

The Board of Commissioners for the Pontchartrain Levee District met at its office on Monday, September 19, 2016, pursuant to due notice given to each member in due time, form and manner as follows:

September 16, 2016

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 19, 2016 at the Lutcher Office, Lutcher, Louisiana.

Very truly yours,

Monica Salins Gorman  
Executive Director

President Steve Wilson called the meeting to order at 6:05 p.m. The following members were present: Messrs. Percy Hebert, Jr., Allen J. St. Pierre, Sr., Ricky Bosco, Jerry Savoy, Steve Wilson and Marty J. Poche. Absent at roll call was Henry Baptiste (arrived at 6:12 p.m.).

Pontchartrain Levee District employees in attendance were: Monica Salins Gorman – Executive Director, Mel D. Bush – Board Secretary, Dean Smith – PLD Police Captain, and Kenneth Steib, Sr. - Levee Board Operations Superintendent/Emergency Coordinator. Also, in attendance were Dwight Poirrier – PLD Board Counsel and Joseph Sevario – Executive Assistant to the PLD Board of Commissioners.

Next on the agenda was Recognition of Guests: Special guests included Henry Picard, III of Burk-Kleinpeter, Inc., Stephen Braquet of Linfield, Hunter & Junius, A. J. Domangue of GCR, Inc., Jack Morgan of Evans-Graves, Jake Lambert of GSA, Jim Simmons of N-Y Associates, Pamela Burleigh of Staring O’Neal, LLC, Bryan Gossman – CPRA, Wanda Taylor – Big Shake Pit, Rob VanVrancken of ELOS Environmental, Andre Lyon – First Lomay, Steve Cali – Volkert, Tommy Martin – Stuart Consulting Group (SCG), Durund Elzey – USACE and Hamid Alizadeh of CB&I. The pledge of allegiance was recited.

Next on the agenda was Oaths of Office: President Wilson wanted to first welcome Blaine Sheets as the recently appointed commissioner to the board representing the Louisville, New Orleans and Texas Railway Company, in place of deceased Commissioner Pat Bell, Sr. The Oaths of Office was conducted by Dwight Poirrier. President Wilson also mentioned that Blaine Sheets was with the PLD Board of Commissioners previously for four (4) years, had recently served eight (8) years for the Port of Greater Baton Rouge and he was glad Commissioner Sheets was returning. President Wilson then noted that Commissioner Leonard C. Irvin, Sr., had been notified by the Illinois Railroad Company and thanked for his service but he too had been replaced by another candidate who would be joining PLD next month. A request was made to the Executive Director, to make sure to add the election of the various 'Special List of Committees' and successor Vice President on the October 2016 agenda.

Next was a motion to approve the minutes of the regular board meeting of August 24, 2016, which was offered by Commissioner Bosco and seconded by Commissioner St. Pierre. There was no other discussion, there were no public comments, there were no objections and the motion carried unanimously.

## **COMMITTEE REPORTS**

**Security/Safety Committee:** President Wilson noted there were no items to report from the Security/Safety Meeting held on September 13, 2016.

**Equipment Committee:** President Wilson called upon Commissioner St. Pierre, Chairman of said committee; who noted there was one item to report from the Equipment Committee meeting held on September 13, 2016. The item on the agenda was to approve the D6K Dozer Track Repairs in the amount of \$10,797.90 as recommended by committee on September 13, 2016. This motion was made by Commissioner Poche, seconded by Commissioner Bosco. There was no other discussion, there were no public comments, there were no objections and the motion carried unanimously.

**Bonfire Committee:** President Wilson called upon Commissioner Poche, Chairman of said committee; who noted there was one item to report from the Bonfire Committee held on September 13, 2016. The item on the agenda was to approve the 2016 Bonfire Guidelines as presented and authorize Board President to sign any and all Christmas Bonfire Agreements

with the local governments as recommended by committee on September 13, 2016. The motion was made by Commissioner Savoy, seconded by Commissioner St. Pierre. There was no other discussion, there were no public comments, there were no objections, and the motion carried unanimously.

**Finance Committee:** President Wilson called upon Commissioner Baptiste, Chairman of the Finance Committee, who requested President Wilson continue with reporting. As such, President Wilson reported on the Finance Committee meeting held on September 13, 2016. The first item on the agenda was to approve the quote from BLD Services for the installation of fuel tanks at Cross Bayou Pump Station for a unit price of \$42,570.00 as recommended by committee on September 13, 2016. This motion was made by Commissioner Bosco, seconded by Commissioner Hebert. There was a question from Commissioner Blaine Sheets, asking about the arrangement of costs concerning operation and maintenance costs on this pump station as this was unlike what he had recalled during his prior service on the board. There was some clarification given by President Wilson and he offered to review the changes of said agreements with Commissioner Sheets prior to the next board meeting. The Executive Director also handed out the most recent reimbursement regarding 50% of the O&M on the Cross Bayou Pump Station from St. Charles Parish in the amount of \$105,290.46 which monies represent January through July 2016 payments, as well as, a copy of the Cooperative Endeavor Agreement between St. Charles Parish and Pontchartrain Levee District specific to the Cross Bayou Pump Station entered into June of 2016. There was no other discussion, there were no public comments, there were no objections, and the motion then carried unanimously.

The next item was to approve LHJ Change Order No. 2 (Change Order Request (COR) No.5 from Blount General Contractors, LLC) for the PLD Administrative Complex/Disaster Response Coordination Center (DRCC) in the amount of \$8,394.00, which includes installing a fire hydrant off of Railroad Avenue and reducing the water service line into the property and an additional 1 day to the current contract as recommended by committee on September 15, 2016. This motion was made by Commissioner Poche, seconded by Commissioner Baptiste. There was no other discussion, there were no public comments, there were no objections, and the motion carried unanimously.

The next item was to approve the regular monthly invoices in the amount of \$36,504.20 as recommended by committee on September 15, 2016. This motion was made by Commissioner Savoy, seconded by Commissioner Hebert to approve said motion. There was no other discussion, there were no public comments, there were no objections, and the motion carried unanimously.

Next was to approve the invoice from GCR & Associates in the amount of \$18,326.46 for the month of August 1, 2016 through August 31, 2016 as recommended by committee on September 15, 2016. This motion was made by Commissioner St. Pierre, seconded by Commissioner Bosco. There was no other discussion, there were no public comments, there were no objections, and the motion carried unanimously.

Next item was to approve the invoice from GCR & Associates in the amount of \$683.18 for computer technical support for the month of July 1, 2016 through July 31, 2016 as recommended by committee on September 15, 2016. Commissioner Savoy made said motion, seconded by Commissioner Bosco. There was no other discussion, there were no public comments, there were no objections, and the motion carried unanimously.

Next item was to approve the invoice from Linfield, Hunter & Junius in the amount of \$4,527.68 for the PLD New Administrative Complex/DRCC as recommended by committee on September 15, 2016. Commissioner Baptiste made said motion, seconded by Commissioner Hebert. There was a question from Commissioner Savoy asking, "What are we paying for?" Mr. Braquet answered, "This is a percentage for construction management as covered in the agreement." There was no other discussion, there were no public comments, there were no objections, and the motion carried unanimously.

Next item was to approve the invoice from Linfield, Hunter & Junius in the amount of \$1,600.00 for the LONO review of Atmos, as recommended by committee on September 15, 2016. Commissioner Baptiste made said motion, seconded by Commissioner Poche. There was no other discussion, there were no public comments, there were no objections, and the motion carried unanimously.

Next item was to approve the invoice from Central Auction House, Ltd in the amount of \$400.00 for our annual fee, as recommended by committee on September 15, 2016. Commissioner St. Pierre made said motion, seconded by Commissioner Savoy. There was no other discussion, there were no objections, were no public comments and the motion carried unanimously.

Next item was to approve the invoice from the National Waterways Conference in the amount of \$1,425.00 for our annual dues, as recommended by committee on September 15, 2016. Commissioner Hebert made said motion, seconded by Commissioner Poche. There was no other discussion, there were no public comments, there were no objections, and the motion carried unanimously.

Next item was to approve the transfer of funds from the Cross Bayou Pump Station Checking Account in the amount of \$500,000.00 to the PLD General/Operating Fund, as recommended by committee on September 15, 2016. Commissioner Bosco made said motion, seconded by Commissioner Savoy. There was no other discussion, there were no public comments, there were no objections, and the motion carried unanimously.

Next item was to approve the transfer of funds from Cross Bayou Pump Station Checking Account in the amount of \$500,000.00 in the PLD Investment Account after a consultation and recommendation from PLD Geneos Wealth Mgmt. advisor and the Executive Director as recommended by committee on September 15, 2016. This motion was moved by Commissioner Hebert, seconded by Commissioner Poche. There was no other discussion, there were no public comments, there were no objections, and the motion carried unanimously.

Next item was the approval of the two (2), 408 Endorsement Requests as recommended by committee on September 15, 2016 as follows:

- a) Parkview Land Company-endorsement request of March 10, 2015 and revised August 15, 2016 (St. James Parish)

Commissioner Poche made said motion, seconded by Commissioner Bosco. Monica Salins Gorman gave an explanation to Commissioner Blaine Sheets, in reference to “LONO (Letter of No Objections)” versus 408 Endorsement Request letters now. Again, that is

something to bring Commissioner Sheets up to date on those changes. There was no other discussion, there were no other public comments, there were no objections and the motion carried unanimously.

b) Total Petrochemicals and Refining USA – request of July 1, 2016 through July 31, 2016. T. Baker Smith (Iberville Parish)

Commissioner Hebert made said motion, seconded by Commissioner Savoy. There was no other discussion, there were no public comments, there were no objections and the motion carried unanimously.

Next was a request from President Wilson to *add an item to the agenda* specific to the Cross Bayou Pump Station emergency repairs to the CAT Engines No. 1 and No. 3. Said motion to add this item to the agenda was made by Commissioner St. Pierre, and seconded by Commissioner Poche. There was no other discussion, there were public comments, there were no objections and the motion carried unanimously.

President Wilson explained that these were the invoices from Fluid Process & Pumps for the emergency repairs during the recent storm event, on August 26<sup>th</sup>, 2016, and requested these invoices be considered for payment. One invoice is for the CAT Engine No. 1 for a total cost of \$29,855 and the second invoice is for the CAT Engine No. 3 for a total cost of \$58,700 – thus grand total to Fluid Process & Pumps in the amount of \$88,555.00. After some discussion, a motion was made by Commissioner Bosco, and seconded by Commissioner Poche. There was no other discussion, there were no public comments, there were no objections, and the motion carried unanimously.

**Personnel Committee:** President Wilson called upon Commissioner Marty Poche, Chairman of the Personnel Committee; who noted the first item on the agenda was to approve the overtime pay for the Executive Director during the Flood of 2016 as recommended by committee on September 15, 2016. Commissioner St. Pierre made said motion, seconded by Commissioner Hebert. There was a discussion from Commissioner Savoy stating, “On Thursday we discussed overtime based on a 90% reimbursement from FEMA, can we have that language added stating that?” Dwight Poirrier stated, “There’s no guarantee that FEMA will agree to reimburse 90%. PLD only has a history of being paid through FEMA during the

Katrina event....” Commissioner Savoy handed said letter to President Wilson and asked that the letter from Counsel Dwight Poirrier to Monica Salins Gorman in reference to overtime pay to the board be read into the minutes....

September 19, 2016  
Email: [mgorman@leveedistrict.org](mailto:mgorman@leveedistrict.org)

Ms. Monica Salins Gorman  
Pontchartrain Levee District  
Post Office Box 426  
Lutcher, LA 70071

RE: FEMA Reimbursement

Dear Monica:

Please be advised I was requested to look into the FEMA reimbursement for your overtime pay that was forwarded to the Board on Thursday night. I have researched and feel that there may be an issue with the reimbursement. Generally, reimbursement is available for any mandatory expenses or costs due to the emergency event. Certainly, the employee pay required by Civil Service, the cost of first responders, and the cost for fuel, supplies, etc. would be covered.

As you stated in the committee meeting, there is no basis for overtime provided in your contract. As a result, it is at the discretion of the Board whether or not to award you said payment. I previously looked at your contract at our President’s request, and advised that it needed to go before the Board if they were to pay you any extra for this event. I do believe it requires Board approval to get any additional compensation. However, I don’t think it’s a certainty that it is entitled to FEMA reimbursement. I do not want you to be placed in a position where it has been misrepresented to the Board that, if provided this overtime pay, reimbursement would be automatic. It is my understanding they will look at your contract to see whether or not it is covered under the contract and, as a result, would be reimbursable. The fact that it is not provided in your contract, it would be purely discretionary on FEMA’s part as well.

I felt it necessary that you be aware of this prior to moving forward with this issue at tonight’s meeting. If you have any questions, please do not hesitate to contact me to discuss further.

With kind personal regards, I remain

Very truly yours,

*Dwight D. Poirrier*  
Dwight D. Poirrier

DDP/jj

There was no other discussion, and the motion to approve said overtime pay was presented. There were no other public comments, there were no objections and the motion carried unanimously to approve said overtime for the PLD Executive Director.

## STAFF REPORTS

**Executive Director LONO Report:** The Executive Director's report was in the packet for review. Mrs. Gorman offered her assistance to any of the board members should they have any questions or comments concerning any of the issued LONOs within their packets.

**Reports on Projects:** Reports were given for each of the following projects by the respective engineer and/or representative. Written reports were also in the board members packets.

- a) West Shore-Lake Pontchartrain Hurricane Protection – Henry Picard, III
- b) St. James/Ascension Storm Surge Project – Henry Picard, III
- c) St. Charles Urban/Walker/Almedia Pump Station – Jack Morgan
- d) Laurel Ridge Levee/Bayou Conway-Panama Canal – Jake Lambert
- e) St. Charles Hurricane Protection Levee – A.J. Domangue
- f) PLD Administrative Complex Disaster Response Coordinator Center – Steve Braquet

## RIGHTS OF ENTRY

Department of the Army Corps of Engineers, New Orleans District – request of July 21, 2016 and August 25, 2016 from Todd Klock, Chief, Acquisition Branch, Real Estate Region South Division to Steve C. Wilson, President of the Pontchartrain Levee District for a right-of-entry for a period of thirty-six (36) months for access, levee construction, armoring, operation, maintenance, repair, rehabilitation and replacement in connection with the Hurricane and Storm Damage Risk Reduction System (HSDRRS), LPV 04.2a and 04.2b, 2<sup>nd</sup> Lift Reaches 1A and 1B, Levee Construction and ARM-06 Levee High Performance Turf Reinforced Mattresses (HPTRM) Armoring, St. Charles Parish, Louisiana, as per the Corps of Engineers maps entitled, “Hurricane and Storm Damage Risk Reduction System, HSDRRS, Lake Pontchartrain and Vicinity (LPV), LPV 04.2a and 04.2b 2<sup>nd</sup> Lift Raches 1A and 1B, Levee Construction, St. Charles Parish, Louisiana”, Sheet Identification Numbers R-01 through R-10, dated April 2016 and Sheet Identification NoR-05 revised August 15, 2016, and maps entitled “(HSDRRS) Hurricane Storm Damage Risk Reduction System, Lake Pontchartrain and Vicinity, LPC-ARM-06, System Armoring, LPV-04.2a, 04.2b, Reaches 1A and 1B, Right of Way”, Sheet Identification Nos. R-01 through R-10, dated February, 2015.



Commissioner St. Pierre moved, seconded by Commissioner Savoy to approve said Right of Entry as referenced herein. There was no other discussion, there were no public comments, there were no objections, and the motion carried unanimously.

#### **PRESIDENT'S REMARKS**

2016 Annual MR&T Levee Inspection Schedule – PLD Inspection will be on Wednesday, November 2, 2016. If any Commissioners want to ride during inspections, please let Mrs. Gorman know.

#### **OLD BUSINESS**

None.

#### **NEW BUSINESS**

Resolution and Declaration of Surplus Property and Intent to Auction through Nationwide Marketing, Ltd. A motion was made by Commissioner Savoy, seconded by Commissioner Baptiste.

WHEREAS, the Pontchartrain Levee District Maintenance Department through its Levee Board Operations Superintendent, Kenneth Steib, Sr., has compiled a listing of equipment that is considered to be surplus equipment and has been previously approved;

WHEREAS, it is the intent of the Board of Commissioners of the Pontchartrain Levee District to declare the equipment referenced below, surplus property:

- a. 2004 Ford Crown Victoria, 4.6L, V-8 – Mileage 73,086  
V# 2FAFP72W84X108170  
Tag No. 1618
- b. 2007 Ford F-350 XL Super Duty, 4 Door, 5.4L, V-8 – Mileage 140,385  
V# 1FTWW30557E831458  
Tag No. 1691
- c. 2004 Ford F-150 XL Single Cab V-6 Long Bed, 4.2L, V-6 – Mileage 167,590  
V# 2FTRF172X4CA06308  
Tag No. 1620

- d. 2009 Ford F-150 XL 4WD Super Duty Ext. Cab, 5.4L, V-8 – Mileage 221,512  
V# 1FTPX14VX9KA47477  
Tag No. 1724
- e. 2012 Chevrolet Pickup Silverado 1500, Ext. Cab, 5.3L, V-8 – Mileage 138,500  
V# 1GCRKPE78CZ263708  
Tag No. 1860
- f. 2002 Topline Trailer 4x8 (1 axle)  
V# 4UMTU08191M00088  
No State Tag
- g. 2007 John Deere 6615 Tractor – Hours 4779  
S/N - L06615A516441  
Tag No. 1700
- h. 2008 John Deere 6430 Tractor – Hours 5486  
S/N – L06430A562950  
Tag No.1719
- i. 1986 CASE Rubber Tire Backhoe – Hours – Broken Meter  
S/N 17037539  
Tag No. 1264
- j. 2003 Ford F-150 Single Cab, 4.2L, V-6 – Mileage 129,650  
V# 1FTRF17283NA88080  
Tag No. 1610
- k. 2009 Chevrolet Silverado 3500 Crew Cab – 4 Door - 162,967  
V# 1GCHC73K99F168164  
Tag No. 1778
- l. Pallet of 10 Weedeaters

WHEREAS, it is understood and agreed by the Board of Commissioners of the Pontchartrain Levee District that the Pontchartrain Levee District was invited to participate in an auction to be hosted by the Lafourche Basin Levee District through the auction house, Nationwide Marketing, Ltd.;

WHEREAS, it is the intention of the Board of Commissioners of the Pontchartrain Levee District to authorize the herein referenced and declared surplus property to be sold via auction by Nationwide Marketing, Ltd.;

WHEREAS, it is understood and agreed upon by the Board of Commissioners of the Pontchartrain Levee District that the auction by Nationwide Marketing, Ltd., is a joint effort between the Lafourche Basin Levee District, and the Pontchartrain Levee District and that all two (2) agencies will participate and share in the costs of said advertising and expenses necessary for said auction;

WHEREAS, it is understood and agreed upon by the Board of Commissioners of the Pontchartrain Levee District that the auction is to be held at the Lafourche Basin Levee District located at 21380 Highway 20, Vacherie, Louisiana;

WHEREAS, it is understood and agreed upon by the Board of Commissioners of the Pontchartrain Levee District that said auction of the herein referenced declared surplus property by Nationwide Marketing, Ltd., will be held on Saturday, October 1, 2016 beginning at 10:00 a.m.;

WHEREAS, it is understood and agreed upon by the Board of Commissioners of the Pontchartrain Levee District that the herein referenced declared surplus property is to be transferred from the Pontchartrain Levee District Maintenance Yard located at 9620 Hwy. 44, Convent, Louisiana to the Lafourche Basin Levee District yard at 21380 Highway 20, Vacherie, Louisiana for said auction;

WHEREAS, it is understood and agreed upon by the Board of Commissioners of the Pontchartrain Levee District that a separate contract will be executed by each of the three (3) agencies between Nationwide Marketing, Ltd., and the Pontchartrain Levee District contract with Nationwide Marketing, Ltd. will be as per the terms and conditions set forth by the Board of Commissioners of the Pontchartrain Levee District and review by the Pontchartrain Levee District Board Attorney, Dwight Poirrier;

All in favor, vote I, I have it, with no objections. There were no public comments and motion carried unanimously.

#### **ADJOURNMENT**

At this time, Commissioner Hebert moved, seconded by Commissioner Bosco to adjourn. The motion carried unanimously and meeting adjourned at 7:15 p.m.

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**Mel D. Bush, Board Secretary**

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**Steve Wilson, President  
Pontchartrain Levee District**