

**MINUTES OF A REGULAR MEETING OF THE
BOARD OF COMMISSIONERS OF THE
NATCHITOCHEs LEVEE AND DRAINAGE DISTRICT**

December 14, 2010

7:00 p.m.

BE IT KNOWN that a Regular Meeting of the Board of Commissioners of the Natchitoches Levee and Drainage District was called in the Police Jury Meeting Room, Natchitoches Parish Courthouse, Natchitoches, Louisiana, on December 14, 2010, with a quorum being present, and roll was called as follows, to-wit:

Board Members present were:

Karlton Methvin, President/Administrator
Ronald Corkern, Attorney/Assistant Secretary
Billy Giddens, Member
Mark Swafford, Member
Adolph Sklar, Jr. Member
Doris Rogé, Member

Absent were:

Janet Jones, Secretary
Rayburn Smith, Member
C.D. Brazzel, Jr., Member

Also present were:

Gary Eldridge, DOTD
Alan Sheppard, Edko
Robert Vercher, Maintenance Superintendent
Michael Schiflet, Freese & Nichols Engineering
Mr. Charles Hampton

The minutes for the November 9, 2010 meeting were reviewed. On Motion by Doris Rogé, seconded by Adolph Sklar, Jr., the November minutes were unanimously approved.

The November, 2010 Financial Statement had not been received from our accountants and could not be reviewed. Karlton advised the Board that he would mail a copy of the November financial statement to each Board member and we would place that on the January agenda for approval.

Mr. Michael Schiflet addressed the Board regarding levee certification. He told the Board about Freese & Nicholas, Inc. The engineering company with which he is associated. Their company has been involved in a number of levee certifications and has worked very closely with FEMA. They are presently under contract with the Caddo Levee Board to assist them in levee certification. Mr. Schiflet answered questions regarding the scope of their work and estimates of cost. He agreed to provide a written engagement letter to the Board setting forth work to be performed and the cost associated with each phase of their work.

Mr. Charles Hampton addressed the Board regarding a gate that had not yet been built, but the post had been set. The proposed gate will be across Hampton Road and apparently is going to be built by his brother, Todd Hampton. Mr. Charles Hampton advised the Board that although the gate would not be locked, it would be at the bottom of the ramp and would necessitate he and his wife, or anyone else using the ramp to exit their vehicle both before and after going through the gate in order to open it and shut it. He advised the Board that this road had been opened for years and requested that the Board not allow a gate across the ramp. During further discussion Mr. Hampton advised the Board that the Police Jury had apparently abandoned the road and was no longer maintaining the road. That being the case, Mr. Corkern advised that the road would no longer be considered a public road that would be owned by the adjacent landowner which apparently is Todd Hampton. Todd Hampton previously obtained a permit for a fence from the Corps of Engineers and DOTD to build a fence at this location. Corkern advised that he did not know whether a permit to build a fence would also allow him to build a gate, or if a separate permit was needed. Gary Eldridge, DOTD engineer, agreed to look at the site in question and speak with David Dupré with the Corps of Engineers to determine whether or not a gate could be built at this site. Corkern further advised that if the Corps of Engineers indicated the permit would allow him to build a gate at this particular site, then under the current state of Louisiana law there was nothing the Levee Board could do, because the current laws state that once the Corps of Engineers and/or DOTD have approved a permit application, then the Levee Board has administrative duty to allow construction of whatever the permit allowed. Corkern further advised that the Association of Levee Boards of Louisiana intends to introduce a Bill during the next session that would change the current state of the law and give Levee Boards authority to make decisions independent of the Corps of Engineers and DOTD.

Robert Vercher advised that they had worked all of the flood gates during this past month and also dug up some beaver dams, and it appears as though the hogs were tearing up the levee at Marco, Campti and at other places. Mr. Vercher further dismissed the holidays that his crew would observe.

There was some discussion regarding the excavator and what should be done with respect to the repairs needed. The Board approved having the excavator taken to Head & Enquist, and authorized whatever repair work was needed.

Gary Eldridge then gave the DOTD report. He advised that he would look at the gate at the Hampton place and contact David Dupré with the Corps of Engineers. He also advised that the Corps of Engineers advised DOTD to survey all of the closures within our Levee District and provide the Corps with information on these closures. The Corps of Engineers is going to first obtain surveys of these closures, and after obtaining that DOTD will prepare closure plans for each location.

In other business, Doris Rogé, Ronald Corkern and Karlton Methvin reported on the Association of Levee Boards of Louisiana meeting held in New Orleans. It appears there are no Bills in Congress that will shift the burden of levee certification to the Federal Government. There are two Bills that have a chance of making it through Congress, but each of these Bills provides only for an extension of time in which to certify the levees provided the Levee District is able to provide FEMA with a plan for levee certification and prove that they have the financial ability to carry out the plan.

In new business, a Motion was made by Adolph Sklar, Jr. and seconded by Doris Rogé to authorize the increase in accounting services charged by Johnson, Thomas & Cunningham. The Board voted unanimously to approve the increase to \$325.00 per month.

The Board also reviewed the Cane River Dam inspection report prepared by DOTD. The report indicates that there is some shrubs and brush that needs to be clear and that this is on the embankment that is the responsibility of the Natchitoches Levee & Drainage District. Mr. Vercher agreed to look at this area and clean whatever needed to be cleaned.

Corkern advised that the annual dues for membership in the Association of Levee Boards of Louisiana was due. A motion was made by Adolph Sklar, Jr., seconded by Mark Swafford, to authorize the payment of these dues. The motion passed unanimously.

Under old business, advised that the low bid for replacement of the lower Cane River flood gates had been submitted to Facility & Planning in Baton Rouge for their approval. As soon as we receive approval we will award the contract to Riley Construction Company.

There being no further business to come before the Board, a motion was made by Doris Rogé, seconded by Billy Giddens, to adjourn. The Board voted unanimously in favor of the motion.

Approved on the 11th day of January, 2011, at Natchitoches, Louisiana, at a regularly held meeting.

RONALD E. CORKERN, JR.,
Attorney/Assistant Secretary