

The Board of Commissioners for the Pontchartrain Levee District met at its office on Monday, September 29, 2008, pursuant to due notice given to each member in due time, form and manner as follows:

September 26, 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, September 29, 2008 at the Lucher Office, Lucher, Louisiana. The public hearing regarding the millage would begin at 5:30 p.m. followed by the regular Board Meeting at 6:00 p.m.

Very truly yours,

Monica Salins,
Executive Director

President Wilson called the public hearing to order at 5:35 p.m. The following members were present: Messrs. Jesse Bartley, Bill Addison, Steve Wilson, Mike Delaune, Webb Harelson and Tony Cunningham. Absent: None. There was no one from the public present.

President Wilson opened discussion regarding the millage. President Wilson explained that PLD would be adjusting the millage from 3.67 to 3.52 representing a revenue neutral and the new adjusted maximum millage. Brief discussion was had. At 6:00 p.m., Mr. Bartley moved, seconded by Mr. Delaune to adjourn the public hearing due to no public input. The motion carried unanimously and the public hearing was concluded.

At 6:04 p.m., President Wilson called the Regular Board Meeting to order.

Pontchartrain Levee District employees in attendance were: Messrs. Monica Salins - Executive Director, Dwight Poirrier - PLD Board Attorney, Kenny Steib - Levee Operations Superintendent and Susan M. Canatella, Secretary to the Board. Also in attendance were: Joe Sevario - Executive Assistant to the Board and Jimmy Smith - Maintenance Consultant. Special guests included: Mona Nosari of G.C.R. & Associates, Les Waguespack of Shaw Coastal, Misty Evans of the Louisiana DOTD, Henry Picard of Burk-Kleinpeter, Inc., Nathan Junius of Linfield, Hunter & Junius, Glenn Shaheen and Jake Lambert of Glenn Shaheen & Associates.

The Pledge of Allegiance was led by Mr. Cunningham.

A motion to approve the minutes of the Regular Board Meeting of August 18, 2008 was offered by Mr. Bartley, seconded by Mr. Addison and unanimously carried.

COMMITTEE REPORTS

Finance Committee: Mr. Jesse Bartley reported on the Finance meeting held on September 23, 2008. Mr. Harelson moved, seconded by Mr. Delaune to approve regular

monthly invoices in the amount of \$63,970.26. This motion carried unanimously. Next, Mr. Delaune moved, seconded by Mr. Addison to approve payment in the amount of \$12,727.55 to G.C.R. & Associates for Reaches 1B, 2A & 2B for the period of August 1, 2008 through August 31, 2008. The motion carried unanimously. Mr. Harelson moved to approve the update to the JP Morgan St. Charles Parish Hurricane Protection Escrow Agreement by referencing the current Executive Director as the authorized signor and that she be authorized to handle said monetary transfers as directed by the Board as recommended by committee. This motion was seconded by Mr. Delaune and carried unanimously. Mr. Bartley then moved, seconded by Mr. Addison to approve the invoice from the National Waterways Conference, Inc. in the amount of \$870.00 for the annual membership dues for 2008-2009. The motion carried unanimously. Next, Mr. Bartley moved, seconded by Mr. Harelson to approve the expenses for the 68th Annual Association of Levee Boards of Louisiana and the 73rd Annual Mississippi Valley Flood Control Association meeting scheduled for December 3-6, 2008 in New Orleans as recommended by committee. The motion carried unanimously. Mr. Delaune moved, seconded by Mr. Addison to approve ½ the expenses for the External Accountant to attend the Annual GFOA Fall Conference on October 8-10, 2008 in Baton Rouge. The motion carried unanimously. Next, Mr. Harelson moved to approve to adopt the Declarations of Public Emergency by the Pontchartrain Levee District as per Governor Jinda's State of Emergencies for Hurricanes Gustav and Ike as recommended by committee on September 23, 2008. This motion was seconded by Mr. Addison and also carried unanimously. Three agenda items were purchased relative to the emergency hurricane situations. These matters were taken up and approved through the emergency purchase procedure. Next, Mr. Bartley moved to approve the FEMA/Louisiana PA request for Hurricanes Gustav and Ike to be prepared and submitted by GCR & Associates and to allow President Wilson the authorization to sign and execute any and all documents necessary for the submission and reimbursement requests of this process as recommended by committee. The motion was seconded by Mr. Cunningham and also carried unanimously. Next on the agenda was the contract with Glenn Shaheen & Associates concerning the proposed Laurel Ridge Levee Extension Project. Mr. Shaheen addressed the Board and discussed proposed plans. Following discussion, Mr. Delaune moved to approve the contract for Task Orders 1, 2, and 3 specific to the completion of the analysis for the proposed Laurel Ridge Levee Extension Project through Glenn Shaheen & Associates, Inc. for a lump sum of \$265,643.30 as recommended by committee. This motion also included an authorization for President Wilson to sign a Cooperative Endeavor Agreement, between the Pontchartrain Levee District and the East Ascension Drainage District subject to PLD Board Attorney review and approval, relative to the Laurel Ridge Levee Extension upon receiving the written request from the East Ascension Drainage District. The motion was seconded by Mr. Bartley and carried unanimously. At this time, Mr. Delaune moved to add an item to the agenda regarding discussion of the Bayou Conway proposed drainage study. The motion carried unanimously and discussion was had. Mr. Picard, representing BKI addressed the Board and discussed said proposed project and explained that this proposed study was a result of Hurricane Rita storm events and flooding. Mr. Picard discussed the modeling and master plan. Mr. Picard was asked by the East Ascension Drainage District to discuss possible funding contribution from PLD for said study. More discussion was had. Following discussion, it was suggested to Mr. Picard that such a request for assistance should be submitted directly from the East Ascension Drainage District and once said letter was received, the PLD would consider this matter further, possibly at the October meetings.

Equipment Committee: Mr. Webb Harelson reported on the meeting held on September 23, 2008. Mr. Cunningham moved, seconded by Mr. Delaune to approve the purchase of one (1) Caterpillar 420IT Rubber Tire Backhoe through State Contract. The motion carried unanimously. Mr. Harelson moved, seconded by Mr. Delaune to advertise, secure bids and purchase one (1) Caterpillar Model 320DL Excavator, or equal, as recommended by committee. This motion carried unanimously. Mr. Cunningham then moved, seconded by Mr. Delaune to approve the purchase, under State Contract through Duhon Machinery, of one (1) Skid Loader T300 in the amount of \$50,076.50. It was noted that originally PLD would purchase the extended warranty but after further research, it was decided to decline the extended warranty policy. This motion carried unanimously. Lastly, Mr. Addison moved, seconded by Mr. Delaune to approve the purchase, under State Contract through Duhon Machinery, of a Towmaster G-12BL Skid Loader Trailer at a total cost of \$6,000.00 as recommended by committee. The motion carried unanimously.

Security/Safety Committee: Mr. Mike Delaune reported on the security meeting held on September 23, 2008 and indicated that there were no action items to report.

Personnel Committee: Mr. Jesse Bartley reported on the Personnel meeting which was held on September 23, 2008. Mr. Cunningham moved, seconded by Mr. Harelson to approve the merit increases for October 2008 for employees: #2360, #9608, #47125 and #199898 as recommended by committee. The motion carried unanimously. Next, Mr. Bartley moved to approve the extension the sick leave for employee #8561 until October 30, 2008 and to request said employee be present at the October 16th, 2008 Personnel Committee meeting along with Board Attorney as recommended by committee. The notice to employee must be sent via certified U.S. mail or hand delivered and a receipt evidencing delivery status. This motion was seconded by Mr. Delaune and carried unanimously.

STAFF REPORTS

Mrs. Mona Nosari gave a report on the Hurricane and Flood Control Projects. Brief discussion was had.

LETTERS OF NO OBJECTION

The following requests were presented to the Board for action:

International Matex Tank Terminals – request of June 16, 2008 through Lanier & Associates, concerning permission to degrade the bank and to deposit the material below the -55 foot contour lie, levee station 5719+00, at St. Rose, Louisiana, in St. Charles Parish. (This matter was skipped after Mr. Addison questioned said request due to typographical error (-55) on said request. Upon clarification as, as to -55, and the intent of the request this matter was considered). Mr. Delaune 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 September 18, 2008 and the Louisiana Department of Transportation and Development dated June 27, 2008. The motion carried unanimously.

LBC Baton Rouge (Sunshine Terminal)—request of August 25, 2008 concerning permission to replace four (4) 20-inch pipe piles besides the existing damaged pipe piles, levee station 1285+00, 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 September 11, 2008 and the Louisiana Department of Transportation and Development dated September 16, 2008. The motion carried unanimously.

I.C. RailMarine Terminal – request of August 20, 2008 through Aquaterra Engineering, LLC concerning permission to drill three (3) soil borings and to perform one (1) cone penetrometer test, levee station 3481+49, at Convent, Louisiana, St. James 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 August 22, 2008 and the Louisiana Department of Transportation and Development. The motion carried unanimously.

Doug Olinde – request of August 15, 2008 through The Precision Construction Group, Inc. concerning permission to install a swimming pool, levee station 1235+35, at Sunshine, Louisiana, in Iberville Parish. Mr. Harelson 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 September 16, 2008 and the Louisiana Department of Transportation and Development dated September 10, 2008. The motion carried unanimously.

International Matex Tank Terminals – request of August 6, 2008 through Ardaman & Associates, Inc., concerning permission to drill two (2) soil borings for a proposed pipe bridge at Shell IMTT on the protected side and the crown, levee station 5711+65, at St. Rose, Louisiana, 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 July 25, 2008, and the Louisiana Department of Transportation and Development dated September 10, 2008. The motion carried unanimously.

Valero-St. Charles Refinery – request of August 28, 2008 through Keystone Engineering, Inc. concerning permission to drive approximately 500 timber/concrete pilings at the proposed location of a new West Plant Control Room Building approximately 1050 feet landward, levee station 5356+00 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 August 28, 2008 and the Louisiana Department of Transportation and Development dated September 10, 2008. The motion carried unanimously.

Valero-St. Charles Refinery – request of September 18, 2008, through Keystone Engineering, Inc. concerning permission to drive approximately 1160 steel pipe piles, levee station 5348+81.63 at Norco, Louisiana, 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 September 22, 2008 and the Louisiana Department of Transportation and Development. The motion carried unanimously.

Entergy Louisiana, LLC – request of September 16, 2008 concerning permission to relocate one 35 ft. pole with supporting anchor and install two additional anchors on existing poles, between levee stations 3736+71 and 3738+95, at Convent, Louisiana, St. James 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 September 17, 2008 and the Louisiana Department of Transportation and Development. The motion carried unanimously. It was noted to have Mr. Granier note location.

Marathon Oil Company, LLC - request of June 13, 2008 through URS Corporation concerning permission to transport vessels as part of Phase 2, at Garyville, 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 September 24, 2008 and the Louisiana Department of Transportation and Development dated June 27, 2008. The motion carried unanimously.

St. Charles Parish - request of January 29, 2008 through Shread Kuyrkendall & Associates, Inc., concerning permission to directionally drill a 24’ waterline and install a pipeline at Crossing No. 2 (Destrehan to Luling), levee station 5591+89, at Destrehan, 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 September 12, 2008 and the Louisiana Department of Transportation and Development dated February 15, 2008. The motion carried unanimously.

RIGHTS OF ENTRY

Department of the Army, Corps of Engineers, New Orleans District – to grant the United States of America, right of entry, including ingress and egress, along the St. Charles Parish Hurricane Protection Levee, LPV-4.1 Tie in at St. Rose Drainage Structure to provide the emergency repairs at said structure, i.e. armoring/scour protection–Corps contractor to place rock on flood side of said structure to provide armoring/scour protection. Access to this structure should be accomplished via the concrete bridge, west of the I-310 overpass, and then onto the Pontchartrain Levee District Right of Way and continue traveling east along the protection levee to the St. Rose Drainage Structure. This right of entry shall remain in place for a period of six (6) months. Mr. Bartley moved, seconded by Mr. Cunningham to grant right of entry as requested. This motion carried unanimously.

Department of the Army, Corps of Engineers, New Orleans District – to extend the 90 day right of entry dated June 12, 2008 and approved at our board meeting of June 30, 2008 for the Gulf South Pipeline Gap Closure, Baseline 283+90 to 293+50, St. Charles, Louisiana, for an additional 90 days. Mr. Cunningham moved, seconded by Mr. Delaune to grant right of entry extension as requested. The motion carried unanimously.

PRESIDENT’S REMARKS

President Wilson announced the 67th Annual Meeting of the Association of Levee Boards and Mississippi Valley Flood Association Conferences being held in New Orleans on December 3rd – 6th, 2008 and asked members to notify the Board Secretary as to their attendance so registration and reservations could be completed.

OLD BUSINESS

None.

NEW BUSINESS

Under new business, the adoption of the adjusted millage rate(s) for the tax year 2008 was considered. The following tax resolution was offered by Mr. Webb Harelson and seconded by Mr. Michael DeLaune:

BE IT RESOLVED, that the following millage are hereby levied on the 2008 tax roll on all property subject to taxation by the Pontchartrain Levee District:

MILLAGE

General Fund Millage

3.52 mills

BE IT FURTHER RESOLVED, that the proper administrative officials of the Parishes of St. Charles, St. John the Baptist, St. James, Ascension, Iberville, and East Baton Rouge, State of Louisiana, be and they are hereby empowered, authorized, and directed to spread said taxes, as hereinabove set forth, upon the assessment roll of said parishes for the year 2008, and to make the collection of the taxes imposed for and on behalf of the taxing authority, according to law, and that the taxes herein levied shall become a permanent lien and privilege on all property subject to taxation as herein set forth, and collection thereof shall be enforceable in the manner provided by law.

The foregoing resolution was read in full, the roll was called on the adoption thereof, and the resolution was adopted by the following votes:

YEAS: 6 NAYS: 0 ABSTAINED: 0 ABSENT: 0

The resolution was adopted.

PUBLIC COMMENTS

At this time, President Wilson called on Mr. Les Waguespack to give a status update relative to the meeting with the U.S. Army Corps of Engineers concerning the Amite River & Tributaries, Bayou Manchac Project. Mr. Waguespack gave a brief update. President Wilson also reminded members that the West Shore Lake Pontchartrain Hurricane Protection Study Feasibility Cost Share Agreement signing ceremony would take place tomorrow at the U.S. Army Corps of Engineers, New Orleans District, at 1:30 p.m. and all members were invited to attend.

ADJOURNMENT

At this time, Mr. Bartley moved, seconded by Mr. Addison to adjourn. The motion carried unanimously and President Wilson declared the meeting adjourned at 7:08 p.m.

/s/ Susan M. Canatella

Susan M. Canatella, Secretary

/s/ Steve Wilson

**Steve Wilson, President
Pontchartrain Levee District**