

Minutes of the Regular Monthly Board meeting of the North Lafourche Conservation, Levee & Drainage District, Tuesday, May 15, 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 5:15 PM on Tuesday, May 15, 2018. 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. Pitre 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, and Robert Pitre. Commissioners Shawn Preston and Joni Tuck were absent. Others present were NLLD Executive Director Dwayne Bourgeois; NLLD Project Manager Arthur Ostheimer; NLLD Field Coordinator Glenn Bourgeois; Attorney Pat Amedee; consultants; various engineering professionals; and members of the public.

Minutes: Motion was made by R. Foret, seconded by R. Pitre, to approve the minutes as written for the following meetings: April 17, 2018 Finance & Priority Committee and April 17, 2018 Regular Board. No discussion or public comment. Motion passed unanimously.

The floor was then turned over to the Director to address regular session items and he reminded the commissioners that copies of the current Capital Project Report are in their packets.

A. Thibodaux – West Project Area:

The Director reported that the district is developing items in this project area via a drainage study and more will be reported in the future.

B. Thibodaux - Lockport - Bayou Blue Project Area:

Bayou Blue – Hollywood Backwater Flood Protection Project: The Director stated that this project was submitted again as a Capital Outlay request 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, which has now passed both the House and Senate, includes \$72,500 for engineering in FY2019 and another \$1.4M for construction in FY2021 based on the CPRA request with funding coming from expected GOMESA funds. He added that moving forward on this project could put the District in a better position for future funding assistance. Project Manager Ostheimer reported that a meeting was conducted with Leonard Chauvin, P.E. Inc. to review the potential location for the closure. Meetings are being planned with FTN to update the model and then with the landowner to discuss the potential plan.

TLBB Element 2, (Lockport to Mathews Levee Improvement Project): The Director reported that the State's Draft Annual Plan also includes \$100,000 for Engineering in FY2019 and another \$5.4M for construction in FY2020 based on the request through CPRA with funding coming from expected GOMESA funds. He added that this project has been a high priority for years for the District. Project Manager Ostheimer reported that this project is making steady progress with the goal still being to submit a permit application next month. Leonard Chauvin P.E. Inc. has continued to look at different options to give the district the best path forward based on the existing condition, overall elevation goal, timeline, and available budget. At this time it appears this project will have a similar look to the Lockport to Larose project but there is still a few moving pieces, including determining if there is a need for sheet piles.

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 this project has been working through some construction issues but it finally appears to be moving forward. The contractor has installed the limestone road for accessing the temporary pump along the 40 Arpent Canal. They also performed some remedial work to correct some issues along the berms. Currently they are working on reshaping the berm, completing the ditch, and the fence on the Bourgeois side of the project. It seems hopeful that the project can be substantially complete in the next month or so. Duplantis Design Group has a change order to reconcile the three excavation pay items on the project (lump sum items that had to be adjusted) and a pay request for the Board's consideration. Motion was made by L. Andolsek, seconded by E. Pitre, to approve a change order of (\$3,328.31) as requested by LA Contracting Enterprise, LLC and recommended by the project engineer. No discussion or public comment. Motion passed unanimously. Motion was made by A. Peltier, seconded by D. Kiffe to approve payment of the pay request in the amount of \$100,555.25 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 much needed maintenance dredging at the Cyprien FDA reservoir and the replacement by the Lafourche Parish Government (LPG) of that pump station seems to be moving forward with designs in place. Project Manager Ostheimer reported that T. Baker Smith, LLC is completing some final items ahead of bidding this project for LPG. It appears they must be getting close to completing those items as the project is scheduled to begin advertising later this week, although they are still working on a couple of items including a construction access right of way. The District had requested a survey for the outfall canal in order to analyze the potential scouring from the new pump's discharge. The survey work is complete, but the District is still waiting on that information to determine the District's involvement in moving forward. As of now the plan is still to clear the channel later this year. In response to the question of when the clearing might get started, Mr. Ostheimer suggested the end of summer or early fall this year.

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 this project is moving forward (the good weather has been a benefit to all of the dirt work projects) with a vast majority of remaining work on the 40 Arpent canal side of the project. There is still a good bit of material that needs to be hauled to the back half of the project area after it is processed for drying. Angelette-Picciola, LLC has a change order for some additional contract time due to weather conditions over the last few months and a pay request for the Board's consideration. Motion was made by R. Pitre, seconded by D. Kiffe, to approve a change order to extend the construction period to July 26, 2018 due to 97 days for additional construction time as requested by Low Land Construction Company, Inc. and recommended by the project engineer. No discussion or public comment. Motion passed unanimously.

Motion was made by R. Foret, seconded by E. Pitre to approve payment of a pay request in the amount of \$98,525.16 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 is finishing up the installation of the sheet pile across the 40 Arpent Canal and they've installed the three pipe culverts across the structure as they move towards completion. They still have quite a bit of work to complete, but many of the major items have been completed or very close to completion. Angelette-Picciola, LLC has a change order for some additional contract time due to weather conditions over the last few months and a pay request for the Board's consideration. Motion was made by D. Kiffe, seconded by A. Peltier, to approve a change order to extend the construction period to July 1, 2018 due to 89 days for additional construction time as requested by Sealevel Construction, 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 \$101,120.33 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 Onshore Materials, LLC is the contractor on this project that is Phase 1 of the improvements to the levees in these reaches. The objective of this phase is to provide and place material that will be available for Phase 2 of the project while immediately improving the stability of the levee. Project Manager Ostheimer reported that the contractor is making good progress as they work through the start of the project and iron out their means and methods. The weather has been dry which has given them an opportunity to move a lot of material across the project. Angelette-Picciola has a recommendation of payment for the Board's consideration. Motion was made by D. Kiffe, seconded by E. Pitre, to approve payment of a pay request in the amount of \$85,737.50 from Onshore Materials, LLC as recommended by the project engineer. No discussion or public comment. Motion passed unanimously.

Edna Barrios Pump Consolidation Project: The Director stated that the completion of this pump station by Lafourche Parish Government is important to the NLLD as it will allow the removal of the old Barrios Pump Station which interferes with the levee alignment in the area. Although this Parish project had been at a standstill for a while due to necessary modifications to the pumps, Mr. Neil Angelette reported last month that the change order was approved by the Parish and the contractor would begin the 8 – 10 week modifications, so there is still a little time before this station is on line at full capacity.

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 and the certificate of substantial completion was accepted in April 2018. Project Manager Ostheimer reported that with the Board approval of the substantial completion on the project, the project is currently in the clear lien period and the contractor is working on the punch list items. He added that the District will do a small maintenance proposal type project which involves maintaining the existing armoring along the GIWW in this area near the pump station discharge pipe. Picciola & Associates has recommendations for a change order and a pay request for the Board's consideration.

Motion was made by A. Peltier, seconded by L. Andolsek, to approve a change order to extend the construction period to April 12, 2018 due to 12 days for additional construction time and a net balancing change of (\$3,622.39) as requested by Volute, Inc. and recommended by the project engineer. No discussion or public comment. Motion passed unanimously. Motion was made by E. Pitre, seconded by D. Kiffe, to approve payment of a pay request in the amount of \$66,931.89 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 is continuing to work on the Claudet Return portion of the levee. They are hauling in material from the adjacent borrow pit, processing it along the levee limits, and installing it after testing while making steady progress. Leonard Chauvin P.E. Inc. has a change order for the Board's consideration to extend the construction time, along with a recommended pay request. Motion was made by R. Pitre, seconded by A. Peltier, to approve the change order to extend the construction period to June 20, 2018 due to 30 days for additional construction time as requested by Womack & Sons Construction Group, LLC and recommended by the project engineer. No discussion or public comment. Motion passed unanimously. Motion was made by R. Foret, seconded by R. Pitre to approve payment of a pay request in the amount of \$113,824.25 from Womack & Sons Construction Group, LLC as recommended by the project engineer. No discussion or public comment. Motion passed unanimously.

Lockport to Larose Reach A1: The Director reported that Shavers-Whittle LLC is the contractor for this project that is a follow-up to the District's previous work on this reach and it is intended to raise the levee elevation to a +9'. Project Manager Ostheimer reported that Shavers-Whittle has mobilized equipment to the project location. While they are awaiting the arrival of the sheet pile, their current plan is to work on the dirt portion of the levee project which is the area closest to the company canal.

Lockport to Larose Reach B Levee Project: The Director reported that Picciola & Associates has been engaged to take a closer look at what a Lockport to Larose Reach B project would entail. Project Manager Ostheimer reported that Picciola & Associates has performed a survey of the existing conditions and they have begun to analyze the information in order to better define phases and find some smaller sections within the long Reach B segment.

Comeaux Drive Drainage Study: The Director reported that Leonard Chauvin P.E., Inc. was engaged to take a look at this area of concern for a sub-surface drainage channel within the Town of Lockport and they have provided the district with their detailed report. He added that he will have a meeting soon with the Town of Lockport officials on the outcome of the study.

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. He added that this will be one of the topics to be discussed at a local meeting at the Bayou Boeuf Fire Station in Kraemer next Wednesday, May 23, 2018 at 6:00PM as arranged by Lafourche Parish Council Member Luci Sposito. Project Manager Ostheimer reported that the informational letters that were mailed to the landowners to describe the upcoming work for the wetland delineation received a little negative feedback regarding their concern of the possible placement of a levee and access to their property. The Director gave a little history on

past communications with the landowners, as well as with the USACE regarding levee permitting in this area and the size of the levee. Discussion ensued regarding the proposed plan for the project and the upcoming work for the wetland delineation.

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 some attention of the LPG through the assistance of Mr. Jack Plaisance with Picciola & Associates. Although NLLD is not taking responsibility for any past actions of the LPG, the District is willing to assist in the process as the outstanding issue with the Corps could potentially have a bearing on the West Choupic project. The Director added that representatives of the District (including Commissioner Peltier), Picciola & Associates, Lafourche Parish Government Department of Public Works, and Parish President Cantrelle met on March 15, 2018. Picciola & Associates will provide the District with a scope of work so they can assist in this effort, but the priorities are for LPG to acquire a ROW over the entire project as was previously suggested and to gain 100% control over the installed culvert and gates. Mr. Jack Plaisance provided the following update from the Parish: There was one culvert that was previously installed by a landowner and it was not in the permit application, but the Parish was able to get a temporary right of way to remove that structure. With the exception of a couple of staff gauges, all of the permit items are in compliance, and Picciola & Associates will possibly assist the Parish to get these gauges installed.

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 to the Corps. Project Manager Ostheimer reported that the same letter that was sent to landowners for the West Choupic project was sent to landowners here. The feedback on this one was very positive from landowners about possibly having a levee back there. Chauvin is moving forward with the wetland delineation on this one also to determine the levee's exact location.

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. Commissioner Peltier mentioned that in this area there is another school that is real old; he questioned if it could qualify for funding as a historical place. The Director explained that someone would have to go through the preservation act process to qualify, and even so, it is seldom that funding would be available for something offsite of the historic landmark.

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 representatives from Leonard Chauvin, P.E. Inc. and NLCLDD made a site visit to review the entire project length. The project is coming along very well; weather permitting the project should be ready for the substantial completion inspection sometime in the next month. Chauvin has a recommendation on the contractor's monthly pay request for the Board's consideration and there will probably be a change order for time presented next month.

Motion was made by E. Pitre, seconded by A. Peltier to approve payment of a pay request in the amount of \$101,226.68 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 as previously reported the USACE has everything they need to issue the permit, yet they still haven't. Project Manager Ostheimer reported that the District is still waiting on the USACE to approve the permit. As of now the permit is prepared and is waiting on final signatures for issuance.

Martinez / Rond Pom Pon Levee (Interim) Project: The Director stated that Leonard Chauvin, P.E. Inc. prepared a plan for the maintenance and repairs of this small levee segment adjacent to Bayou Rond Pom Pon. This will also be one of the topics to be discussed at the local meeting at the Bayou Bouef Fire Station next Wednesday at 6:00PM. Project Manager Ostheimer reported that Leonard Chauvin P.E. Inc. accepted proposals for this small maintenance project which came back within the budget. The low proposal was \$81,664.00. They are finalizing the contract so the work can begin. The Director explained that Representative Jerome Zeringue presented House Bill 177 that was passed and allows this type of maintenance contract up to \$1M for levee districts and it greatly simplifies the process.

G. Gheens Project Area:

Mathews Canal/Clotilda Levee Improvements Project: The Director reported that Low Land Construction Co., Inc. is the contractor for this project. Project Manager Ostheimer reported that Low Land is moving forward with the excavation and placement of material along the levee section. There is a tremendous amount of material being moved for this project. This project is looking very good and is just about to the point where they are high and dry enough so the contractor can make significant progress. J. Wayne Plaisance, Inc. has a recommendation of payment for the Board's consideration. Motion was made by D. Kiffe, seconded by R. Foret to approve payment of a pay request in the amount of \$53,847.24 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 reminded all that there are two elements of this project and both are in the design stage with the intent to reduce the project cost while still obtaining some meaningful improvements. Project Manager Ostheimer reported that All South Consulting Engineers had submitted a recommendation for improvements for the bulkhead and the District met with ASCE on April 23, 2018 to discuss. Mr. Ostheimer added that the District just received some revised estimates based on the path forward given to ASCE to move this project toward construction in a phased approach. Those revisions will be reviewed.

Jesse Dufrene FDA Levee Improvements: The Director stated that as previously reported, geotechnical work was being studied to determine the ability to work on the existing levee footprint. Project Manager Ostheimer reported that representatives of All South Consulting Engineers (ASCE), NLCLDD, and Eustis (ASCE Geotechnical consultant) met at the project location last week to discuss the geotechnical results. Although a majority of the results were good, there was approximately 3,000 LF of area where the results were not optimal. A few options were discussed and as of now ASCE and Eustis will work on the best possible elevation segment for that area and will then present the results to the NLCLDD for review. It was explained that 3,000 is actually only about 20% of the entire length of the project.

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 is working on details to gain support for the project. Also Lafourche Basin Levee District has submitted this project as a Capital Outlay request of \$3M (with a local contribution of \$1.5M of that total). A NLLD contribution of \$500K to increase the local match is available if needed. He added that there seems to be some movement on this and NLLD may not have to put up the contribution. There was another meeting with the Corps who may or may not be able to assist with the design effort on this project depending on if they contribute to project funding as well.

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. The objective of the project is to stabilize this levee without any real improvements to the elevation and with the mitigation requirements satisfied, Picciola & Associates is working on the final design and right of way acquisitions, while alternatives are being considered. Project Manager Ostheimer reported that NLLD is working through the final two RoW's for this project, while Picciola & Associates is looking at some different options regarding the alignment. The cost benefit has been discussed and once the alignment is determined, the project can move into construction.

I. Regional/Other Capital Projects:

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 from over pumping to District levees and property inside a forced drainage area. 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 NLLD is still waiting for the revised report from T. Baker Smith, LLC based on feedback on the draft report. He added that Lafourche Parish is installing some elevation controls and monitoring for Fantastic Acres which will be done in the next week or so. They will look into tying that into the District's GIS portal. Discussion ensued regarding the systems in place by the other two local levee districts and how the Morganza system may play a part in future needs.

J. Equipment:

Field Coordinator Glenn Bourgeois reported that issues with the equipment this past month include:

CAT/Wilco – a contractor is cleaning the machine and buffing the pontoons to paint the whole lower unit and the stick.

CAT/MBI – it was moved to the 101 Pump Channel area in Chackbay to remove vegetation there.

A brief discussion ensued regarding the possible type of machine that can be purchased in the future by the District.

K. General Items

Photo Presentation: The Field Coordinator presented and explained the photos of the following work: Lockport to Larose A1 Levee, Lockport to Larose A2 Levee, Claudet Return Levee, Mathews Canal/Clotilda Levee (the Director commended the Barker Family for their donation of the right-of-way and material that allowed the project to be affordable to the District), St. Charles By-Pass Backwater Protection, Valentine Return Levee, Lockport to Larose C4, C5, & D1, Valentine Return Levee Structure, and Zeller Larousse FDA project. A video was presented that included Lockport to Larose C4, C5, & D1, Valentine Return Levee Structure, and Valentine

Return Levee. The Director mentioned that some of these active projects are having problems with trespassers even with some newly placed fencing. The District will have to address it to protect the rights of the landowners.

NLLD will be on HTV's Going Public segment: The Director reported that he and Board President Kief will be on the HTV's Going Public on May 22, 2018 and he welcomed any other commissioners to join in.

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:

Baton Rouge Legislative Sessions – The Director attended multiple times for legislative issues, with more to come before the session is wrapped up. The Director mentioned the local legislators who presented bills that impact the NLLD by saving time and money.

May 3 – 4, 2018, Association of Levee Boards of Louisiana (ALBL) Annual Workshop: The ALBL, in a joint effort with the Coastal Protection and Restoration Authority, hosted its annual workshop in Baton Rouge in Baton Rouge and there were 10 of us in attendance so the district was well represented.

April 19 -20, 2018, M/V Mississippi High Water trip and Public Hearing: The Director mentioned that Lafourche and Terrebonne Parishes were both well represented at these events with the USACE.

April 27, 2018, NFIP Presentation to the LA Section of the American Society of Civil Engineers. Board President Kief mentioned a few items that need to be addressed in the near future: 1) realign the committees with the focus on developing new projects, 2) conduct a workshop on HB 573, and 3) organize field inspections of the active projects for interested commissioners.
Committee Reports:

Finance & Priority Committee: Chairman K. Matherne reported that the F&P Committee met on April 17, 2018. During that meeting, the committee reviewed and approved the Payables report that was recommended and accepted for approval 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 detailing the current year-to-date figures, 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 E. Pitre, to accept the Payables Report as given by the Director and reviewed by the Finance and Priority Committee in a meeting just prior to this Board meeting. No discussion or public comment. Motion passed unanimously.

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

Board President Kief 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 5:00 PM F&P committee meeting, on Tuesday, June 19, 2018 at the District's office located at 3862 Highway 1, Raceland, LA.

The Director 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 11A.

Motion was made by R. Pitre, seconded by R. Foret, to enter Executive Session pursuant to LA R.S. 42:17A (2) to discuss pending litigation concerning expropriation of property for Lockport to Larose Reach C4, C5, & D1 Levee Project. Attorney Pat Amedee commented that there were about eight or nine expropriation lawsuits filed within the last two months and he would like to

discuss that in Executive Session. On call for discussion, Commissioner Darcy Kiffe requested that he be excused from this Executive Session and the remainder of the meeting due to a possible conflict of interest. No public comment. The motion passed unanimously.

Motion was made by R. Pitre, seconded by T. Allen to return to Regular Session. No discussion or public present to comment. Motion passed unanimously.

Motion was made by E. Pitre, seconded by R. Pitre, to take action as authorized by the Board in Executive Session. No discussion or public present to comment. Motion passed unanimously.

The meeting was unanimously adjourned at 7:02 PM on motion by R. Pitre, with a second by E. Pitre.

/s/ Cory Kief, President

/s/ Dwayne Bourgeois, Director