

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

October 17, 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, October 20, 2008 at the Lutcher Office, Lutcher, Louisiana.

Very truly yours,
Monica Salins,
Executive Director

President Wilson called the meeting to order at 6:05 p.m. The following members were present: Messrs. Jesse Bartley, Steve Wilson, Bill Addison, Mike Delaune, Tony Cunningham* and Webb Harelson. * Absent for roll call. President Wilson stated for the record that he would be voting.

Pontchartrain Levee District employees in attendance were: Messrs. Monica Salins - Executive Director, Dwight Poirrier - PLD Attorney, Kenny Steib - (detailed) Levee Board Operations Superintendent, and Susan M. Canatella, Secretary to the Board. Also in attendance were: Clinton Rouyea - External Accountant, Joe Sevario- Executive Assistant to the Board and Jimmy Smith - Maintenance Consultant. Special guests included: Les Waguespack of Shaw Coastal, Henry Picard of Burk Kleinpeter, Inc, Charlie Raymond of Taggart, Morton, Misty Evans of LA DOTD and Nathan Junius of Linfield, Hunter & Junius, Inc.

The Pledge of Allegiance was recited.

A motion to approve the minutes of the Regular Board Meeting of September 29, 2008 was offered by Mr. Bartley, seconded by Mr. Delaune and unanimously carried.

COMMITTEE REPORTS

Insurance Committee: Mr. Jesse Bartley reported on the Insurance Meeting held on October 14, 2008. Mr. Bartley moved to approve to continue utilizing Eustis Insurance Company as agent for the acquisition of insurance coverage for 2009 for an additional one (1) year as recommended by committee. This motion was seconded by Mr. Addison and carried unanimously. Mr. Addison then moved, to approve to continue utilizing Robert Insurance Agency as agent for acquisition of workers' compensation coverage for 2009 for an additional one (1) year as recommended by committee on October 14, 2008. This motion was seconded by Mr. Bartley and also carried unanimously.

Finance Committee: Mr. Jesse Bartley reported on the Finance meeting held on October 14, 2008. Mr. Harelson moved to approve to authorize Steve Wilson, PLD Board President, to task and enter into a professional services contract with Moffatt-Nichol, pending review and approval by the PLD Board Attorney, for Phase 1 of the St. Charles Parish Hurricane Protection Levee Shoreline Enhancement Feasibility Study, which includes Tasks 1, 2 and 3, contract amount not to exceed \$100,000 and to be completed within 90-100 days once Notice to Proceed issued by PLD as recommended by committee on October 14, 2008. This motion was seconded by Mr. Delaune and carried unanimously. Mr. Harelson moved, seconded by Mr. Addison to approve to authorize Steve

Wilson, PLD Board President, to enter into an Intergovernmental Agreement between the PLD and St. Charles Parish (SCP) for implementation, oversight and disbursement of the SCP Coastal Zone Management CIAP (Coastal Impact Assistance Program) Funds, approximately \$1.6 million per year, as recommended by committee. This motion carried unanimously. Mr. Bartley moved, seconded by Mr. Addison to approve the regular monthly invoices in the amount of \$66,380.49 as recommended by committee. This motion also carried unanimously. Next, Mr. Harelson moved to approve the invoice from G.C.R. & Associates in the amount of \$10,503.80 for September 1, 2008 through September 30, 2008 as recommended by committee. This motion was seconded by Mr. Delaune and carried unanimously. Mr. Bartley moved, seconded by Mr. Delaune to approve the invoice from G.C.R. & Associates for website technical support in the amount of \$427.50 as recommended by committee. The motion carried unanimously. Mr. Addison then moved to approve the invoice from U.S. Army Corps of Engineers for the St. Charles Urban Flood Control Feasibility Study evidencing a portion of the Sponsor's cash contribution requirement, as per the terms of the cost share agreement of March 30th, 2005, in the amount of \$123,890.26 as recommended by committee. This motion was seconded by Mr. Delaune and also carried unanimously. Lastly, Mr. Bartley moved, seconded by Mr. Delaune to approve the monthly contractual overage of \$112.50 for PLD Board Attorney's invoice as recommended by committee. This motion carried unanimously.

Equipment Committee: Mr. Webb Harelson reported on the meeting held on October 9, 2008. Mr. Harelson moved to approve the purchase of four (4) John Deere 6430 Cab & Air Tractors, with extended warranty, through State Contract at a cost of \$40,773.28 per tractor, for a total amount of \$163,093.12 as recommended by committee on October 14, 2008. The motion carried unanimously.

Security/Safety Committee: Mr. Mike Delaune reported on the security meeting held on October 16, 2008. There were no action items to report.

Personnel Committee: Mr. Jesse Bartley reported on the Personnel meeting held on October 16, 2008. Mr. Delaune moved to approve to accept the retirement letter from Allen Louviere dated October 16th, 2008, said retirement to be effective the close of business on Friday, October 31st, 2008 as recommended by committee. This motion was seconded by Mr. Addison and carried unanimously. Mr. Delaune then moved, seconded by Mr. Bartley to approve to interview and fill two (2) PLD Police Officer 2 positions as recommended by committee. This motion carried unanimously. Mr. Delaune then moved, seconded by Mr. Bartley to approve the back pay for the detail of Employee #122896 from February 1, 2007 to July 27, 2008 for said duties. Further, the current detail of Employee #122896, initiated on July 28, 2008 be extended and remain in effect until further action of this Board, both as recommended by committee on October 16, 2008. The motion carried unanimously. At 6:25 p.m., Mr. Tony Cunningham arrived and took his seat at the table. Mr. Harelson then moved, seconded by Mr. Delaune to post, in house, for the Levee Board Operations Superintendent position. This motion carried unanimously. Next, Mr. Harelson moved, seconded by Mr. Delaune to approve the following individuals be detailed to the following positions, effective Tuesday, October 21st, 2008, and post, in house, for these detailed positions and the Levee Board Operations Superintendent on Monday, November 3rd, 2008, for a period of seven (7) working days:

Employee # 1482 detailed to Levee Maintenance Superintendent*

Employee #1575 detailed to Mobile Equipment Shop Superintendent*

Employee #126518 detailed to Foreman 2*

Employee #126539 detailed to Foreman 1*

Employee #184393 detailed to Mobile Equipment Shop Foreman*

Employee #161707 detailed to MEO1/Heavy*

Employee #001008 detailed to MEO1/Heavy*

*Said postings to include language that the positions posted for permanent placement are to be conditioned upon a probationary period of at least ninety (90) days, with the right to extend such probation at the discretion of the Board, and/or as per Civil Service guidelines and requirements. The motion carried unanimously.

Mr. Bartley moved, seconded by Mr. Cunningham to recommend that Probational Employee Michael Schivers be detailed to MEO1/Heavy, until further notification and action of the Board, as recommended by committee and this additional MEO1/Heavy position not be posted at this time. This motion carried unanimously. At this time, Mr. Bartley requested the Executive Director to issue a memo to all employees which stated that the detailed individuals are not automatically entitled to said position(s) and/or the salary at the end of the detail and that any and all employees may apply for said position(s) as per Civil Service rules and guidelines and meeting requirements for said position(s). Mr. Cunningham then moved, seconded by Mr. Delaune to approve the merit increases for November 2008 for eligible employees, specifically Employee Numbers 001008, 002835, 199414, 015698, 013942, and 159909 as recommended by committee. The motion carried unanimously. Mr. Cunningham moved, seconded by Mr. Bartley to approve the General Engineering Services Contract with Linfield, Hunter & Junius, Inc. on an as needed basis and to authorize, Steve Wilson, PLD Board President, to execute said contract as recommended by committee once reviewed and approved by the PLD Board Attorney, Dwight Poirrier. This motion also carried unanimously. Lastly, Mr. Cunningham moved, seconded by Mr. Harelson to approve rescheduling the November Committee Meetings to Tuesday, November 18th and Thursday, November 20th, 2008 both beginning at 6:00 p.m. and to reschedule the November Board Meeting to Monday, November 24th, 2008 beginning at 6:00 p.m. as recommended by committee on October 16, 2008. This motion also carried unanimously.

Bonfire Committee: Mr. Mike Delaune reported on the bonfire meeting held on October 16, 2008. Mr. Harelson moved, seconded by Mr. Bartley carried to approve levee protection guidelines for 2008 as recommended by bonfire committee at its meeting of October 16, 2008 and to authorize President, Steve Wilson, to execute agreement with each local governmental agencies and Festival of Bonfires, Inc. The motion carried unanimously.

STAFF REPORTS

Members were given a written report filed by Mrs. Mona Nosari relative to the Hurricane and Flood Control Projects. President Wilson briefly discussed the report. In addition, President Wilson called on Mr. Waguespack on Shaw Coastal who gave an update relative to the changes made by the U.S. Army Corps of Engineers concerning the benefit cost ratio that is to be 'modified' for future federally authorized projects. Questions initiated and discussion was had. When a final determination has been designated, the PLD Board members will be informed and advised.

LETTERS OF NO OBJECTION

The following requests were presented to the Board for action:

At this time, Mr. Cunningham moved to add a request to the agenda regarding Entergy. This motion to add said request was seconded by Mr. Delaune and carried unanimously. The request was then taken up.

Entergy Gulf States Louisiana, LLC – request of August 6, 2008 through T. Baker Smith concerning permission to install a new power pole, levee station 2399+87.09, 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 Engineer, New Orleans District dated August 11, 2008 and the Louisiana Department of Transportation and Development dated August 18, 2008. The motion carried unanimously.

River Road Historical Society – request of October 9, 2008 to park vehicles on the base of the levee during our Fall Festival to be held on November 8 & 9, 2008 and to utilize the Levee Board Police to monitor levee parking and to also allow Board President to execute agreement. Mr. Cunningham 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 and the Louisiana Department of Transportation and Development. The motion carried unanimously.

Valero Refining - New Orleans, LLC – request of October 6, 2008 through Wink Companies, LLC to extend the expiration date of the letter of no objection #06092554 for the construction of a replacement pipe bridge over LA 48 (River Road) until September 26, 2009, at Norco, Louisiana, 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 30, 2006, and the Louisiana Department of Transportation and Development dated September 26, 2006. The motion carried unanimously.

LSU Health Sciences Center - request of March 25, 2008 thru CSRS, Inc. and revised letter dated September 9, 2008 through CSRS, Inc to demolish existing utilities and infrastructures, levee station 148+40, at Baton Rouge, Louisiana, in East Baton Rouge Parish. Mr. Addison 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 September 29, 2008 and the Louisiana Department of Transportation and Development dated June 16, 2008 and September 16, 2008. The motion carried unanimously.

Enterprise Products Operating, L.P. – request of June 17, 2008 through Morris P. Hebert, Inc. concerning permission to repair an existing 8-inch pipeline, at levee station 2425+35.04, at Geismar, Louisiana, in Ascension Parish. 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 September 24, 2008 and the Louisiana Department of Transportation and Development dated October 7, 2008. The motion carried unanimously.

Valero Refining – New Orleans, LLC – request of July 16, 2008 concerning permission to install 65 wooden class 2 poles 10 ft. deep X 2 ft. wide with concrete fill to support electric conductors for lighting fixtures along the existing pipe rack, levee station 5351+35, at Norco, Louisiana, in St. Charles Parish. Mr. Cunningham 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 October 24, 2008 and the Louisiana Department of Transportation and Development dated August 6, 2008. The motion carried unanimously.

RIGHTS OF ENTRY

Department of the Army, Corps of Engineers, New Orleans District – request of September 25, 2008 from Janet Cruppi to the Pontchartrain Levee District for right-of-entry for a period of 90 days to perform additional surveys, soil borings, environmental and cultural resources investigations, and hazardous, toxic and radioactive wastes (HTRW) assessments and to carry out other exploratory work as may be necessary to complete investigations being made of said lands by the Government in connection with the Lake Pontchartrain, Louisiana and Vicinity, Hurricane Protection Project, North of Airline Highway, Reach 2A Access Bridge (referred in Corps

letter as Shell Pipeline Floodwall Access Bridge and *referred by PLD as Reach 2A Access Bridge*), St. Charles Parish, Louisiana, as depicted on the Corps drawing entitled “North of Airline Highway Shell Floodwall and Access Bridge” dated August 14, 2008, Sheet SY-01A *granting right-of-entry by PLD predicated on coordinating with DOTD and notifying nonresidential landowner with 15 days notice prior to entry unto the properties.* Mr. Cunningham moved, seconded by Mr. Harelson to approve said request for right of entry. The motion carried unanimously.

Department of the Army, Corps of Engineers, New Orleans District – request of September 30, 2008 from Janet Cruppi to the Pontchartrain Levee District for right-of-entry for a period of 120 days to perform additional surveys, soil borings, environmental and cultural resources investigations, and hazardous, toxic and radioactive wastes (HTRW) assessments and to carry out other exploratory work as may be necessary to complete investigations being made of said lands by the Government in connection with the Lake Pontchartrain, Louisiana and Vicinity, Hurricane Protection Project, North of Airline Highway, *Bayou Trepagnier Pumping Station Complex*, St. Charles Parish, Louisiana, as depicted on the Corps drawing entitled “Lake Pontchartrain, Louisiana and Vicinity, Hurricane Protection Project, St. Charles Parish Floodwalls and Structures, Phase II: Plans and Specifications Right of Entry Request Bayou Trepagnier Drainage Structure,” dated September 10, 2008, Sheet Identification 1 of 1, *granting right-of-entry by PLD predicated on notifying affected property owner(s) with 15 days notice prior to entry unto the properties.* Mr. Cunningham moved, seconded by Mr. Harelson to approve said request for right of entry. The motion carried unanimously.

PRESIDENT’S REMARKS

None.

OLD BUSINESS

Mr. Bartley questioned the Board regarding the status of information regarding direct deposit. Members asked the Executive Director to revisit this matter and present information at November or December meetings.

NEW BUSINESS

President Wilson addressed members regarding the accounting systems provided by Methods. Discussion was had relative to the out of date financing measures used. Mr. Cunningham agreed to research this matter and get proposals for updating the accounting department.

PUBLIC COMMENTS

None.

ADJOURNMENT

At this time, Mr. Cunningham moved, seconded by Mr. Bartley to adjourn. The motion carried unanimously and President Wilson declared the meeting adjourned at 7:03 p.m.

/s/ Susan M. Canatella

Susan M. Canatella, Secretary

/s/ Steve Wilson

Steve Wilson, President
Pontchartrain Levee District