

The Board of Commissioners for the Pontchartrain Levee District met at its office on Monday, September 24, 2012, pursuant to due notice given to each member in due time, form and manner as follows:

September 21, 2012

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 24, 2012 at the Lutchter Office, Lutchter, Louisiana.

Very truly yours,

Monica Salins,  
Executive Director

President Steve Wilson called the meeting to order at 6:04 p.m. The following members were present: Messrs. Steve Wilson, Ricky Bosco, Mike Delaune, Alice Fredlund, Marty Poche, L.C. Irvin, Allen St. Pierre and Jerry Savoy. Absent: None.

Pontchartrain Levee District employees in attendance were: Messrs. Monica Salins – Executive Director, Dean Smith – Police Captain and Susan M. Sheets - Secretary to the Board. Also in attendance was: Dwight Poirrier – PLD Legal Counsel, Clinton Rouyea – External Accountant and Joe Sevario – Executive Assistant to the Board. Special guest included: Mona Nosari and A.J. Domangue of G.C.R. & Associates, Nathan Junius of Linfield, Hunter & Junius, Jake Lambert of G.S.A. & Associates, Jack Morgan of Evans Graves Engineers, Eric Poche of SJB Group, Chris Williams of Moffatt & Nichol, Billy Wahl of CPRA, Naveen Chillaru of URS and Mike Caparotta of Hienz & Macaluso.

The Pledge of Allegiance was recited.

A motion to approve the minutes of the budget hearing was offered by Mr. Savoy, seconded by Mr. Irvin and carried unanimously. Mr. Poche then moved to approve the minutes of the regular board meeting of August 20, 2012. This motion was seconded by Mr. Delaune and carried unanimously.

At this time, Ms. Fredlund moved, seconded by Mr. Delaune to deviate from the regular agenda order and take up New Business first. The motion carried unanimously.

### **NEW BUSINESS**

Mr. Caparotta of Hienz & Macaluso handed out copies of the presentation of Fiscal Year 2011-2012 audit and addressed members. Mr. Caparotta discussed his report and findings. PLD was commended for another job well done and another year of no findings and/or recommendations.

President Wilson read the resolution honoring an employee, Mr. Fred Coppenbarger, who recently passed away.

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

WHEREAS, Fred Coppenbarger started his tenure with the levee district on May 8, 2000 as a Mobile Equipment Operator 1 and worked his way up to Mobile Equipment Operator 2 at the time of his untimely death on September 3, 2012; and

WHEREAS, Fred Coppenbarger served diligently and with distinction for 12 years; and,

WHEREAS, the Board of Commissioners of the Pontchartrain Levee District benefitted greatly from the work of Fred Coppenbarger; and,

WHEREAS, the Board of Commissioners of the Pontchartrain Levee District are grateful to have had such a dedicated employee; and,

NOW, THEREFORE BE IT RESOLVED that the Board of Commissioners of the Pontchartrain Levee District do hereby extend heartfelt condolences to the family and friends of Fred Coppenbarger; and,

BE IT FURTHER RESOLVED that this resolution be spread upon the permanent records of this Board and that a certified copy thereof be forwarded to the family of Fred Coppenbarger .

The resolution thereon was submitted to a vote, the vote was as follows:

YEA: Ricky Bosco, Michael Delaune, Alice Fredlund, Leonard Irvin, Marty Poche,  
Allen St. Pierre, Jerry Savoy and Steve Wilson

NAY: None

ABSENT: None

The resolution was declared adopted.

At this time, Ms. Fredlund moved, seconded by Mr. Savoy to return to the regular agenda order. This motion carried unanimously.

## COMMITTEE REPORTS

**Security/Safety Committee:** Mr. Mike Delaune reported on the security meeting held on September 13, 2012. Mr. Savoy moved, seconded by Ms. Fredlund to approve to re-schedule board meeting of September 17<sup>th</sup> to September 24<sup>th</sup> as recommended by committee. Motion carried unanimously.

**Equipment Committee:** Mr. Mike Delaune reported on the meeting held on September 11, 2012. There were no action items to report.

**Finance Committee:** Mr. Jerry Savoy reported on the Finance meeting held on September 13, 2012. Mr. St. Pierre moved, seconded by Mr. Delaune to approve the regular monthly invoices in the amount of \$66,760.80 as recommended by committee. The motion carried unanimously. Mr. Bosco then moved, seconded by Mr. Poche to approve the invoice from G.C.R. and Associates for the St. Charles Parish Hurricane Protection 100 year protection in the amount of \$21,159.19 for the month of August 1, 2012 through August 31, 2012 as recommended by committee. This motion carried unanimously. Ms. Fredlund moved to approve the expenses for the annual breakfast meetings of the Mississippi Valley Flood Control Association held on September 17-19, 2012 as recommended by committee. This motion carried unanimously. Mr. Poche moved, seconded by Mr. Bosco to approve the expenses for the annual meetings of the Mississippi Valley Flood Control Association on December 6-8, 2012 as recommended by committee. Motion carried unanimously. Mr. Irvin moved, seconded by Mr. St. Pierre to approve the annual membership dues for the National Waterways Conference, Inc. in the amount of \$1,305.00 as recommended by committee. This motion carried unanimously. At this time, President Wilson gave an update regarding the recent breakfast meetings in Washington, D.C. President Wilson stated that the presentation went really well and that the set-up was different than previous years. Mr. Wilson stated that he and Mr. Savoy attended along with parish officials and a strong message was relayed to delegates concerning the four parishes' recent Hurricane Isaac challenges. Discussion was had.

**Personnel Committee:** Ms. Fredlund reported on the Personnel meeting which was held on September 13, 2012. There were no action items to report.

## STAFF REPORTS

Written 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 Wetlands
- h) Maintenance Shop Update

\*At 7:12, Mr. Irvin left the meeting.

## LETTERS OF NO OBJECTION

The following requests were presented to the Board for action:

**Marathon Petroleum Company, LP** – request of August 17, 2012 concerning permission to drill an 18-inch diameter hole 36-inches deep to install a support beam under a new level gauge at Tank 200-5, levee station 4542+50, at Garyville, Louisiana, in St. John the Baptist 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 Letters of No Objection of USACE dated August 20, 2012 and CPRA dated September 4, 2012 and reaffirmed by PLD. This motion carried unanimously.

**Chevron Pipeline Company** – request of August 24, 2012 through GeoEngineers, concerning permission to drill one (1) soil boring, levee station 5152+00, at Montz, Louisiana, in St. Charles Parish. Mr. Bosco 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 September 13, 2012 and CPRA dated August 31, 2012 and reaffirmed by PLD. This motion carried unanimously.

**Dupont (Pontchartrain Site)** – request of August 21, 2012 concerning permission to subsurface work to implement various security upgrades including the installation of lighting, security cameras and the construction of a new security headquarters building, between levee station 4767+00 and 4785+00, at LaPlace, Louisiana, in St. John the Baptist Parish. Mr. St. Pierre moved, seconded by Mr. Bosco 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 September 7, 2012 and CPRA dated September 17, 2012 and reaffirmed by PLD. This motion carried unanimously.

**Valero St. Charles Refinery** – request of June 11, 2012 and revised September 13, 2012 through Keystone Engineering Inc., concerning permission to remove one (1) mooring dolphin & replace it with another mooring dolphin with large diameter piles and add two (2) new breasting dolphins for Dock 5, levee station 5397+00, at Norco, Louisiana, in St. Charles Parish. Mr. Bosco 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 September 12, 2012 and CPRA dated June 27, 2012 and September 14, 2012 and reaffirmed by PLD. This motion carried unanimously.

**Chaisson Land Co., L.L.C.** – request of May 30, 2012 concerning permission to install water, sewerage and fire hydrant lines, levee station 4981+00, at LaPlace, Louisiana, in St. John the Baptist 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 Letters of No Objection of USACE dated August 3, 2012 and CPRA dated September 13, 2012 and reaffirmed by PLD. This motion carried unanimously.

**Zen-Noh Grain Corporation** – request of June 14, 2012 through Lanier & Associates Consulting Engineers, Inc., concerning permission remove landside slope paving, install structural fill and place new landside slope paving at 8886 LA Highway 44, levee station 3312+75, at Convent, Louisiana, in St. James 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 September 10, 2012 and CPRA dated July 11, 2012 and reaffirmed by PLD. This motion carried unanimously.

**St. John the Baptist Parish (Utility Department)** – request of August 22, 2012 through C.J. Consulting Engineers, Inc., concerning permission to remove one (1) broken power pole and install one (1) new power pole at 2062 Highway 44, levee station 4585+00, at Reserve, Louisiana, in St. John the Baptist Parish. Mr. St. Pierre moved, seconded by Mr. Bosco 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 September 6, 2012 and CPRA dated August 27, 2012 and reaffirmed by PLD. This motion carried unanimously.

**AT&T** – request of July 6, 2012 and August 7, 2012 through Byers Engineering, concerning permission to place 6,336 feet of aerial and buried fiber optic cables along Highway 75, between levee station 2560+00 and 2665+00, near Darrow, Louisiana, in Ascension 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 September 5, 2012 and CPRA dated July 11, 2012 and August 13, 2012 and reaffirmed by PLD. This motion carried unanimously.

**St. John the Baptist Parish** – request of June 28, 2012 and August 23, 2012 through Meyers Engineers, LTD, concerning permission to modify letter of no objection #100927120 on certain portions of the proposal to comply with our standard ramp criteria, between levee stations 4751+63 and 4915+00, at LaPlace, Louisiana, in St. John the Baptist Parish. Mr. St. Pierre moved, seconded by Mr. Bosco 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 September 5, 2012 and CPRA dated September 11, 2012 and reaffirmed by PLD. This motion carried unanimously.

**Town of Lutcher** – request of August 15, 2012 through Eustis Engineering Services, LLC, concerning permission to drill one (1) soil boring, levee station 4165+00, at Lutcher, Louisiana, in St. James Parish. Mr. Poche moved, seconded by Ms. Fredlund 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 August 22, 2012 and CPRA dated August 23, 2012 and reaffirmed by PLD. This motion carried unanimously.

**Marathon Petroleum Company, LP** – request of August 14, 2012 concerning permission to install grounding rods, levee station 4540+00 and 4553+00, at Garyville, Louisiana, in St. John the Baptist Parish. Mr. St. Pierre moved, seconded by Mr. Bosco 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 August 22, 2012 and CPRA dated August 24, 2012 and reaffirmed by PLD. This motion carried unanimously.

**Louisiana State Military Department (Gillis Long)** – request of June 15, 2012 concerning permission to drill ten (10) soil borings, levee station 1895+00, at Carville, Louisiana, in Iberville Parish. Mr. Delaune moved, seconded by Ms. Fredlund 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 August 22, 2012 and CPRA dated July 2, 2012 and reaffirmed by PLD. This motion carried unanimously.

**Town of Lutcher** – request of August 23, 2012 through Environmental Engineering Services, Inc., concerning permission to replace a power pole on the floodside, levee station 4165+00, at Lutcher, 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 August 27, 2012 and CPRA dated August 27, 2012 and reaffirmed by PLD. This motion carried unanimously.

**Drew Landry** – request of August 10, 2012 concerning permission to excavate for and construct a single story residence, a single story metal storage building and a driveway at 5651 LA 44, levee station 3725+00, at Convent, Louisiana, in St. James 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 August 20, 2012 and CPRA dated August 17, 2012 and reaffirmed by PLD. This motion carried unanimously.

**Entergy Louisiana, LLC** – request of August 14, 2012 concerning permission to replace a power pole at 150 Avenue of Oaks, levee station 5516+99, at Destrehan, Louisiana, in St. Charles Parish. Mr. Bosco moved, seconded by Mr. St. Pierre 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 August 22, 2012 and CPRA dated August 20, 2012 and reaffirmed by PLD. This motion carried unanimously.

**Entergy Louisiana, LLC** – request of August 14, 2012 concerning permission to replace one (1) power pole at 137 3<sup>rd</sup> Street, levee station 5730+59, at St. Rose, Louisiana, in St. Charles Parish. Mr. Bosco moved, seconded by Ms. Fredlund 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 August 22, 2012 and CPRA dated August 20, 2012 and reaffirmed by PLD. This motion carried unanimously.

**Entergy Louisiana, LLC** – request of August 14, 2012 concerning permission to replace one (1) power pole at 102 Francis Street, levee station 5552+00, at Destrehan, Louisiana, in St. Charles Parish. Mr. Bosco moved, seconded by Mr. St. Pierre 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 August 22, 2012 and CPRA dated August 20, 2012 and reaffirmed by PLD. This motion carried unanimously.

**Entergy Louisiana, LLC** – request of August 14, 2012 concerning permission to replace one (1) power pole at 310 St. Rose Avenue, levee station 5756+60, at St. Rose, Louisiana, in St. Charles Parish. Mr. Bosco moved, seconded by Mr. St. Pierre 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 August 22, 2012 and CPRA dated August 20, 2012 and reaffirmed by PLD. This motion carried unanimously.

**Entergy Louisiana, LLC** – request of August 14, 2012 concerning permission to replace one (1) power pole at 220 Oak Street, levee station 5752+11, at St. Rose, Louisiana, in St. Charles Parish. Mr. Bosco 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 August 22, 2012 and CPRA dated August 20, 2012 and reaffirmed by PLD. This motion carried unanimously.

**Entergy Louisiana, LLC** – request of August 14, 2012 concerning permission to relocate and install an anchor and guy wire at Harry Hurst School, levee station 5551+76, at Destrehan, Louisiana, in St. Charles Parish. Mr. Bosco moved, seconded by Ms. Fredlund 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 August 22, 2012 and CPRA dated August 20, 2012 and reaffirmed by PLD. This motion carried unanimously.

**Entergy Louisiana, LLC** – request of August 14, 2012 concerning permission to replace one (1) power pole and to install underground wires at Charlestown Apartment Complex, levee station 5803+30, at St. Rose, Louisiana, in St. Charles Parish. Mr. Bosco 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 August 22, 2012 and CPRA dated August 20, 2012 and reaffirmed by PLD. This motion carried unanimously.

**AT&T** – request of September 14, 2012 concerning permission to directionally bore 1,750 feet of 2 copper cables and a fiber optic cable along the future DOTD right of way, between levee stations 3323+00 and 3337+00, at Convent, Louisiana, in St. James 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 September 19, 2012 and CPRA dated September 17, 2012 and reaffirmed by PLD. This motion carried unanimously.

**St. Michael’s Church** – request of July 10, 2012 concerning permission to hold a 5/K Walk/Run and place signs at the base of the levee, at Convent, Louisiana, in St. James Parish. Mr. Poche moved, seconded by Mr. Savoy to grant a “Letter of No Objection” to this request. This motion carried unanimously.

### **RIGHTS OF ENTRY**

At this time, Mr. Savoy moved, seconded by Mr. Bosco to go into Executive Session for approximately thirty (30) minutes to discuss a legal contract issue. Motion carried unanimously and Executive Session began at 7:44 p.m. At 8:11 p.m., Ms. Fredlund moved, seconded by Mr. Savoy to return to regular session. Motion carried unanimously.

**Department of the Army, Corps of Engineers, New Orleans District** – request of August 17, 2012 and revised August 21, 2012 from Linda C. LaBure, New Orleans District Real Estate Chief, Real Estate Region South Division, to Steve C. Wilson, President of the Pontchartrain Levee District for right-of-entry for a period of two (2) years or until completion of construction of the of the Mississippi River Levees, Manchac Levee Enlargement and Slope Pavement Project, East Baton Rouge and Iberville Parishes, Louisiana as per drawings entitled “Mississippi River Levees, Pontchartrain Levee District, Item M-216.2 to 214-L, Manchac Levee Enlargement and Slope Pavement, Stations 638+00 to 794+00, Right of Way”, Sheet Identification Numbers RE-01 through RE-07, dated June 18, 2012. Said grant of right-of-entry is predicated on receipt of a DOTD permit and a revised letter of approval from the Coastal Protection and Restoration Authority of Louisiana (CPRA). Ms. Fredlund moved, seconded by Mr. Delaune to grant request as presented. Motion carried unanimously. At this time, Mr. Savoy moved to authorize PLD to obtain temporary work area/borrow site easement and access easement from Bear Inc. on terms and conditions discussed for Manchac Levee Enlargement/Slope Pavement construction and authorize President Steve C. Wilson to execute agreement upon approval by PLD Board Counsel. This motion was seconded by Ms. Fredlund and also carried unanimously.

**Department of the Army, Corps of Engineers, New Orleans District** – request of September 20, 2012 from Linda C. LaBure, New Orleans District Real Estate Chief, Real Estate Region South Division, to Garret Graves, Chairman, Coastal Protection and Restoration Authority of Louisiana and Steve C. Wilson, President of the Pontchartrain Levee District for an extension of time of one (1) year for the current right-of-entry for the Lake Pontchartrain and Vicinity, Louisiana Project, North of Airline Highway, St. Charles Parish, Levee Reach 1B from I-310 to Walker Drainage Structure – Phase 2, LPV-04.2B. This right of entry time extension will remain valid until September 30, 2013 or completion of construction. Mr. Savoy moved, seconded by Ms. Fredlund to grant request as presented. Motion carried unanimously.

**Department of the Army, Corps of Engineers, New Orleans District** – request of September 20, 2012 from Linda C. LaBure, New Orleans District Real Estate Chief, Real Estate Region South Division, to Garret Graves, Chairman, Coastal Protection and Restoration Authority of Louisiana and Steve C. Wilson, President of the Pontchartrain Levee District for an extension of time of one (1) year for the current right-of-entry for the Lake Pontchartrain and Vicinity, Louisiana Project, North of Airline Highway, St. Charles Parish, Levee Reach 1A from Cross Bayou to St. Rose and Gulf South Floodwall –Phase 2, LPV-04.2A. This right of entry time extension will remain valid until September 30, 2013 or completion of construction. Mr. Bosco moved, seconded by Mr. Poche to grant request as presented. Motion carried unanimously.

#### **PRESIDENT’S REMARKS**

None.

#### **OLD BUSINESS**

None.

#### **PUBLIC COMMENTS**

Under public comments, Board Attorney, Mr. Poirrier addressed members concerning Pinnacle Casino regarding hold harmless indemnity. Discussion was had. Following discussion, Mr. Delaune moved, seconded by Mr. Bosco to add an item to the agenda regarding this matter. Motion carried unanimously. Mr. Savoy moved, seconded by Mr. St. Pierre to have Board Attorney prepare an agreement for both maintenance and stand alone and that said agreement cover outdoor events held on the grounds. This motion carried unanimously. Mr. Delaune then moved to authorize President Steve C. Wilson to sign and execute hold harmless indemnity with Pinnacle for outdoor events. This motion was seconded by Ms. Fredlund and also carried unanimously.

#### **ADJOURNMENT**

At this time, Mr. Delaune, seconded by Mr. Savoy to adjourn. The motion carried unanimously and President Wilson declared the meeting adjourned at 8:23 p.m.

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**Susan M. Sheets, Secretary**

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**Steve Wilson, President  
Pontchartrain Levee District**