

On the motion of Mr. Doody,
Seconded by Mr. Goins, the following resolution was offered:

RESOLUTION #02-19-07-001 Agenda

“A resolution to approve and accept the agenda for the Special Board Meeting of February 19, 2007.”

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

YEAS: Mr. Doody, Mr. Losonsky, Mr. McKee, Mr. Goins, Mr. Barnes,

NAYS: None

ABSENT: Mr. Barry, Mr. Wittie, Mr. Pineda, Ms. St. Vincent

Motion carried.

This resolution was declared adopted this 19th day of February, 2007.

I hereby certify that the above and foregoing is a true and corrected copy of a resolution duly adopted by the Southeast Louisiana Flood Protection Authority-East at its meeting of February 19th, 2007, at which a quorum was present.

**John M. Barry
Secretary**

**This 19th day of February, 2007
Harahan, LA 70123**

On the motion of Mr. Doody,
Seconded by Mr. McKee, the following resolution was offered:

RESOLUTION #02-19-07-002 – President Authority

“A resolution authorizing the President, Thomas L. Jackson, to testify on behalf of the Southeast Louisiana Flood Protection Authority – East before the Senate Committee on Environment and Public Works at the hearing entitled “Moving Forward after Hurricanes Katrina and Rita” on Monday, February 26, 2007. The purpose of the hearing is to examine the current conditions and solutions for moving forward after Hurricanes Katrina and Rita with a focus on debris waste management, coastal wetlands restoration and hurricane protection.”

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

YEAS: Mr. Doody, Mr. Losonsky, Mr. McKee, Mr. Goins, Mr. Barnes
NAYS: None
ABSENT: Mr. Barry, Mr. Wittie, Mr. Pineda, Ms. St. Vincent
Motion carried.

This resolution was declared adopted this 19th day of February, 2007.

I hereby certify that the above and foregoing is a true and corrected copy of a resolution duly adopted by the Southeast Louisiana Flood Protection Authority-East at its meeting of February 19th, 2007, at which a quorum was present.

John M. Barry
Secretary

This 19th day of February, 2007
Harahan, LA 70123

On the motion of Mr. Barnes,
Seconded by Mr. Goins, the following resolution was offered:

RESOLUTION #02-19-07-003 – Executive Session - Haspel & Davis Milling & Planting Co.

“A resolution to enter into Executive Session to discuss Haspel & Davis Milling & Planting Co. Ltd., et al v. Orleans Levee District, USDC EDLA Case No. 06-3829, US Fifth Circuit Court of Appeals, Case No. 06-31083”.

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

YEAS: Mr. Doody, Mr. Losonsky, Mr. McKee, Mr. Goins, Mr. Barnes
NAYS: None
ABSENT: Mr. Barry, Mr. Wittie, Mr. Pineda, Ms. St. Vincent
Motion carried.

This resolution was declared adopted this 19th day of February, 2007.

I hereby certify that the above and foregoing is a true and corrected copy of a resolution duly adopted by the Southeast Louisiana Flood Protection Authority-East at its meeting of February 19th, 2007, at which a quorum was present.

John M. Barry
Secretary

This 19th day of February, 2007
Harahan, LA 70123

On the motion of Mr. McKee,
Seconded by Mr. Losonsky, the following resolution was offered:

**RESOLUTION #02-19-07-004 – Proceed to Appellate Process -
Haspel & Davis Milling & Planting Co.**

“A resolution to proceed to the appellate process in lieu of settlement of Haspel & Davis Milling & Planting Co. Ltd., et al v. Orleans Levee District, USDC EDLA Case No. 06-3829, US Fifth Circuit Court of Appeals, Case No. 06-31083;

Whereas, the primary responsibility of the Southeast Louisiana Flood Protection Authority – East (Authority) is to utilize its resources to provide the maximum flood and hurricane protection possible throughout its jurisdiction; and

Whereas, a settlement of this matter may imperil the operation and improvement funds of the Orleans Levee District as well as other Levee Districts under the Authority’s responsibility and thereby impede the Authority in the fulfillment of its responsibility; and

Whereas, flood waters do not recognize boundaries and should plaintiff be permitted to seize the assets of the Authority, there may be flooding hazards to other Parishes through no fault of the residents of those Parishes, who have no responsibility for this settlement; and

Whereas, allowing seizure of assets of a public facility which is charged with providing for the health and safety of the general public at large has the potential of setting a dangerous precedent that is not in the best interest of the general public; now

THEREFORE, BE IT RESOLVED, that the Southeast Louisiana Flood Protection Authority – East hereby directs counsel to proceed to the appellate process in lieu of settlement of Haspel & Davis Milling & Planting Co. Ltd., et al v. Orleans Levee District, USDC EDLA Case

No. 06-3829, US Fifth Circuit Court of Appeals, Case No. 06-31083 in an effort to avoid jeopardizing the operating and improvements funds of Orleans Levee District as well as other Levee District's and public entities throughout the State of Louisiana.”

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

YEAS: Mr. Losonsky, Mr. McKee, Mr. Goins, Mr. Barnes, Mr. Barry, Mr. Wittie

NAYS: Mr. Doody

ABSENT: Mr. Pineda, Ms. St. Vincent

Motion carried.

This resolution was declared adopted this 19th day of February, 2007.

I hereby certify that the above and foregoing is a true and corrected copy of a resolution duly adopted by the Southeast Louisiana Flood Protection Authority-East at its meeting of February 19th, 2007, at which a quorum was present.

John M. Barry
Secretary

This 19th day of February, 2007
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