concerning permission to drive piles for structural improvements to dock no. 8 at levee station 5715+39, at St. Rose, Louisiana, in St. Charles Parish. Mr. Tillis 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 February 26, 2008 and the Louisiana Department of Transportation and Development dated May 13, 2008, **provided said work is performed when the river is below elevation +15.0 feet on the Carrollton gage.** The motion carried unanimously.

**\*Four Seasons Self Storage** – request of April 11, 2008 through Boyd Holmes Engineering, Inc. concerning permission to construct three mini-storage buildings and two RV/boat storage buildings at levee station 2980+00, at Burnside, 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 May 15, 2008 and the Louisiana Department of Transportation and Development dated May 13, 2008, **provided said work is performed when the river is below elevation +15.0 feet on the Carrollton gage.** The motion carried unanimously.

**\*Entergy Louisiana, LLC** – request of April 14, 2008 concerning permission to install three power poles and replace an existing pole, between levee station 4913+00 and 5069+37, in St. John the Baptist and St. Charles Parishes, Louisiana. 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 May 9, 2008 and the Louisiana Department of Transportation and Development verbal email dated May 14, 2008, **provided said work is performed when the river is below elevation +11.0 feet on the Carrollton gage.** The motion carried unanimously.

**\*Town of Gramercy** – request of April 17, 2008 through Environmental Engineering Services, Inc. concerning permission to install two pile supports and case the existing intake pipe on the water intake structure at the Water Treatment Plant, at levee station 4195+00, at Gramercy, Louisiana, in St. James Parish. Mr. Harelson moved, seconded by Mrs. Broussard Baloney to grant a “NO OBJECTION” to this request as per letters of no objection from the Corps of Engineers, New Orleans District dated May 14, 2008 and the Louisiana Department of Transportation and Development dated May 14, 2008, **provided said work is performed when the river is below elevation +15.0 feet on the Carrollton gage.** The motion carried unanimously.

**\*St. John the Baptist Parish School Board** – request of April 15, 2008 through Entergy Louisiana, LLC concerning permission to install a power pole to service Emily C. Watkins Elementary School, at levee station 4932+83, in St. John the Baptist Parish. Mrs. Broussard Baloney 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 9, 2008 and the Louisiana Department of Transportation and Development dated May 13, 2008, **provided said work is performed when the river is below elevation +11.0 feet on the Carrollton gage.** The motion carried unanimously

**Marathon Petroleum Company, LLC** – request of March 4, 2008 through URS Corporation for a **waiver request** with the following guidelines as per Corps letter of no objection dated March 10, 2008, that **pile driving performed when river is below elevation +15.0 at the Carrollton gage and dredging in the river, to the 50’ contour line, in front of dock is allowed when river is below elevation +15.0 at the Carrollton gage in New Orleans; and therefore no construction and/or excavation are performed on the levee or its slope when the river is above elevation +11.0 on the Carrollton gage in New Orleans,** between levee stations 4516+00 and 4527+50, at Garyville, Louisiana, in St. John the Baptist Parish. Mrs. Broussard Baloney 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 March 14, 2008. The motion carried unanimously.

**Delta Terminal Services** – request of February 1, 2008 through T. Baker Smith, Inc. for a **waiver request** with the following guidelines as per Corps letter of no objection dated March 13, 2008, that **piles are driven when the river is below elevation +15.0 and all work on levee is performed and completed when river is below elevation +11.0 at the Carrollton gage in New Orleans, LA,** at levee station 2281+52, at Geismar, Louisiana, in Ascension Parish. Mr. Roussel 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 March 13, 2008. The motion carried unanimously.

**International Matex Tank Terminals** – request of March 7, 2008 through Eustis Engineering Services, LLC for a **waiver request** with the following guidelines as per Corps letter of no objection dated March 11, 2008, that **borings are drilled and backfilled when the river is below elevation +15.0 at the Carrollton Gage in New Orleans,** between levee stations 5699+00 and 5702+00, at St. Rose, Louisiana, in St. Charles Parish. Mr. Roussel 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 March 11, 2008. The motion carried unanimously.

## **RIGHTS OF ENTRY**

**Department of the Army, Corps of Engineers, New Orleans District** – request of April 28, 2008, from Linda C. LaBure to the Pontchartrain Levee District for right-of-entry for a period of 2 months to perform surveys and soil borings in connection with the Lake Pontchartrain and Vicinity, Hurricane Protection Project, St. Charles Parish, Louisiana, in accordance with the right of entry areas as delineated on Corps of Engineers map file numbers H-8-46507 (drawings 1 through 9 of 9), H-8-45554 (drawings 1 and 2 of 2), H-8-45327 (drawing 1 of 1), **said right –of-entry is predicated on Pontchartrain Levee District notifying private landowner by certified mail.** Mrs. Broussard Baloney moved, seconded by Mr. Tillis to grant said right-of-entry as requested. The motion carried unanimously.

## **PRESIDENT’S REMARKS**

President Wilson addressed members and requested a motion to add two (2) items to the agenda. The first item was concerning the PLD audit letter from Louisiana Legislative Auditor and the other was a report concerning needed manpower by the PLD Maintenance Department. Mrs. Broussard Baloney moved, seconded by Mr. Delaune to add these items to the agenda. This motion carried unanimously. President Wilson explained that the Legislative Auditor’s Office had solicited bids for a PLD auditor for the next three (3) years and the sole respondent was Hienz & Macaluso. The contract was awarded to Hienz & Macaluso at a fee of \$8,100.00 for each year, with a total contract price for three (3) years of \$24,300.00. Mr. Bartley moved to approve said contract with Hienz & Macaluso. This motion was seconded by Mrs. Broussard Baloney and carried unanimously. The next item added was discussion of manpower needs by the PLD Maintenance Department which was presented by Mr. Kenny Steib, Levee Maintenance Superintendent. Mr. Steib explained that there were 8 vacant Mobile Equipment Operator 1 (MEO1) positions within the organization and he requested that the Board approve filling at least five (5) of these vacancies. Mr. Steib discussed the upcoming 2008 Hurricane Season and the needs concerning the additional manpower necessary to perform the operations of the District. Following brief discussion, Mr. Bartley moved to post and fill five (5) Mobile Equipment Operator 1 positions as requested. This motion was seconded by Mrs. Broussard Baloney and carried unanimously.

## **OLD BUSINESS**

At this time, Mrs. Broussard Baloney addressed the Board and requested discussion concerning Task Order #4 with Burk Kleinpeter. President Wilson informed members that the PCA was due to be signed by the Corps of Engineers soon. President Wilson recapped some areas of the West Shore Project and discussed Task Order #8. President Wilson also stated that at next month’s Finance meeting on June 10<sup>th</sup>, 2008, updates and presentations would be made concerning the West Shore Project, Amite River & Tributaries and the LaBranche Wetlands.

## **NEW BUSINESS**

Under new business, President Wilson opened discussion concerning a letter from the PLD Police Captain Mack Bush. Mrs. Broussard Baloney moved to go into Executive Session for approximately thirty (30) minutes to discuss said request. This motion was seconded by Mr. Tillis and carried unanimously. Executive Session began at 6:34 p.m. At 6:57 p.m., Mr. Bartley moved, seconded by Mr. Tillis to return to regular session. This motion carried unanimously.

President Wilson read into the record the letter presented by Captain Mack Bush, specifically:

“May 13, 2008...

Pontchartrain Levee District  
Board of Commissioners  
2204 Albert Street  
Lutcher, Louisiana 70071

Board of Commissioners:

I have been employed with the Pontchartrain Levee District for 31+ years. I have always tried to work with great pride and dedication during my years of service. At this time, I am in the State Employee Deferred Retirement Option Program (DROP) and currently asking for your approval of Annual Leave beginning June 2, 2008 through January 21, 2009. At the end of the time of requested leave, it is my plan to retire.

It has been a pleasure working for the Pontchartrain Levee District. I appreciate all of the opportunities that have been afforded me. It has truly been a rewarding learning experience that I will always remember.

Sincerely,  
Mack M. Bush, Sr., Captain

cc: Monica Salins, Executive Director”

President Wilson explained that the extended annual leave request was delivered by Captain Bush at the Security Committee Meeting on Thursday, May 15, 2008. President Wilson called on Board Attorney Dwight Poirrier who gave members his legal recommendation concerning said request. Mr. Poirrier further explained that the recommendation was to defer said request until the next Board Meeting, June 16<sup>th</sup>, 2008, in order to protect PLD’s obligations to the public. Mr. Poirrier explained that the request of extended annual leave was to begin during a critical period of PLD operations specifically the beginning of the 2008 Hurricane Season, the next in line supervisor was currently out on annual leave and not due to return until May 29<sup>th</sup>, 2008 and also unaware of the PLD Police Captain’s request, and because Captain Bush’s letter did not specifically state an effective date of retirement, and only stated an intent to retire, it did not allow the Pontchartrain Levee District the ability to plan for the chief of security’s absence during this critical time or in the future. Mr. Poirrier also discussed transition actions needed to protect the public’s interest with the upcoming hurricane season, necessary preparations to insure a smooth transition and critical department issues because of this position within the Pontchartrain Levee District. Mr. Poirrier offered to speak with Captain Bush should he so desire within the next few weeks.

## **PUBLIC COMMENTS**

None.

## ADJOURNMENT

At this time, Mr. Bartley moved, seconded by Mrs. Broussard Baloney to adjourn. The motion carried unanimously and President Wilson declared the meeting adjourned at 7:06 p.m.

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

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