

Minutes of the Regular Monthly Board meeting of the North Lafourche Conservation, Levee & Drainage District, Tuesday, January 16, 2018

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 5:05 PM on Tuesday, January 16, 2018. The meeting was held at the District's office at 3862 Highway 1 in Raceland. Commissioner Darcy Kiffe led the assembly in the Pledge and Commissioner Timothy Allen offered the Invocation.

Board President Kief called roll. Commissioners present were: Timothy Allen, Louis Andolsek, Rodney Foret, Cory Kief, Darcy Kiffe, Kenney Matherne, Adley Peltier, Elmo Pitre, Robert Pitre, and Joni Tuck. Commissioner Shawn Preston was absent. Others present were NLLD Executive Director Dwayne Bourgeois; NLLD Project Manager Arthur Ostheimer; NLLD Administrative Assistant Madonna Viguerie; NLLD Field Coordinator Glenn Bourgeois; consultants; various engineering professionals; and members of the public. Attorney Pat Amedee was not present due to the freezing weather conditions.

Minutes: Motion was made by R. Pitre, seconded by T. Allen, to approve the minutes as written of the following meetings: December 19, 2017 Finance & Priority Committee and December 19, 2017 Regular Board. No discussion or public comment. Motion passed unanimously.

The commissioners were reminded of the current Capital Project Reports in their packets. 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 clear lien certificate has been received on this project. NLLD Project Manager Arthur Ostheimer reported that Byron E. Talbot Contractor Inc. has completed the remaining punch list items. He added that Leonard Chauvin P.E., Inc. has received the clear lien certificate and has recommended payment of the retainage for the Boards' consideration. Motion was made by L. Andolsek, seconded by E. Pitre to approve payment of the contract retainage in the amount of \$43,010.21 from Byron E. Talbot Contractor Inc. as recommended by the project engineer. No 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 project was submitted as a Capital Outlay request again for this year's legislative session, as well as by CPRA as part of their request on behalf of NLLD. He reported that this year, the State's Draft Annual Plan includes \$72,500 for engineering in FY2019 and another \$1,4M for construction of the closure portion of this project in FY2021 based on the CPRA request with funding coming from expected GOMESA funds. The local legislators should be encouraged to approve this Draft Annual Plan if approved by the state that would allow the District to get started on this project and better position the District for future funding assistances. Along those same lines and within this Project Area, the State's Draft Annual Plan also includes \$100,000 for engineering in FY2019 and another \$5,4M for construction in FY2020 of the Thibodaux – Lockport – Bayou Blue, Element 2 Levee Improvements also based on the CPRA request with funding coming from expected GOMESA funds. These Levee Improvements, which run from the Coastal Pump station in Lockport to the Butch Hill Pump station near Mathews on the west side of the bayou protects a large and growing population including, a high school, a hospital and parish government offices. This project has been a high priority for the District for years scoring very high in NOPET, but it has been delayed due to its cost and other structural

issues caused and fixed by the Parish. In all, this is a total of over \$7M in planned funding over the next three (3) years coming directly to the NLLD with a lot more money coming into this regional area for projects that provide direct impacts (those projects in South Lafourche, Terrebonne, the Barataria Basin and the Terrebonne Basins) and countless other projects that have an indirect impact to the District and the entire State. The Director commended the State (specifically the folks at the Louisiana Coastal Protection and Restoration Authority) for this Annual Plan and expressed his desire for the continued partnership with CPRA.

St. Charles By-Pass Backwater Flood Protection: The Director reported that LA Contracting Enterprise, LLC is the contractor for this project that is intended to prevent repeated backwater flooding into this community. Project Manager Ostheimer reported that LA Contracting has installed the culverts across the road and installed the asphalt patches. This work ties in the two sides of the road for the drainage. He added that they are continuing to work on the ditches on each side of the property along with the berm, but the progress has been slowed by the project area being very wet. He stated that Duplantis Design Group has a recommendation for pay request from the contractor for the Board's consideration. Motion was made by K. Matherne, seconded by D. Kiffe to approve payment of the pay request in the amount of \$55,926.00 from LA Contracting Enterprise, LLC as recommended by the project engineer. No discussion or public comment. Motion passed unanimously.

Cyprien FDA Channel Improvements: The Director reported that the District is planning to perform some maintenance dredging at the Cyprien FDA reservoir, but the work is on hold until the design is in place for improvements to the pump station by Lafourche Parish Government. Mr. Dustin Rabalais, from T. Baker Smith, LLC, reported that there is a meeting scheduled with the pipeline owner in the project area.

C. Lockport - Larose Project Area

Lockport – Larose Valentine Return Levee Project: The Director stated that Low Land Construction Co., Inc. is the contractor on the levee portion of this project. Project Manager Ostheimer reported that Low Land continues to move material to the levee limits from the adjacent borrow pits, but the material from the borrow pits is wet so they are having to process the material a good bit prior to installing the compacted lifts. He added that Angelette-Picciola, LLC has a recommendation for payment on a request from Low Land. Motion was made by R. Foret, seconded by E. Pitre to approve payment of a pay request in the amount of \$138,350.20 from Low Land Construction Co., Inc. as recommended by the project engineer. No discussion or public comment. Motion passed unanimously.

Lockport – Larose Valentine Return Structure Project: The Director stated that Sealevel Construction, Inc. is the contractor on the structure portion of this project. Project Manager Ostheimer reported that Sealevel has received all of the sheet piles and they are installing the sheet pile wall on both sides of the structure and they have performed some of the excavation. He added that Angelette-Picciola, LLC has a recommendation for payment on a request from Sealevel. Motion was made by A. Peltier, seconded by E. Pitre to approve payment of a pay request in the amount of \$389,202.44 from Sealevel Construction Inc. as recommended by the project engineer. No discussion or public comment. Motion passed unanimously.

Lockport – Larose Levee Project, Reaches C4, C5, and D1: The Director reported that as awarded last month, Onshore Materials, LLC is the contractor on this project. Project Manager Ostheimer reported that Angelette-Picciola LLC had forwarded the notice of award with contracts to Onshore Materials, LLC and Mr. Neil Angelette had just informed him that he is in receipt of the executed bonds and contracts; they were forwarded to the District

for final execution of the contracts. Ostheimer also reported that the appraisers have submitted a draft of the first appraisal report with plans to submit all of the appraisal reports by the end of this week (about one week behind with the appraisals). Upon receipt of the appraisals, Attorney Pat Amedee will finalize the expropriation suits. The expropriation process should all be complete by the end of January or the first week of February. It is also expected that the pre-construction meeting will be conducted at the end of January or early February and the Notice to Proceed to be issued in February after Mardi Gras.

Edna Barrios Pump Consolidation Project: The Director stated that the completion of this pump station by Lafourche Parish Government is vital to the NLLD as it will allow the removal of the old Barrios Pump Station which interferes with the levee alignment in the area; however, the newly installed pumps had to be pulled for modifications to the pumping capabilities and the plan is expected to take about eight weeks for completion. Mr. Neil Angelette, from Angelette-Picciola, LLC, reported that the Parish has the plans and all parties are waiting on the Parish to give Sealevel the go ahead.

Lockport to Larose Levee Project "Reaches D3" Project: The Director stated in cooperation with CPRA, remaining funds from Reach D2 are being used to extend the lift onto Reach D3. He added that Volute Inc. is the contractor for this project that is intended to re-section and elevate the existing levee to a +7.5' elevation. Project Manager Ostheimer reported that Volute continues to haul in material for the levee, but they were slowed a bit by the weather last month. As reported last month, there is a change order on tonight's agenda for the Board's consideration as a result of having to perform additional excavation in the area near the pump station. There was a tremendous amount of shells in that area with water flowing through the shells that had to be removed and then have the embankment reinstalled in several lifts. Picciola & Associates, Inc. has the recommendation for this change order along with a recommendation for payment for the Board's consideration. Motion was made by T. Allen, seconded by J. Tuck, to approve a change order with a net amount of \$42,466.50 and to extend the construction period to March 24, 2018 due to 26 rain days at the request of Volute, Inc. and recommended by the project engineer. No discussion or public comment. Motion passed unanimously. Motion was made by R. Pitre, seconded by R. Foret to approve payment of a pay request in the amount of \$69,724.21 from Volute, Inc. as recommended by the project engineer. No discussion or public comment. Motion passed unanimously.

Lockport to Larose Reaches A2 and Claudet Return Levee Project: The Director stated that Womack and Sons Construction Group, Inc. is the contractor for this project that is intended to increase the level of flood protection through the reshaping of levees and the installation of borrowed embankment. Project Manager Ostheimer reported that Womack and Sons has installed all of the material on the A2 portion of the project and they have requested Leonard Chauvin, P.E. Inc. to review and verify that the levee section is correct so that portion can be accepted. Womack continues to work on the Claudet Return portion of the levee which still has a good bit of work remaining. Leonard Chauvin P.E. Inc. has a recommendation for payment for the Board's consideration. Motion was made by K. Matherne, seconded by L. Andolsek to approve payment of a pay request in the amount of \$89,881.87 from Womack and Sons Construction Group, Inc. as recommended by the project engineer. No discussion or public comment. Motion passed unanimously.

Lockport to Larose Reaches A1: The Director reported that last month Leonard Chauvin P.E. Inc. was authorized to proceed with the advertisement and evaluation of public bids. Project Manager Ostheimer reported that Leonard Chauvin, P.E. Inc. has completed the bid set and the

advertisement for the project will begin on Friday, January 19, 2018 with a mandatory pre-bid meeting set for Monday, February 5, 2018 and bids to be received for this project on Thursday, February 15, 2018 with the intent to have a recommendation for award at the February board meeting.

D. Choupic Project Area:

West Choupic Storm Water Protection Project: The Director stated that Leonard Chauvin P.E. Inc. continues to work on getting the permit application together for submittal to the USACE. Project Manager Ostheimer reported that the District had directed Chauvin to prepare the permit application for this project after a meeting with the USACE. Chauvin is preparing the permit and has a pre-application meeting set with DNR for January 23, 2018 in Baton Rouge.

Existing Choupic Levee Status: The Director reported that this item concerning an old permit application and ROW agreements for existing Parish levees in the Choupic area has been receiving the attention of the Lafourche Parish Government through the assistance of Mr. Jack Plaisance with Picciola & Associates Inc. He added that Mr. Plaisance has had discussions with the Parish Administrator about concerns and they are awaiting a meeting, but the District is not taking responsibility for any pass actions of the LPG.

E. St. James Project Area:

The Director stated that although the District is developing items in the project area via a new drainage study, there is nothing new to report on that at this time.

F. Lake Bouef Watershed Project Area:

Lake Bouef Watershed, Backwater Flood Protection Project: The Director stated that Leonard Chauvin, P.E. Inc. is working on a wetland delineation to set an alignment that avoids wetland impacts and prepare a permit application for submittal. Project Manager Ostheimer reported that Chauvin is working to prepare a design and permit application based on the NLCLDD direction of not impacting any wetland area and they are currently working on the wetland delineation as required for information.

Bayou Bouef School Forced Drainage Project: The Director reported that this project was submitted again as one of NLLD's Capital Outlay request for this year's legislative session.

Zeller/Larousse Forced Drainage Area Systems Improvement: The Director reported that Sealevel Construction, Inc. is the contractor on Phase 1A of this project which includes clearing encroachments and dredging the reservoir. Project Manager Ostheimer reported that Sealevel Construction continues to clear the levee right of way and they have removed a majority of the trees. They have begun the drainage excavation in several areas along the alignment. Leonard Chauvin P.E. Inc. has a recommendation of payment for the Board's consideration. Motion was made by A. Peltier, seconded by R. Foret to approve payment of a pay request in the amount of \$106,732.50 from Sealevel Construction Inc. as recommended by the project engineer. No discussion or public comment. Motion passed unanimously.

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 stated that the permit has passed from the state to the USACE and the project was on public notice last month with the USACE and DEQ. Project Manager Ostheimer reported that permit came off of public notice on January 4, 2018 and the permit process is being worked through by Leonard Chauvin P.E., Inc. with the USACE. He explained that there was one comment that had to be responded to and there are a few questions that are being addressed. Ostheimer and the Director added that this is being tracked closely.

G. Gheens Project Area:

Mathews Canal Project: The Director reported that Low Land Construction Co., Inc. is the contractor for this project. Project Manager Ostheimer reported that Low Land continues to excavate the adjacent borrow area, which is parallel to the levee. He added that the material is very wet and will have to be processed a good bit prior to installation. Low Land has established drainage for the project as they've excavated, so the area will dry up quickly after rain. J. Wayne Plaisance, Inc. has a recommendation for payment for the Board's consideration. Motion was made by R. Pitre, seconded by J. Tuck to approve payment of a pay request in the amount of \$50,139.77 from Low Land Construction Co., Inc. as recommended by the project engineer. No discussion or public comment. Motion passed unanimously.

Des Allemands Bulkhead Project: The Director reported that there are two elements of this project and both are in the design stage as per recent adjustments to the scope of work to reduce the project cost while still obtaining meaningful improvements. Project Manager Ostheimer reported that All South Consulting Engineers (ASCE) and NLLD are in the process of setting up a meeting with a property owner to discuss the needed ROW and the revised project scope. ASCE is still working on the pump station portion with the revisions and costs estimate expected in the very near future with feedback from a couple of contractors.

Des Allemands Breakwater Project: The Director stated that there was nothing new to report on this project at this time.

Jesse Dufrene FDA Levee Improvements: The Director stated that as previously reported some available land has been identified that is suitable enough to use for borrow material. Project Manager Ostheimer reported that All South Consulting Engineers (ASCE) is currently scheduling some additional Geotechnical work along with a more detailed survey of the existing conditions. With this, ASCE will be able to provide a recommended design elevation based on the current footprint of the levee.

Upper Barataria Risk Reduction (UBRR) Project: The Director stated that this project is included in the State's Draft Master Plan for 2017 and the project team has spent some time educating the CPRA on project details to hopefully gain support should funding become available through CPRA. Also Lafourche Basin Levee District has submitted this project as a Capital Outlay request and NLLD has reached out to our legislative delegation for additional support of their request. As previously mentioned there may be some benefit to NLLD increasing the local match in cooperation with LBLD, but that can all be considered during the upcoming budget revision before the House Bill 2 is in play.

H. Valentine - East Project Area:

New Valentine/Ludevine Forced Drainage Area: The Director stated that this is the levee running from Hamilton St. in Larose about 5,500 feet towards the Ludevine Pump Station along the Blackwater Canal. Work continues on a permit issue (National Historic Preservation Act) presented by the Corps. Commissioner Allen asked about the permit issue. Project Manager Ostheimer explained that the archeological issue been satisfied. Ostheimer added that the pending items are a water quality certification letter and the proposed mitigation letter. Board President Kief requested that the permit application date be included on the Capital Project Status Reports.

I. Regional/Other Capital Projects:

Morganza to the Gulf, Reaches K & L in Lafourche Parish: The Director reported that in cooperation with SLLD and TLCD, NLLD's CAT/Wilco buggy continues working to build terracing as part of the mitigation work for Reaches K&L of the Morganza to the Gulf project, while a

second marsh buggy is assisting in this. The second machine and both operators are contracted through Dean Equipment and NLLD is being reimbursed for the operational cost on this effort. He added that the Terrebonne Levee and Conservative District (TLCD), along with the South Lafourche Levee District (SLLD), the North Lafourche Conservation, Levee and Drainage District (NLLD), and the Terrebonne Parish Consolidated Government (TPCG), is pursuing a course of action to provide the greatest amount of flood protection in Terrebonne and Lafourche, as soon as possible, and at the most efficient cost. He further explained that with the progress on Reach K and L levees in this area, the team is focusing on Grand Bayou, and specifically, how to reduce surge coming up Grand Bayou. The SLLD has a plan for a permanent structure at this location as part of the Federal Morganza to the Gulf system which is estimated to cost about \$25M-\$30M. While the design and planning for this structure can be completed in the next year or so, funding for construction of this piece may take several years and realistically, this structure may not be completed for 5 to 7 years or more. With that in mind, the team has asked All South Consulting Engineers (ASCE) to look at an interim flood protection measure in Grand Bayou and compare a preliminary report comparing the two alternatives of 1) a structure that will provide protection to elevation 6', and 2) a structure that provides the greatest level of protection within a \$1.5M construction budget. He concluded that the contractual documents are a bit different because of the numerous entities involved, but for the Preliminary Report, ASCE will be contracting with the SLLD because of the project location and TCLD has agreed to pay for this Preliminary Report. More on this as it develops. The Director summarized that the team is looking for a temporary closure in Grand Bayou at a reasonable cost with components that can be reused that would match the eventual structure and get 6.5' elevation benefits sooner than later. He added that this plan was discussed with the regional House Delegation through the Morganza Action Coalition (MAC).

Morganza to the Gulf, Larose to Lockport Alignment: The Director reported that Delta Coast Consultants (DDC) has been working to provide NLLD with the final alignment and report to begin the process of permitting and funding applications for this and the solution for the Gheens community. He added that a draft report had been reviewed with (DDC) and there should be a report presented at the February board meeting.

Pump Station Study: The Director reported that this project is intended to extend the District's influence into the proper operation of the pumps in Lafourche Parish to prevent possible damage to District levees and property inside a forced drainage area from over pumping. As previously discussed, this exercise will include a few phases to get to the educational step and eventually a monitoring program. Project Manager Ostheimer reported that T. Baker Smith LLC (TBS) had submitted the draft reports for the first four FDA's (Al Robichaux, Jesse Dufrene, Leighton, Edgar Guidry-Larose-Parr-Parr Larose) for review by the District for feedback and direction to TBS.

J. Equipment:

Liebherr Dragline: The Director reported that plans were for the purchaser to pick up and loadout the machine today. NLLD Field Coordinator Glenn Bourgeois explained that the purchaser was disassembling and the trucks were there to begin loading.

Volvo buggy: The Director stated that the surplus sale is currently being advertised with a bid date set for Thursday, February 15, 2018 at 10:00 AM and the minimum bid set at \$80,000.00. He explained that the board had approved that last month after no bids were received on the first advertisement for surplus sale with the minimum bid at the appraised value of \$218,600.00.

Field Coordinator Glenn Bourgeois reported that issues with the equipment this past month included: CAT/Wilco Deepwater Buggy – the two replacement hydraulic tubes (as reported last month) came in, but upon removal of the old ones it was realized that the clips were rusted out so those had to be replaced also. The tension idler on the serpentine belt that drives everything is on order and will be replaced by Quest when it comes in.

CAT/MBI Buggy – about 95% complete with the repairs at MBI; weather conditions have prevented them from doing what is needed. NLLD Field Coordinator added that the machine will be checked over by the District before taking delivery from MBI.

K. General Items

Photo Presentation: The Director presented photos of the following work: Lockport to Larose A2 and Claudet Return Levee; Mathews Canal/Clotilda Levee; Lockport to Larose D3; Valentine Return Levee; and Valentine Return Structure.

NLLD Insurance Renewal: The Director reported that a quote was requested for additional Excess Liability as suggested by Commissioner Andolsek; however, the insurance carrier for the basic policy has a \$10M limit, so the coverage was bumped up from \$9M to \$10M and Arthur J. Gallagher & Co. is searching the market for additional coverage.

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

December 20, 2018 - Joint HTV “Going Public” recording with Mr. Reggie Dupre (TLCD), Mr. Windell Curole (SLLD), and State Representative Jerome Zeringue.

January 9, 2018 - CPRA Draft Annual Plan Public Hearing

January 15, 2018 – MAC Group Meeting with State House Delegation

Finance & Priority Committee: Chairman K. Matherne reported that the F&P Committee met on December 19, 2017. During that meeting, the committee reviewed and approved the Payables report, along with the final revision of the 2017 budget. Both items were accepted by the full board during the Regular Board meeting that followed.

Accounts Payable: The Board President stated that each of the commissioners was provided with a financial report, as well as the current month’s Accounts Payable listing. The chairman of the Finance & Priority was asked for the committee’s recommendation. Motion was made by K. Matherne, seconded by J. Tuck, 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 Board President called for any other engineering reports; there were none.

The Board President called for additional public comments; there were none.

The Board 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 20, 2018 at the District’s office located at 3862 Highway 1, Raceland, LA.

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 5:46 PM on motion by L. Andolsek, with a second by A. Peltier.

/s/ Cory Kief, President

/s/ Dwayne Bourgeois, Director