

The Board of Commissioners for the Pontchartrain Levee District met at its office on Monday, May 16, 2011, pursuant to due notice given to each member in due time, form and manner as follows:

May 13, 2011

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, May 16, 2011 at the Lutcher Office, Lutcher, Louisiana.

Very truly yours,

Monica Salins,  
Executive Director

Vice-President Mike Delaune called the meeting to order at 6:15 p.m. The following members were present: Messrs. Marty Poche, Jerry Savoy, L.C. Irvin, Allen St. Pierre, Mike Delaune and Ricky Bosco. Absent for roll call was President Steve Wilson.

Pontchartrain Levee District employee in attendance was: Monica Salins – Executive Director, Susan M. Sheets - Secretary to the Board. Also in attendance were: Joe Sevario – Executive Assistant to the Board and Dwight Poirrier – PLD Legal Counsel. Special guest included: A.J. Domangue of G.C.R. & Associates, Les Waguespack of Shaw, Nathan Junius of Linfield, Hunter & Junius, Henry Picard, III. of Burk Kleinpeter, Eric Poche of SJB Group, Jack Morgan of Evans Graves and Associates, Josh Graham of Compliance Enviro Systems, Paul Tschirky and Jonathan Hird of Moffatt & Nichol, Jake Lambert of GSA and Tommy Martin of Stuart Consulting Group.

The Pledge of Allegiance was led by Mr. Savoy. Mr. Irvin made a motion to approve the minutes of the Regular Board Meeting of April 18, 2011. This motion was seconded by Mr. Savoy and carried unanimously.

## COMMITTEE REPORTS

**Security/Safety Committee:** Mr. Mike Delaune reported on the security meeting held on May 10, 2011. There were no action items to report.

**Equipment Committee:** Mr. Mike Delaune reported on the equipment meeting held on May 10, 2011. There were no action items to report.

**Finance Committee:** Mr. Jerry Savoy reported on the Finance meeting held on May 12, 2011. Mr. St. Pierre moved, seconded by Mr. Bosco to approve the Cooperative Endeavor Agreement between PLD and St. John the Baptist Parish for the Master Drainage Study as recommended by committee. This motion carried unanimously. Mr. Poche moved to approve the expenses for the annual LEPA/GOHSEP Annual Workshop on May 30 – June 3, 2011 as recommended by committee. This motion also carried unanimously. Mr. Poche moved to approve the regular monthly invoices in the amount of \$72,894.65 as recommended by committee. This motion was seconded by Mr. Bosco and carried unanimously. Mr. Irvin then moved, seconded by Mr. St. Pierre to approve

the invoice from G.C.R. and Associates for the St. Charles Parish Hurricane Protection 100 year protection in the amount of \$19,497.25 for the month of April 1, 2011 thru April 30, 2011 as recommended by committee. This motion carried unanimously. Mr. Irvin moved, seconded by Mr. Bosco to approve the invoice from GCR & Associates for Computer Technical Support for the month of March 1, 2011 through March 31, 2011 as recommended by committee. The motion carried unanimously. Mr. Poche then moved to approve for PLD to declare a Public State of Emergency due to Flood Stages of the Mississippi River as recommended by committee. This motion carried unanimously. Mr. Poirrier read said declaration into the minutes.

**THIS DECLARATION** is entered into on the date set out below by:

**THE PONTCHARTRAIN LEVEE DISTRICT**

a political subdivision created, organized and existing under the Constitution  
and laws of the State of Louisiana, herein represented by  
Steven C. Wilson, its duly authorized President

**WHEREAS**, the Louisiana Statutes Annotated R.S. 38:2211D(1)(a) and (b)(ii) directs that the requirement of advertisement and letting to lowest responsible bidder for public contracts, works and improvements does not apply in cases where the president authorized to act on behalf of the governing authority of a political subdivision declares that an extreme emergency exists and notice of such has been published in the official journal of the public entity proposing or declaring such public emergency within ten days or as soon as possible;

**WHEREAS**, pursuant to LSA R.S. 38:2211 A(6)(a), an "Emergency" is defined in part as an unforeseen mischance bringing with it destruction or injury of life or property or the imminent threat of such destruction or injury;

**WHEREAS**, the Governor of Louisiana has declared and published a state of emergency, Proclamation No. 41 BJ 2011, in preparation for the Mississippi River which predicted river crests well above flood stage, effective April 28, 2011 to May 28, 2011, unless terminated sooner; and

**WHEREAS**, the potential for destruction and emergency conditions that may disrupt the human life and property caused by flooding along Mississippi River and other state bodies of water have led to the Pontchartrain Levee District, through its duly authorized President, Steven C. Wilson, to declare a state of extreme public emergency, as it deems it necessary and appropriate in response to the Proclamation of Governor Jindal.

**NOW THEREFORE, I, STEVEN C. WILSON**, President of the Pontchartrain Levee District, by virtue of the authority vested by the State of Louisiana, does hereby order and direct as follows:

This declaration of extreme emergency is effective upon signature and shall apply retroactively from April 28, 2011 through May 28, 2011, unless amended, modified, terminated or rescinded by the Board of Commissioners of the Pontchartrain Levee District through its President, Steven C. Wilson.

Lastly, Mr. Irvin moved, seconded by Mr. Bosco to approve to purchase a T7070 Bobcat Compact Track Loader through State Contract due to the Public State of Emergency Declaration as recommended by committee. The motion carried unanimously.

**Personnel Committee:** Mr. Marty Poche reported on the Personnel meeting which was held on May 12, 2011. There were no action items.

## STAFF REPORTS

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 Shoreline Protection Project

At 6:50 p.m., President Wilson arrived and took his seat at the table.

## LETTERS OF NO OBJECTION

*At this time, Mr. Delaune asked for some discussion specific to the Letters of No Objection on the agenda as it relates to the current 2011 historical flood fight. Members discussed such issues as the Emergency Proclamation issued by Governor Jindal, potential flooding throughout the state, unknown flood fight measures which may be necessary, and the need to protect and insure the safety of lives, property and infrastructure within PLD jurisdiction and they discussed their options. Following discussion, Mr. Delaune moved, seconded by Mr. Irvin to defer ALL Letters of No Objection referenced below until next month's meeting, scheduled for June 20, 2011. This motion carried unanimously. (Therefore the Letters of No Objection were not considered and/or addressed).*

**Louisiana Department of Transportation Development** – request of March 29, 2011 concerning permission to widen the roadway and perform subsurface drainage on LA 50 between LA 48 and the ICG Railroad Crossing, levee station 5821+29, in St. Charles Parish

**Port of South Louisiana** – request of April 27, 2011 concerning permission to construct the Maritime Security Operations Center, levee station 4627+00, at Reserve, Louisiana, in St. John the Baptist Parish

**Entergy Louisiana, LLC** – request of April 4, 2011 concerning permission to replace four (4) power poles as part of the Iron Man Substation fiber attachment, between levee station 5100+00 and 5110+00, at Montz, Louisiana, in St. John the Baptist

**Entergy Louisiana, LLC** – request of March 28, 2011 concerning permission to install two (2) power poles at 110 Highway 628, levee station 5029+50, at LaPlace, Louisiana, in St. John the Baptist Parish

**Entergy Louisiana, LLC** – request of February 25, 2011 concerning permission to install one (1) power pole at 151 East 5<sup>th</sup> Street, levee station 4687+00, at Reserve, Louisiana, in St. John the Baptist Parish

**Total Petrochemicals USA, Inc.** – request of April 12, 2011 concerning permission to construct rail improvements, levee station 2075+00, at Carville, Louisiana, in Iberville Parish

**Entergy Louisiana, LLC** – request of February 25, 2011 concerning permission to replace four (4) power poles at 6618 Highway 44 (Ory Street), levee station 3569+00, at Convent, Louisiana, in St. James Parish

**AT&T** – request of March 4, 2011 through Byers Engineering on behalf of Valero concerning permission to install one (1) utility pole anchor along the west side of Highway 48 (River Road), levee station 5391+33.4, at New Sarpy, Louisiana, in St. Charles Parish

**Nucor Steel Corporation** – request of May 5, 2011 through URS Corporation concerning permission to extend letter of no objection #09061538 for an additional three (3) years, Convent, Louisiana, in St. James Parish

### **RIGHTS OF ENTRY**

**Department of the Army, Corps of Engineers, New Orleans District** – request of April 21, 2011, and revised May 12, 2011 from Linda C. LaBure, Chief of Real Estate Division, to Garret Graves, Chairman of the Coastal Protection and Restoration Authority of Louisiana and Steve Wilson, President of the Pontchartrain Levee District for right-of-entry for a period of twelve (12) months or until completion of the work in connection with the Lake Pontchartrain and Vicinity, , St. Charles Parish Hurricane Protection Levee (HPL), Reach 1B Access Road, LPV-4.2B, as per drawings entitled “Lake Pontchartrain and Vicinity, St. Charles Parish Hurricane Protection Levee (HPL), Reach 1B Access Road, Request For Survey, Sheet Identification C-1 dated April 21, 2011 and revised May 2011. Mr. Domangue discussed this request and explained that this relocation project would be of no costs to PLD. Following discussion, Mr. Savoy moved, seconded by Mr. St. Pierre to grant request as presented. This motion carried unanimously.

### **PRESIDENT’S REMARKS**

President Wilson gave an update relative to the 2011 Flood Fight conditions along the Mississippi River. President Wilson discussed the seepage berm at Duncan Point and the sand boils resulting as the river rises in East Baton Rouge Parish. As per a site visit today of the Duncan Point area, DOTD is assisting PLD, USACE, EBR and OCPR and closing River Road at the Farr Park entrance proceeding downriver for approximately 1 mile in the Duncan Point area; Detour signs will be placed at Brightside Lane, Ben Hur Road and Gardere Lane advising of said lane closure; the purpose of this closure is to allow: (1) PLD to place additional sandbags in the depression within existing sandbag field (2) For EBR DPW specific for monitoring purposes- surveys from the road to water’s edge to be taken along 3 lines as discussed, 3 times a week starting tomorrow and (3) installation of an effluent flow meter in roadside ditch to be measured as discussed on site this morning. Due to the Declaration of Public Emergency dated May 16, 2011, President Wilson advised members that Stuart Consulting Group, Inc., was tasked to install effluent flow meters, provide said flow monitoring and daily reports to PLD, USACE and any other affected parties with said information to assist and enhance the area as referenced and requested by USACE, specific to the 2011 Flood Fight within the Farr Park/Duncan Point area. Due to this emergency, Board Counsel will prepare a contract for Professional Services to be ratified. This is a known seepage area, seepage resulting along the protected side of the levee,

ditches, shoulders edge and along River Road. As a safety measure with all of the work described herein DOTD chose to close the road. As per the site visit this morning, there is NO question as to the integrity of the MRL system in this area, this is being done to secure additional data during this historical river level event. There is also seepage and sand boils resulting in Iberville Parish due to the river rising in places as far as a mile to a mile and a half from the levee. Currently PLD is still in Phase 2 of Flood Fight which means that PLD is monitoring and inspecting 24/7. Supervisors, administrative support and all personnel have adjusted their schedules accordingly and we continue to have coverage 24/7 until this event subsides. President Wilson also reminded everyone that the 2011 Hurricane Season is just 2 weeks away and we're going into this season with a historical high water event in the river.

### **OLD BUSINESS**

Mr. Savoy opened discussion regarding the 2011 budget concerning the re-modeling of the maintenance shop. Discussion was had concerning the present flooding conditions, and not being able to meet time frame regarding improvements. At this time, Mr. Savoy made a motion to add this discussion to the agenda. The motion to add was seconded by Mr. Bosco and carried unanimously. Discussion was had relative to the present 2011 Historical Flood Fight and with the upcoming 2011 Hurricane Season and contingencies utilized, contingencies which may be needed and usual preparations for this time of year. Following discussion, Mr. Savoy moved, seconded by Mr. Irvin to defer the construction work at the maintenance shop until the end of the 2011 Hurricane Season. This motion carried unanimously.

### **NEW BUSINESS**

None.

### **PUBLIC COMMENTS**

Under public comments, Mr. Jake Lambert questioned President Wilson about the general public not being able to go onto the Mississippi River levees. Discussion was had. President Wilson stated that Corps, PLD, OCPR, SCP EOC, SCP SO and other authorized motor vehicles will travel the levee to continue assessing the MRL for this 2011 Flood Fight, 7 days a week until this EPIC, history making, record river level event has subsided. It is for the safety of the public and the safety of the onlookers and is strictly a precautionary measure.

### **ADJOURNMENT**

At this time, Mr. Poche moved, seconded by Mr. Irvin to adjourn. The motion carried unanimously and President Wilson declared the meeting adjourned at 7:34 p.m.

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**Susan M. Sheets, Secretary**

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