

The Board of Commissioners for the Pontchartrain Levee District met at its office on Monday, April 20, 2009, pursuant to due notice given to each member in due time, form and manner as follows:

April 17, 2009

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, April 20, 2009 at the Lucher Office, Lucher, Louisiana.

Very truly yours,

Monica Salins,  
Executive Director

Vice-President Webb Harelson called the meeting to order at 6:02 p.m. The following members were present: Messrs. Webb Harrelson, Steve Wilson\*, Mike Delaune, Bill Addison, Jerry Savoy, Allen St. Pierre, Marty Poche, Jesse Bartley and Tony Cunningham\*. Absent: None. (\*Absent at roll call.)

Pontchartrain Levee District employees in attendance were: Messrs. Dwight Poirrier – Legal Counsel, Norris Melancon – Levee Maintenance Superintendent (Detailed) and Susan M. Sheets - Secretary to the Board. Also in attendance were: Clinton Rouyea - External Accountant, Jimmy Smith - Maintenance Consultant and Joe Sevario – Executive Assistant to the Board. Special guests included: Jesse McClendon and Sara Kemp of Louisiana of Department of Transportation and Development, Bjorn Johnson of G.C.R. & Associates, Henry Picard, III of Burk-Kleinpeter, Les Waguespack of Shaw Group, 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 March 16, 2009 was offered by Mr. Bartley and seconded by Mr. Delaune and unanimously carried.

## COMMITTEE REPORTS

**Finance Committee:** Mr. Jesse Bartley reported on the Finance meeting held on April 14, 2009. Mr. Poche moved, seconded by Mr. Delaune to approve the regular monthly invoices in the amount of \$40,682.15 as recommended by committee. The motion carried unanimously. Next, Mr. Bartley moved, seconded by Mr. St. Pierre to recommend approval of invoices from G.C.R. & Associates in the amount of \$23,068.45 for the period of March 1 2009 through March 31, 2009 for the 100 year protection plan. This motion carried unanimously. Mr. Poche then moved, seconded by Mr. Savoy to approve the invoice from G.C.R. & Associates for Hurricanes Gustav and Ike specific to FEMA claims in the amount of \$193.30 for the period of February 1, 2009 through February 28, 2009 as recommended by committee. This motion carried unanimously. Mr. Bartley moved to approve the invoice from G.C.R. & Associates for the computer technical support work in the amount of \$142.50 as recommended. This motion was seconded by Mr. Delaune and also carried unanimously. Mr. Delaune moved, seconded by Mr. Savoy to approve the invoice from Board Attorney, Dwight

Poirrier in the amount of \$4,635.14 as recommended by committee. This motion carried unanimously. Next, Mr. Savoy moved, seconded by Mr. Poche to approve half of the expenses for the External Accountant to attend the annual GFOA Spring Conference on May 6 – 8, 2009 in New Orleans as recommended by committee. (\*50% paid by Lafourche Levee District) This motion carried unanimously. \*At 6:07 p.m., Mr. Cunningham and President Wilson arrived and took their seats at the table. President Wilson chaired the meeting from this point. The next item on the agenda was the Intergovernmental Agreement with East Ascension Consolidated Drainage District. Discussion was had concerning the documentation received. Mr. Poirrier addressed the Board and stated that he had reviewed said documents and amendments were needed. Following discussion, members agreed to defer this matter to next month. Mr. Delaune then moved, seconded by Mr. Savoy to approve to authorize PLD President to execute the Bayou Conway and Panama Canal Basin Analysis, GSA Project No. 280259, regarding PLD's 50% cost share (\$302,575.09) of said contract, which totals \$605,150.28 with Glenn Shaheen & Associates as recommended by committee. This motion carried unanimously. Lastly, Mr. Savoy moved, seconded by Mr. Delaune to authorize Executive Director to disburse payments regarding invoices submitted on the Bayou Conway and Panama Canal Basin Analysis to be paid from the West Shore Feasibility Study as recommended by committee. This motion carried unanimously.

**Equipment Committee:** Mr. Webb Harelson reported on the meeting held on April 16, 2009. Mr. Harelson explained that the committee had discussed and approved the purchase of an Automotive Scan Tool. Discussion was had relative to the specifications and the quotes received. At committee, it was presented that both vendors were under State Contract, but this was a misunderstanding when presented. After further discussion, it was moved by Mr. Addison, seconded by Mr. Cunningham to defer this matter to next month and that a minimum of three (3) quotes obtained on the same specifications for the tool. This motion carried unanimously. Mr. Harelson then moved to approve to order three (3) new vehicles as referenced in the 2009/2010 Budget specifically, one (1) Chevrolet One Ton Crew Cab Truck (\$22,170.84) to replace Truck No. 33 in PLD Maintenance, one (1) Ford F-150 ½ ton Ext. Cab 4x4 (\$22,808.00) to replace Truck No., 2 in PLD Maintenance and one (1) Ford Expedition XLT 4x4 (\$27,373.00) to replace Truck No. 8 in PLD Administration as recommended by committee. This motion was seconded by Mr. Poche and carried unanimously

**Security/Safety Committee:** Mr. Mike Delaune reported on the security meeting held April 16, 2009. Mr. Harelson moved to approve the purchase of 2000-165 gr. Ball ammunition from Gulf States Distributors for the Glock pistols as recommended by committee. This motion was seconded by Mr. Savoy and carried unanimously. It was noted that ammunition chosen was to fulfill warranty requirements. Next, Mr. Cunningham moved, seconded by Mr. Delaune to approve the amended version from Board Attorney regarding the work time and to proceed with the PLD Police Department Officers reporting to their assigned shift area(s) at the time the work day begins to report in said assigned work area(s). This motion to adopt revision was seconded by Mr. Bartley and carried unanimously.

**Personnel Committee:** Mr. Tony Cunningham reported on the Personnel meeting which was held on April 16, 2009. Mr. Poche moved to approve the merit increases for May, 2009 as recommended by committee for eligible employees: #199123, #184393, #184397, and #185678 on their respective anniversary dates. This motion carried unanimously.

## STAFF REPORTS

A report on the Hurricane Protection Levee Project and Flood Control Projects was presented by Bjorn Johnson of G.C.R. & Associates.

### LETTERS OF NO OBJECTION

The following requests were presented to the Board for action:

At this time, Mr. Cunningham moved to add two (2) requests for a letter of No Objection to the agenda. The first from Louisiana DOTD and the other from SJB Group. This motion to add said requests was seconded by Mr. St. Pierre and carried unanimously.

**Louisiana DOTD** – *waiver request dated April 16, 2009* for letter of no objection 08112479 concerning permission to perform excavations for the LA 48 and LA 50 intersection improvements, levee station 5822+00 in St. Charles Parish, LA *as per email dated April 20, 2009 from Albert Terry, Corps has granted waiver up to 14 ft.* Mr. Cunningham moved, seconded by Mr. Addison to grant a “NO OBJECTION” to this request. The motion carried unanimously.

**SJB Group, LLC** – request of March 24, 2009 through Aquaterra Engineering LLC concerning permission to drill eleven (11) soil borings, at levee station 150+00, in East Baton Rouge Parish, LA. Mr. Addison moved, seconded by Mr. Savoy to grant a “NO OBJECTION” to this request as per approval from Corps of Engineers, New Orleans District dated March 30, 2009 and the Louisiana Department of Transportation and Development dated March 30, 2009. The motion carried unanimously.

**Our Lady of Grace School** – request dated April 6, 2009 to hold a 5K Run/Walk-a-thon in conjunction with the Annual Spring Festival on Saturday, May 2, 2009 in St. John the Baptist Parish. Mr. St. Pierre moved, seconded by Mr. Savoy to grant a “NO OBJECTION” to this request. The motion carried unanimously.

**St. Charles Borromeo Church** – request dated February 10, 2009 concerning permission to park vehicles on levee for annual Little Red Church Food & Fun Festival held on May 1 2 and 3, 2009 and to employ 2 patrols each day to monitor the parking, at Destrehan, Louisiana, St. Charles Parish. Mr. Cunningham moved, seconded by Mr. Delaune to grant a “NO OBJECTION” to this request. The motion carried unanimously.

**Entergy Louisiana, LLC** – request dated February 18, 2009 through Berkel & Company Contractors, Inc. concerning permission to do foundation work at the Little Gypsy Power plant, levee station 5140+00, at Montz, St. Charles Parish. Mr. Cunningham moved, seconded by Mr. Poche to grant a “NO OBJECTION” to this request as per approval from Corps of Engineers, New Orleans District dated March 5, 2009 and the Louisiana Department of Transportation and Development. The motion carried unanimously.

**Louisiana Sugar Refinery** – request dated March 23, 2009 from Eustis Engineering Services, LLC, concerning permission to drill seven (7) soil borings, levee station 4206+00, at Gramercy, Louisiana, in St. James Parish. Mr. Poche moved, seconded by Mr. Bartley to grant a “NO OBJECTION” to this request as per approval from Corps of Engineers, New Orleans District dated March 26, 2009

and the Louisiana Department of Transportation and Development dated March 30, 2009. The motion carried unanimously.

**Petrologistics Olefins, LLC** – request dated November 6, 2008 from Gremminger and Associates, Inc. concerning permission to directional drill two (2) 12 inch pipelines under the Mississippi River and across the left descending bank, near levee station 1637+60, in Iberville Parish, Louisiana. Mr. Harelson moved, seconded by Mr. Addison to grant a “NO OBJECTION” to this request as per approval from Corps of Engineers, New Orleans District dated April 2, 2009 and the Louisiana Department of Transportation and Development. The motion carried unanimously.

**Marathon Petroleum Co., LLC** – request dated March 13, 2009 through Eustis Engineering Services, LLC concerning permission to drill three (3) soil borings, levee station 4512+13.27, at Garyville, Louisiana, in St. John the Baptist Parish. Mr. St. Pierre moved, seconded by Mr. Bartley to grant a “NO OBJECTION” to this request as per approval from Corps of Engineers, New Orleans District dated March 27, 2009 and the Louisiana Department of Transportation and Development dated March 30, 2009. The motion carried unanimously.

**Town of Gramercy** – requested dated March 19, 2009 through Environmental Engineering Services, Inc., concerning permission to install a river water intake protection dolphin and structures, levee station 4196+76, at Gramercy, Louisiana, in St. James Parish. Mr. Poche moved, seconded by Mr. Addison to grant a “NO OBJECTION” to this request as per approval from Corps of Engineers, New Orleans District dated April 9, 2009 and the Louisiana Department of Transportation and Development dated March 23, 2009. The motion carried unanimously.

**John W. Stone Distributor, LLC** – request dated February 20, 2009 through Charlie Hudson, Jr., concerning permission to relocate an office trailer on the Mississippi River bature and to construct an elevated walkway to the trailer from the levee, levee station 186+47, 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 approval from Corps of Engineers, New Orleans District dated February 10, 2009 and the Louisiana Department of Transportation and Development dated February 23, 2009. The motion carried unanimously.

**Tony’s Car Wash** – request dated February 12, 2009 through Wilson & Wilson, LLC, concerning permission to construct a car wash on the protected side, levee station 5803+00, at St. Rose, Louisiana, in St. Charles Parish. Mr. Cunningham moved, seconded by Mr. Harelson to grant a “NO OBJECTION” to this request as per approval from Corps of Engineers, New Orleans District dated March 5, 2009 and the Louisiana Department of Transportation and Development dated February 16, 2009. The motion carried unanimously.

**Port of South Louisiana** – request dated November 25, 2008 through URS Corporation, concerning permission to construct a 700 foot by 65 foot finer pier extension to an existing cargo dock, levee station 4608+59, at Reserve, Louisiana, in St. John the Baptist Parish. Mr. St. Pierre moved, seconded by Mr. Bartley to grant a “NO OBJECTION” to this request as per approval from Corps of Engineers, New Orleans District dated April 8, 2009 and the Louisiana Department of Transportation and Development dated December 4, 2008. The motion carried unanimously.

**Valero St. Charles Refinery** – request dated March 5, 2009 through Morphy Makofsky on behalf of Mammoet USA, concerning permission to construct temporary roads and bridges for unloading and transporting the Hydro cracker Unit at Valero, levee station 5402+00, at Norco, Louisiana, in St. Charles Parish. Mr. Cunningham moved, seconded by Mr. Delaune to grant a “NO OBJECTION” to

this request as per approval from Corps of Engineers, New Orleans District dated March 20, 2009 and the Louisiana Department of Transportation and Development dated March 30, 2009. The motion carried unanimously.

**Yara North America** – a *waiver request* received from Corps of Engineers dated April 14, 2009 for letter of no objection #08112482 concerning permission to construct a dry fertilizer storage building, levee station 3166+00, at Union, Louisiana, in St. James Parish. Mr. Poche moved, seconded by Mr. Savoy to grant a “NO OBJECTION” to this request as per approval from Corps of Engineers, New Orleans District dated April. 15, 2009. The motion carried unanimously.

**Marathon Petroleum Company, LLC** – request of April 3, 2009 concerning permission to drive ten (10) steel pipe piles and route the electronic controls and power to the new tower via an underground duct bank to rebuild the damaged surge hopper and support tower on the Coker conveyor system on the protected side, levee station 4505+00, at Garyville, Louisiana, St. John the Baptist Parish. Mr. St. Pierre moved, seconded by Mr. Addison to grant a “NO OBJECTION” to this request as per approval from Corps of Engineers, New Orleans District dated April 13, 2009 and the Louisiana Department of Transportation and Development. The motion carried unanimously.

**Marathon Petroleum Company, LLC** – request of March 25, 2009 concerning permission to replace the cathodic protection for Tank 200-6 and Tank 300-2 on the protected side, levee station 4545+00, at Garyville, Louisiana, St. John the Baptist Parish. Mr. St. Pierre moved, seconded by Mr. Addison to grant a “NO OBJECTION” to this request as per approval from Corps of Engineers, New Orleans District dated March 30, 2009 and the Louisiana Department of Transportation and Development. The motion carried unanimously.

## **RIGHTS OF ENTRY**

**Department of the Army, Corps of Engineers, New Orleans District** – request of April 20, 2009 including ingress and egress, to a clear and unobstructed ROW to perform the subject work within PLD’s jurisdiction and to conduct Real-Time Kinematic, Global Positioning System surveys in connection with a National Levee Database effort on all Mississippi River Levees and Lake Pontchartrain and Vicinity levees within Pontchartrain Levee District’s jurisdiction. All work will be performed within existing PLD rights-of-way. The limits of work are indicated on the drawing, entitled “NLD-Mississippi River East Bank Levee System,” and drawing, entitled “NLD-St. Charles/Jefferson Parishes East Polder System”. Surveyors from a national surveying contract, Woolpert, will be in the area to perform surveys as part of their effort. Mr. Cunningham moved, seconded by Mr. Addison to grant right of entry as requested for a period of only three (3) months. This motion carried unanimously. Mr. Savoy questioned the cost associated with said surveys.

## **PRESIDENT’S REMARKS**

President Wilson reminded members of the upcoming annual Association of Levee Boards of Louisiana workshop being held in Baton Rouge on May 7-8, 2009. Members were reminded to notify the Board Secretary as to their attendance.

## **OLD BUSINESS**

Under old business, Mr. Savoy asked for an update relative to an update from SJB Group concerning the Multi Parish Bike Trail Study. Brief discussion was had regarding the funding in place. President Wilson also reminded members that the deadline for the disclosure forms by the Louisiana Ethics Commission is due by May 15, 2009 and those forms were provided to members. Mr. St. Pierre also gave a brief update regarding the lease issue with Tod's Catering.

## **NEW BUSINESS**

None.

## **ADJOURNMENT**

At this time, Mr. Harelson moved, seconded by Mr. Addison to adjourn. The motion carried unanimously and President Wilson declared the meeting adjourned at 6:55 p.m.

/s/ Susan M. Sheets

**Susan M. Sheets, Secretary**

/s/ Steve Wilson

**Steve Wilson, President  
Pontchartrain Levee District**