

Minutes of the Regular Monthly Board meeting of the North Lafourche Conservation, Levee & Drainage District, Tuesday, January 17, 2017

A regular monthly meeting of the North Lafourche Conservation, Levee and Drainage District Board of Commissioners was called to order by Mr. Cory Kief, Board President, at 5:04 PM (immediately following the Finance & Priority committee meeting). The meeting was held at the District's office at 3862 Highway 1 in Raceland. Commissioner D. Kiffe led the assembly in the Pledge and Commissioner R. Foret led the Invocation.

President Kief called roll. Commissioners present were: Louis Andolsek, Rodney Foret, Cory Kief, Darcy Kiffe, Kenney Matherne, Adley Peltier, Elmo Pitre, Robert Pitre (arrived at 5:07PM), Shawn Preston, and Joni Tuck. Commissioner Timothy Allen was absent. Others present were NLLD Executive Director Dwayne Bourgeois; NLLD Project/Program Manager Arthur Ostheimer; NLLD Administrative Assistant Madonna Viguerie; NLLD Field Coordinator Glenn Bourgeois; Attorney Pat Amedee; consultants; various engineering professionals; and members of the public.

Motion was made by R. Foret, seconded by J. Tuck, to approve the minutes of the following meetings: December 20, 2016 Lockport to Larose/Valentine E/Gheens Committee, December 20, 2016 Finance & Priority Committee, December 20, 2016 Regular Board. No discussion or public comment. Motion passed unanimously.

The floor was then turned over to the Director to address regular session items.

A. Thibodaux – West Project Area:

South Thibodaux Drainage Project: The Director reported that the intent of this project is to improve drainage in the City with another larger outfall channel. Leonard Chauvin, from Leonard Chauvin, P.E., Inc., reported that a verbal agreement was reached with Entergy on the right of way needed and the documents are being prepared for signatures. Chauvin added that they should be ready to start the advertisement on this project in about two weeks. He added that the final estimated cost of the project is \$1.239M and that includes contingency for possibly disposing of material from the old railroad and a fair contingency for potential conflicts. The Director stated that the estimate is in line with the original estimate and the board needs to consider a motion to advance the project. Motion was made by L. Andolsek, seconded by E. Pitre, to approve the bid advertisement, the receipt and evaluation of bids and for LCI to make a recommendation to the Board for awarding of a contract to complete this project. On call for discussion, Chauvin stated that if anything gets delayed with Entergy, the bid date can be adjusted with an addendum. He added that Entergy has no plans for the vacant property. No further discussion or public comment. Motion passed unanimously.

B. Thibodaux - Lockport - Bayou Blue Project Area:

Bayou Blue – Hollywood Backwater Flood Protection Project: The Director stated that this large project is one Element of the TLBB Project. Independently, it will prevent high storm water elevations in the Hollywood Canal from backing into the subdivisions on the Lafourche side of LA316 and along the Burma Road and the land west of the Grand Coteau Ridge. The project did not make it on an agenda of the State Bond Commission in 2016; however, it was re-submitted through the Capital Outlay system for consideration in the 2017 legislative session and work will be needed to get the legislative delegates to get it moved from P2 to P1.

St. Charles By-Pass Backwater Flood Protection: The Director stated that the District is working with Duplantis Design Group on formulating a project to prevent repeated backwater flooding into this community. Matt Rodrigue, from Duplantis Design Group, reported that the Corps is

still going through their assessment on the joint permit application. Rodrigue added that in regards to the servitude agreements, the District is now at 50% of the ownership on the Bourgeois property; however, DDG will go for additional signatures. Based upon the permit application date of April 2016 and the current status, Board President Kief requested that the District work to generate a specific report to track the permit applications with the Corps. Kief added that the goal is to bring it up to the Corps, letting them know that the permit process is holding up the district from spending the public's money being collected for projects.

Cyprien FDA Channel Improvements: The Director stated that the Cyprien FDA has been having worsening issues in getting storm runoff to the pump station. He added that the project is on hold awaiting information from LPG concerning their plans to refurbish that pump station. The District is looking to soon have the information needed in hand to possibly have this as the first worksite for the new marsh buggy.

C. Lockport - Larose Project Area

Lockport – Larose Valentine Return Levee Project: The Director reported that Angelette-Picciola is working on the final design of the return levee with a phased approach, as well as the drainage structure. Neil Angelette, from Angelette-Picciola, LLC, reported that he reviewed the plans and specifications with the district resulting in very minor changes needed and that will be taken care of this week. Angelette added that they are looking for board approval to advertise for the levee portion that is estimated at \$1.1M, while the drainage structure is about 4 – 6 weeks away from being at the same milestone as the return levee and the estimate is still \$750K. Motion was made by K. Matherne, seconded by R. Foret, to approve the bid advertisement, the receipt and evaluation of bids and for Angelette-Picciola to make a recommendation to the Board for awarding of a contract to complete this project. On call for discussion, Commissioner Kiffe asked for clarification on the two separate bids. Angelette explained that this came about pretty early on in the design stage due to benefits from timing and cost effectiveness because of two different types of contractors for the differences in work involved (sheet pile and earth work). Also the levee design progressed faster due to the design of the drainage structure portion being delayed for geotechnical studies. Kiffe stated his concern that delays can only cause the costs to be higher. No further discussion or public comment. Motion passed unanimously.

Lockport – Larose Levee Project, Reaches C4, C5, and D1: The Director reported that efforts continue to proceed with improvements for these parts of the hurricane protection levee with a stable cross-sectional profile and a finished elevation of +7.5' above sea level, without any additional material being secured for future maintenance. He added that the letters for the acquisition of right of way agreements were finalized based upon the board's authorization last month and are scheduled to go out in the mail to the landowners by the end of this week, adding a thank you to Commissioner Tuck for her edits to the letter. The Director stated that the landowners will have 45 days to respond, so the district should have answers by early March and any side agreements will be brought to the project area committee. Discussion ensued regarding permitting. The Director explained that the only area without a permit is D1, but stated that most of the work for D1 can be done from the dry side resulting in zero impact. He added that D1 might be an ideal candidate for the programmatic permitting if changes get approved as being discussed with the Corps. Commissioner Kiffe expressed his concern for areas of the levee that have collapsed and inquired if repairs could be made if the project is delayed. Board President Kief suggested an emergency authorization would have to be

considered. The Director stated that any delays would likely be in obtaining the right of way agreements (specifically if it goes to expropriation) not the permitting.

Lockport to Larose Prior Repaired Sections NLLD & CPRA in reach D1: The Director stated that a settlement agreement is in place with the Lafourche Parish Government (LPG) to have this situation remedied by the LPG. The Parish is performing the repair work, with Picciola & Associates managing and inspecting those efforts. Jack Plaisance, from Picciola & Associates, reported that the Parish came in mid part of last week for about 1 ½ days after being off of the repair for some time. They still have about 1 ½ days' work left; however, the site is still wet from rain last week.

Edna Barrios Pump Consolidation Project: The Director reported that Angelette-Picciola redesigned the station as requested by the Parish. The completion of this pump station is vital to the NLLD as it will allow the removal of the antiquated Barrios Pump Station which interferes with the levee alignment in the area. Neil Angelette, from Angelette-Picciola, reported that Sealevel was the low bidder and they were awarded the contract. The pre-construction meeting was conducted last week and the notice to proceed will be issued for the work to kick off at the end of January, with completion estimated for late summer or early fall of this year. Angelette added that the Parish decided not to add a third pump.

Lockport to Larose Levee Project "Reach D2" Project: The Director reported that Womack & Sons Construction Group is the contractor for this section of the levee between the Private Arceneaux Pump Station east to Larose Pump Station at GIWW. This interim (Phase A) plan for this Reach is to resection the levee to 7.5', which is considerably above the current average. Jack Plaisance, from Picciola & Associates, reported that the work is about 90% complete, with about 70% of the contract time expended. Plaisance presented the recommended pay request #5 in the amount \$137,471.17 to the board. Motion was made by D. Kiffe, seconded by E. Pitre, to approve payment of a pay request in the amount of \$137,471.17 from Womack & Sons Construction Group as recommended by the project engineer. No discussion or public comment. Motion passed unanimously. Plaisance added that the contractor will exceed the contract quantity in material due to the current scope of work requiring more hauled in material than was estimated; therefore, the board can expect a future change order to add material to the project. Plaisance stated that they are within the budget and the funded dollars, but the change order will cause the work to exceed the contract amount. The Director added that if the District can shake the rest of the money from the CPRA commitment, maybe the repairs just discussed with Commissioner Kiffe could get done from the inside.

Lockport to Larose Reaches A1, A2, and Claudet Return Levee Project: The Director reported that Reaches A1 and A2 were previously lifted with mostly on-site material to a +5' elevation about two years ago. This is the next phase towards the eventual goal of +9'. Leonard Chauvin, from Leonard Chauvin, P.E., Inc., reported that they are exploring the possibility of a borrow pit on one of the properties. Chauvin will have a geotechnical consultant to do some soil borings to hopefully have the results at next meeting. The Director stated that this project is in the bond funding. Chauvin stated that there are no regulatory permits required that would cause delays.

Parr Pump Improvements: The Director reported that this project entails providing and installing a new 48" pump, motor and gearbox for the Parr Pump Station, as well as making changes to the pump station itself to accommodate this pump. He added that the equipment is on order with an expected delivery of February 9, 2017. Leonard, from Leonard Chauvin P.E. Inc., reported that bids were received on January 12, 2017 from three contractors: Sealevel \$97,150.00, Low Land \$122,469.00, and Volute \$138,600.00. Chauvin reported that the

equipment was already delivered to M&L and he recommended the board accept the bid from Sealevel. Motion was made by A. Peltier, seconded by D. Kiffe, that NLLD awards the construction contract to Sealevel Construction, Inc., thus committing \$97,150.00 of NLLD's net assets towards NLLD Project No. 6300.62Z and authorizing the NLLD President to sign, execute, and administer a contract and any and all relevant documents. No discussion or public comment. Motion passed unanimously

D. Choupic Project Area:

West Choupic Storm Water Protection Project: The Director reported that Leonard Chauvin Engineering Inc. will work to refine the project design in order to conduct public workshops in the project area, and based upon a meeting with the Corps, the alignment will need to be generally in front of the existing tree line. Discussion ensued regarding the residents asking for a meeting to hear the plan. Chauvin suggested that the District needs to decide if the next step is to go to the Corps or conduct a meeting with the constituents. Board President Kief stated that it's not a big levee to be built, but it is a lot of wetland impacts with mitigation costs. Kief suggested that it could eventually help the property values go up. He suggested work on a good alignment and start the permitting process for that; maybe a different funding mechanism will come to the district.

North Thibodaux Drainage Improvements, Phase A: The Director stated that this drainage project was requested by the City of Thibodaux. With the exception of the landowner's signature on the servitude agreement, everything is in place to advance the project through the bid process. The City of Thibodaux is trying to get the landowner's signature, but the project is on hold until the servitude agreement is signed.

E. St. James Project Area:

The Director reported that things are being developed in this project area, but he had nothing to report at this time.

F. Lake Bouef Watershed Project Area:

Lake Bouef Watershed, Backwater Flood Protection Project: The Director reported that landowner understanding of the issues and cooperation will be the key to getting this massive project done, especially since it was learned that the Corps will be strict on avoiding wetland impacts, thus causing the alignment to be in front of the wetland interface. The District is working to spin-off a series of smaller projects in this area along reaches that have common geography. Leonard Chauvin, Inc. will be working to advance the first alignment from Theriot Canal to Oak Grove Plantation in hopes of developing a templet for the remaining reaches.

Bayou Bouef School Forced Drainage Project: (NLLD 6600.63Z) The Director stated that this project was resubmitted for Capital Outlay funding consideration in the 2017 legislative session.

Zeller/Larousse Forced Drainage Area Systems Improvement: The Director reminded the Board that the District has a \$1M pledge from CPRA to work on Phase 1A of this project (Clearing encroachments and dredging reservoir) and the details are being worked out with CPRA. This project was resubmitted as a funding request for the balance of this project through Capital Outlay for consideration in the 2017 legislative session. Leonard, from Leonard Chauvin P.E. Inc., reported that the Corps agreed to accept a proposal to come back in one year to evaluate for any damages; although Chauvin doesn't expect wetland impacts. Chauvin added that with the permit from the Corps, this project will be able to go to bid. He explained that the first phase is dredging of the canal and clearing of trees on the levee on existing RoW's. The intent of the project is to raise the levee to a +5. The first lift will be done with material in the canal; future lifts will have to be trucked in.

40 and 80 Arpent and Halpins Canal Maintenance Dredging Project, East Theriot Canal Maintenance Dredging Project, and Sam Foret and adjacent Canals Maintenance Dredging: The Director reported that the District continues to work on the permitting for bank clearing and maintenance dredging in these areas. Parts of these canals have no adjacent high banks on which to place material, so other methods, including hydraulic dredging in small cuts, are beginning to be considered. There will be a meeting later this week with prospective contractors to discuss the feasibility of the dredge approach for this project as was discussed with the Corps.

G. Gheens Project Area:

Mathews Canal Project: The Director reported that a resolution was adopted a few months ago authorizing the purchase of credits from the State ILF as offsetting mitigation to secure the permits for the project. He added that the district is waiting on written confirmation of this from the Corps.

Des Allemands Bulkhead Project: The Director reported that there are two elements of this project and he had met with Stevie Smith from ASCE to advance both of them considering they are included in the Bond Sale funding plan. An engineering contract is being executed with ASCE for Element 1, which includes the levee and channel improvements, to complete the final design, probable estimate of cost, and prepare the bid documents. Element 2 is for pump improvements and a letter agreement is being executed with ASCE to complete the preliminary design and probable estimate of cost.

Des Allemands Breakwater Project: The Director reported that this project is not currently in a funding plan, and since it seems that US Hwy 90 will be the primary benefactor of this project, ASCE will approach LA DOTD to consider assisting with the funding of this project. ASCE has met with LA DOTD to begin the process of trying to gauge their interest and ability to provide funding.

Jesse Dufrene FDA Levee Improvements: The Director reported that ASCE will get with the landowner to get clearance to send in a geotech engineer to have the perspective dirt pit bored and tested. The letter agreement will be amended to include that service needed to proceed with the preliminary design and cost estimate. The Director did point out a possible complication since the prospective dirt pit owner is considering moving from the area; however, this is still being discussed.

H. Valentine - East Project Area:

New Valentine/Ludevine Forced Drainage Area: The Director stated that this is the levee running from Hamilton Street in Larose about 5,500 feet towards the Ludevine Pump Station along the Blackwater Canal with a rehabilitation project. Jack Plaisance, from Picciola & Associates, reported that the permitting phase is ongoing. OCM permits received from the state. There is some confusion with the Emergency Authorization in 2015, so Plaisance is working to schedule a meeting with the Corps. Plaisance added that the State considered it fast land, but the Corps rejected the wetland delineation. The Director explained that DNR and the Corps have different standards for wetlands determination.

I. Regional/Other Capital Projects:

Morganza to the Gulf: The Director reported that the District is working in cooperation with SLLD, with the CAT buggy to build terracing as part of the mitigation work for Reaches K&L of the Morganza to the Gulf Project. NLLD is being reimbursed for the operation cost on this effort and things are going according to plans.

J. Equipment: The Director reported that work continues on the series of equipment recommendations that were approved by the Board. The Director explained that the purchase contract is in place with MBI for the piggyback purchase of a new CAT long reach excavator, with an expectant delivery date of February 23, 2017 and things are progressing nicely based upon a visit last month. The Volvo buggy is parked at Sealevel's side yard while stepping through the surplus process. January is still the target date to advertise for bids for the machine.

K. General Items

Photo Presentation: The Director presented photos taken by Glenn B., NLLD Field Coordinator, of the following work: D2 -contract work by Womack.

Bond Funding: The Director reported that the application was submitted and accepted by the State Bond Commission at their December meeting and this board approved the parameter sale resolution last month. Based upon market indicators, a revised timeline has been established for the board's consideration. He added that a Preliminary Official Statement has been prepared and submitted to a rating company in preparation for a visit to the district office on Monday, January 23, 2017.

Other Meetings this Month: The Director stated in addition to the regular monthly meeting circuit and those previously discussed, he participated in the following meeting:

January 6, 2017 – Restore or Retreat Sponsored Regional Review of the CPRA MP17

January 10, 2017 - CPRA Sponsored Local Review of the CPRA MP17

Committee Report:

Finance & Priority Committee: Chairman K. Matherne reported that the F&P Committee met on December 20, 2016. During that meeting, the committee reviewed and approved the Payables report and the final revision of the 2016 budget; both were recommended and accepted for approval by the full board during the Regular Board meeting that followed.

Accounts Payable: Motion was made by K. Matherne, seconded by R. Pitre, to accept the Payables Report as reviewed by the Finance and Priority Committee in a meeting just prior to this Board meeting. No discussion or public comment. Motion passed unanimously.

The President called for any other engineering reports; there were none.

The President then called for other Public Comments; there were none.

The President then opened the floor to the commissioners to make requests for information or reports. He requested that a report be presented to the F&P committee to track income on a monthly basis, along with the cash balances in the bank and the total project amounts committed from those funds. He added that he would like the F&P committee to be able to understand what's going on with collections and be able to explain it to the board if necessary because of the district's monthly revenue stream.

Commissioner Elmo Pitre stated that he likes the idea of the permit application tracking report. Commissioner Adley Peltier asked if the project with Lafourche Basin Levee District from Davis Pond to Raceland ties into Morganza to the Gulf. The Director explained that this is still under development, but it is in the State's Master Plan; that does not mean its funded or ready to roll, but he anticipates more regular reporting from CB&I on that this year.

The President expressed his appreciation to the commissioners for coming in at mid-year in 2016 and putting up with a lot of committee meetings. Special appreciation to Commissioner Andolsek as chairman of the Lockport to Larose/Valentine East/Gheens committee for standing in the ring for the district.

Minutes of the January 17, 2017 NLLD Regular Monthly Meeting

The President announced the next Regular Monthly Board Meeting will be at 5:15 PM, or immediately following the F&P committee meeting, on Tuesday, February 21, 2017 at the District's office located at 3862 Highway 1, Raceland, LA.

Attorney Pat Amedee informed the board that there were no updates on the pending litigation of Cecil Gassiott, LLC Vs NLCLDD; therefore Executive Session would not be needed for Agenda item 11.

The meeting was unanimously adjourned at 6:24 PM on motion by R. Pitre, with a second by E. Pitre.

Cory Kief, President

Dwayne Bourgeois, Director