

The Board of Commissioners for the Pontchartrain Levee District met at its office on Monday, October 17, 2011, notice given to each member in due time, form and manner as follows:

October 14, 2011

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 17, 2011 at the Lutcher Office, Lutcher, Louisiana.

Very truly yours,

Monica Salins,
Executive Director

President Steve Wilson called the meeting to order at 6:08 p.m. The following members were present: Messrs. Marty Poche, Jerry Savoy, L.C. Irvin, Mike Delaune, Ricky Bosco, Allen St. Pierre and Steve Wilson. Absent: None.

Pontchartrain Levee District employees in attendance were: Messrs. Monica Salins – Executive Director, Susan M. Sheets - Secretary to the Board. Also in attendance were: Clinton Rouyea - External Accountant, Joe Sevario – Executive Assistant to the Board and Dwight Poirrier – PLD Legal Counsel. Special guest included: Henry Picard of Burk Kleinpeter, Eric Poche of SJB Group, A.J. Domangue and Mona Nosari of G.C.R. & Associates, Les Waguespack of Shaw, Nathan Junius of Linfield, Hunter & Junius, Jack Morgan of Evans Graves Engineers, Lauren Dimattia and Noah Hassiock of CPRA, Chris Williams of Moffatt & Nichol and Johnny Bradberry of Topcore.

The Pledge of Allegiance was recited.

A motion to approve the minutes of the Regular Board Meeting of September 19, 2011, was offered by Mr. Savoy, seconded by Mr. Irvin and unanimously carried.

COMMITTEE REPORTS

Security/Safety Committee: Mr. Mike Delaune reported on the security meeting held on October 11, 2011. There were no action items to report.

Equipment Committee: Mr. Mike Delaune reported on the meeting held on October 11, 2011. There were no action items to report.

Finance Committee: Mr. Jerry Savoy reported on the Finance meeting held on October 13, 2011. Mr. Delaune moved, seconded by Mr. Bosco to approve to increase the Planning Assistance to States Agreement (PAS) between the Department of the Army and the Pontchartrain Levee District (PLD) for the LaBranche Wetland Planning Level Assessment Study, previously approved by PLD Board on August 15, 2011, from \$140,000.00 to \$240,000.00, 50/50 cost sharing in accordance with all other terms in the agreement, and to authorize PLD President Steve Wilson, to execute the necessary documents referencing said increase in study cost as recommended by committee on October 13, 2011. This motion carried unanimously. Mr. Irvin moved, seconded by Mr. Poche to reallocate funds within the current Fiscal Year 2011-2012 budget in the amount of \$581,000.00 into account #70631 as set forth in PLD Fiscal Year 2011-2012 budget line item changes as recommended by committee on October 13, 2011. This motion carried unanimously. Mr. St. Pierre moved to approve to authorize Linfield, Hunter & Junius to proceed with advertising for competitive bids, in accordance with LA R.S. 38:2212 et seq., pending receipt of final bid specification package approval for the maintenance shop renovation from Board Attorney as recommended by committee on October 13, 2011. This motion was seconded by Mr. Delaune and also carried unanimously. Mr. Poche moved, seconded by Mr. Bosco to approve the regular monthly invoices in the amount of \$62,242.58 as recommended by committee. The motion carried unanimously. Mr. Delaune moved, seconded by Mr. Irvin to approve the invoice from G.C.R. and Associates for the 100 year protection in the amount of \$33,794.18 for the month of August 1, 2011 thru August 31, 2011 as recommended by committee. This motion carried unanimously. Mr. St Pierre moved, seconded by Mr. Bosco to approve the expense from G.C.R. & Associates for computer technical support in the amount of \$172.50 as recommended by committee. This motion carried unanimously.

Personnel Committee: Mr. Marty Poche reported on the Personnel meeting which was held on October 13, 2011. There were no action items to report.

STAFF REPORTS

At this time, updated 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

Mr. Junius addressed members regarding the maintenance shop renovation project and advised that he was compiling the necessary paperwork to advertise said renovation project. It is Mr. Junius' desire that bids potentially be opened on November 21, 2011, and said award date will be subject to attorney review, compliance, etc.

LETTERS OF NO OBJECTION

The following requests were presented to the Board for action:

Advanced Telephone Inc. – request of September 21, 2011 through OSP Engineering, concerning permission to install two (2) fiber optic cables, levee station 3153+00, at Union, 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 September 30, 2011 and OCPR dated September 28, 2011 and reaffirmed by PLD. This motion carried unanimously.

Advanced Telephone, Inc. – request of September 21, 2011 through OSP Engineering, concerning permission to install two (2) fiber optic cables, levee station 1480+00, at St. Gabriel, Louisiana, in Iberville Parish. Mr. Irvin 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 30, 2011 and OCPR dated September 28, 2011 and reaffirmed by PLD. This motion carried unanimously.

Entergy Louisiana, LLC – request of July 19, 2011 concerning permission to install twenty-three (23) power poles and service lines to the St. John the Baptist Parish Drainage Pumping Station at 268 Persimmon Street, between levee station 4850+00 and 4870+00, at LaPlace, Louisiana, in St. John the Baptist Parish. Mr. St. Pierre moved, seconded by Mr. Irvin 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 4, 2011 and OCPR dated August 2, 2011 and reaffirmed by PLD. This motion carried unanimously.

Vulcan Materials – request of September 28, 2011 through Eustis Engineering Services, LLC, concerning permission to drill three (3) soil borings, levee station 5852+25, at St. Rose, 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 October 4, 2011 and OCPR dated September 30, 2011 and reaffirmed by PLD. This motion carried unanimously.

Norco Civic Association – request of September 26, 2011 concerning permission to land a helicopter on the levee near levee station 5320+00, in Norco, Louisiana, in St. Charles Parish. Mr. Bosco, moved, seconded by Mr. Irvin to grant a “Letter of No Objection” to this request. This motion carried unanimously.

New Orleans Running Systems – request of August 2, 2011 concerning permission to conduct a Riverfront Half-Marathon and 5K in St. Charles Parish. Mr. Bosco moved, seconded by Mr. Savoy to grant a “Letter of No Objection” to this request. This motion carried unanimously.

River Road Historical Society – request of October 11, 2011 concerning permission to park vehicles on the base of levee during our Fall Festival on November 12 and 13, 2011 in St. Charles Parish. Mr. Bosco moved, seconded by Mr. Delaune to grant a “Letter of No Objection” to this request. This motion carried unanimously.

AT&T – request of September 16, 2011 concerning permission to replace a telephone pole and anchor, levee station 1281+00, at St .Gabriel, Louisiana, in Iberville Parish. Mr. Poche moved, seconded by Mr. Irvin 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 October 6, 2011 and OCPR dated October 6, 2011 and reaffirmed by PLD. This motion carried unanimously.

Entergy Gulf States Louisiana, LLC – request of September 12, 2011 through Woodson Incorporated, concerning permission to install fifteen (15) new power poles on the protected side and install seven (7) new power poles on the adjacent batture, between levee station 175+00 to 205+00, at Duncan Point, Louisiana, in East Baton Rouge Parish. This relocation is required to accommodate the Corps of Engineers Duncan Point Seepage Berm Project. Mr. Delaune 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 October 7, 2011 and OCPR dated September 22, 2011 and reaffirmed by PLD. This motion carried unanimously contingent upon Board Attorney Confirming Breck Agreement.

St. Charles Parish Department of Public Works – request of September 9, 2011 through GEC, concerning permission to repair the access ramps near the west side and east side of the Bonnet Carre Spillway Road, levee station 5175+00 and 5260+00, 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 October 6, 2011 and OCPR dated September 29, 2011 and reaffirmed by PLD. This motion carried unanimously.

Entergy Louisiana, LLC – request of September 21, 2011 concerning permission to remove one (1) existing power pole on the batture, to remove three (3) power poles on the protected side and to install one (1) new power pole, levee station 3394+35, at Convent, Louisiana, in St. James Parish. Mr. Poche 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 September 28, 2011 and OCPR dated September 22, 2011 and reaffirmed by PLD. This motion carried unanimously.

Baton Rouge City/Parish Department of Public Works - request of July 20, 2011 through SJB Group, concerning permission to install new sewer mains, between levee station 34+16 and 86+0, at Baton Rouge, Louisiana, in East Baton Rouge Parish. Mr. Irvin 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 April 26, 2011 and OCPR dated July 27, 2011 and reaffirmed by PLD. This motion carried unanimously.

Valero St. Charles Refinery – request of September 16, 2011 through Tolunay-Wong Engineers, Inc., concerning permission to drill three (3) soil borings on the protected side and to drill one (1) soil boring on the batture, levee station 5375+00, at Norco, 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 22, 2011 and OCPR dated September 28, 2011 and reaffirmed by PLD. This motion carried unanimously.

International Matex Tank Terminals – request of August 25, 2011 concerning permission to install a protective bollard at 11842 River Road, levee station 5722+10, at St. Rose, 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 19, 2011 and OCPR dated September 13, 2011 and reaffirmed by PLD. This motion carried unanimously.

International Matex Tank Terminals – request of August 25, 2011 concerning permission to construct a pile supported statue foundation at 11842 River Road, levee station 5720+50, 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 September 19, 2011 and OCPR dated September 13, 2011 and reaffirmed by PLD. This motion carried unanimously.

International Matex Tank Terminals – request of August 25, 2011 concerning permission to drive nine (9) steel piles for the construction of a new parking canopy at 11842 River Road, levee station 5715+50, 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 September 19, 2011 and OCPR dated September 13, 2011 and reaffirmed by PLD. This motion carried unanimously.

Ben Seal, Jr. – request of August 16, 2011 concerning permission to dig a pond and install a water well at 1125 river Road, levee station 1063+00, at Sunshine, Louisiana, in Iberville Parish. Mr. Irvin 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 October 4, 2011 and OCPR dated October 13, 2011 and reaffirmed by PLD. This motion carried unanimously.

Impala Burnside Terminal – request of October 11, 2011 concerning permission to replace six (6) tripod barge breasting structures, levee station 3000+00, at Burnside, 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 October 6, 2011 and OCPR dated October 12, 2011 and reaffirmed by PLD. This motion carried unanimously.

PNK (Baton Rouge) Partnership – ratify the final letter of no objection #110919114 dated September 22, 2011. Mr. Irvin 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 22, 2011 and OCPR dated September 16, 2011 and reaffirmed by PLD. This motion carried unanimously.

Angelle Concrete Group – request of September 7, 2011 concerning permission to drill two (2) soil borings, at Geismar, Louisiana, in Ascension Parish. Mr. Savoy moved, seconded by Mr. Irvin 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 October 14, 2011 and OCPR dated October 3, 2011 and reaffirmed by PLD. This motion carried unanimously.

RIGHTS OF ENTRY

Department of the Army, Corps of Engineers, New Orleans District – request of September 13, 2011 from Linda C. LaBure, Chief, Real Estate Division to Steve Wilson, President of the Pontchartrain Levee District for right-of-entry for a period of one-year beginning January 1, 2012 and ending December 31, 2012 to perform surveys, stone repairs, and articulated concrete mattress repair work on revetments located in East Baton Rouge, Iberville, Ascension, St. James, St. John the Baptist, and St. Charles Parish, Louisiana in connection with the Mississippi River Channel Improvement Project as shown on maps entitled Pontchartrain Levee District Revetment Right of Way Plan, sheet identification numbers C-01 and C-02 dated February 1, 2010. Said grant of right-of-entry is predicated on notification of private landowners pursuant to Louisiana State Legislative Act 182 (Revised Statute 38:301) (D). Mr. Delaune moved, seconded by Mr. Irvin to grant said request as presented. The motion carried unanimously.

Department of the Army, Corps of Engineers, New Orleans District – request of October 5, 2011 from Linda C. LaBure, Chief, Real Estate Division to Steve Wilson, President of the Pontchartrain Levee District for right-of-entry for a period of one-year beginning January 1, 2012 and ending December 31, 2012 for vehicle parking areas in connection with Mississippi River Levees annual maintenance dredging at various deep and shallow draft crossings located in East Baton Rouge, Iberville, Ascension, St. James, and St. Charles Parish, Louisiana as shown on maps entitled “Red Eye Crossing ROE, Sardine Point Crossing ROE, Medora Crossing ROE, Granada Crossing ROE, Bayou Goula Crossing ROE, Alhambra Crossing ROE, Philadelphia Crossing ROE, Smoke Bend Crossing ROE, Rich Bend/Belmont Crossing ROE and Fairview Crossing ROE ,” dated November, 2009. Said grant of right-of-entry is predicated on the Pontchartrain Levee District obtaining a letter of no objection from LaDOTD and notifying private landowners pursuant to Louisiana State Legislative Act 182 (Revised Statute 38:301) (D). Mr. Irvin moved, seconded by Mr. Bosco to approve said request as presented. This motion carried unanimously.

PRESIDENT’S REMARKS

None.

OLD BUSINESS

None.

NEW BUSINESS

A motion was offered by Mr. Delaune and seconded by Mr. Poche to approve the Maintenance Agreement between the Pontchartrain Levee District and PNK (Baton Rouge) and to authorize President, Steve C. Wilson, to execute said agreement. The motion carried unanimously.

Next on the agenda, waiver of surface rights for Germany Land Development, LLC was addressed by Board Attorney, Mr. Poirrier. Mr. Poirrier advised that this request was made in order to clear title issues with land owner. Mr. Poirrier discussed this statute and options. Following discussion, Mr. Savoy moved, seconded by Mr. Delaune to authorize Board Attorney to move forward with said waiver of surface rights for this Germany Land Development project. The motion carried unanimously.

Next President Wilson requested a motion to add an item to the agenda for discussion concerning the Duncan Point Seepage Project. Mr. Delaune moved, seconded by Mr. Bosco to add this item to the agenda for discussion. This motion to add item carried unanimously. President Wilson discussed the concern of this Duncan Point Seepage area to the residents of East Baton Rouge Parish and LSU and addressed an issue of costs associated with the relocation of a Baton Rouge Waterworks main water lines. President Wilson stated that the Corps of Engineers offered to reimburse for said relocation and when they recognized their error, the Corps stated that they could not reimburse for relocations. President Wilson discussed the Duncan Point Seepage Project and stated that PLD could not afford to have an 8 million dollar project delayed. More discussion was had. Following much discussion, Mr. Irvin moved, seconded by Mr. Delaune to approve said costs associated with the relocation of the Baton Rouge Waterworks line for the Duncan Point Seepage Project, conditioned upon the Corps rejected said reimbursement ability, said payment costs not to exceed \$63,331.45. This motion passed 5-1 with Mr. Jerry Savoy voting Nay.

PUBLIC COMMENTS

There were no public comments.

ADJOURNMENT

At this time, Mr. Savoy moved, seconded by Mr. Delaune to adjourn. The motion carried unanimously and President Wilson declared the meeting adjourned at 7:51 p.m.

Susan M. Sheets, Secretary

Steve C. Wilson, President