

Minutes of the Public Hearing and Regular Monthly Board meeting of the North Lafourche Conservation, Levee & Drainage District, December 15, 2020

Public Hearing: The Board of Commissioners of the North Lafourche Conservation, Levee and Drainage District met in a Public Hearing at its regular meeting place, 3862 Highway 1, Raceland, Louisiana, on Tuesday, December 15, 2020 at 5:30 PM, pursuant to the provisions of a notice of public hearing duly promulgated and posted in accordance with the law. The Public Hearing was called to order by Board President Cory Kief, the pledge was led by Kenney Matherne, and the invocation was given by Rodney Foret. Commissioners present were Rodney Foret, Cory Kief, Kenney Matherne, Elmo Pitre, Louis Andolsek, Darcy Kiffe, and Adley Peltier. Commissioners absent were Timothy Allen, Susan Testroet-Bergeron, Percy Gasery, and Robert Pitre. Others present were NLLD Executive Director Dwayne Bourgeois, NLLD Project/Program Manager Arthur Ostheimer, Attorney Patrick Amedee, Executive Assistant Katie DeRoche and members of the public. Executive Director Dwayne Bourgeois announced that the public hearing was being held to consider the 2020 Revised Budget and the 2021 Proposed Budget. Bourgeois suggested that Board President Kief call for public comments. C. Kief called three times for public comment for the 2020 Revised Budget. There were none. C. Kief called three times for public comment for the 2021 Proposed Budget. With no comments from the audience or board, the Board unanimously agreed to adjourn the Public Hearing at 5:37 PM upon motion by A. Peltier, seconded by E. Pitre.

Regular Meeting: The Regular Monthly meeting of the North Lafourche Conservation, Levee and Drainage District Board of Commissioners was called to order on December 15, 2020 by Mr. Cory Kief, Board President, at 5:38 PM. The meeting was held at the District's office at 3862 Highway 1 in Raceland. President Kief called roll. Commissioners present were Rodney Foret, Cory Kief, Kenney Matherne, Elmo Pitre, Louis Andolsek, Darcy Kiffe, and Adley Peltier. Commissioners absent were: Timothy Allen, Susan Testroet-Bergeron, Percy Gasery, and Robert Pitre. Others present were NLLD Executive Director Dwayne Bourgeois; NLLD Project/Program Manager Arthur Ostheimer; NLLD Executive Assistant Katie DeRoche; Attorney Pat Amedee, and various engineering professionals.

Memoriam of Mr. Bob Folse: Executive D. Bourgeois reported that Mr. Bob Folse, a former commissioner has recently passed away at the age of 86. Mr. Bob's time as a commissioner predates all the current commissioners since he was replaced on the board in 2008. However, D. Bourgeois had the honor to work with him and he is remembered as an excellent and dedicated member of a long line of great commissioners. D. Bourgeois asked the commissioners to keep Mr. Bob Folse and his family in their thoughts and prayers. K. Matherne motioned, seconded by R. Foret approving the NLLD President to sign a resolution commemorating his service to the District that he will send to his wife Betty and his family. Motion passed unanimously.

Approval of Minutes: Motion was made by L. Andolsek, seconded by D. Kiffe, to approve the minutes of the following meetings: November 17, Finance & Priority Committee and November 17, 2020 Regular Board. No discussion or public comment. Motion passed unanimously.

Adoption of the 2020 Revised Budget: As mentioned in Public Hearing, the Finance and Priority Committee met for review of the budget and proposed revisions by the Director. K. Matherne motioned, seconded by E. Pitre to adopt the 2020 Revised Budget. No discussion or public comment. Motion passed unanimously.

Adoption of the 2021 Proposed Budget: As mentioned in the Public Hearing, the Finance and Priority Committee met for review of the proposed budget by the Director. K. Matherne motioned, seconded by L. Andolsek to adopt the 2021 Budget. D. Bourgeois stated there is a net adjustment of \$695,000 positive on the ending fund balance. The budget in the packets includes these adjustments. No further discussion or public comment. Motion passed unanimously.

COVID-19 State of Emergency: D. Bourgeois gave an update to the commissioners on COVID-19 impacts to operations. NLLD is following the current guidelines from Proclamation No. 174-JBE-2020

A. Thibodaux – West Project Area:

Drainage Study: D. Bourgeois and A. Ostheimer reported NLLD is extending this drainage study with additional investigations to assist the City of Thibodaux and the Parish with a proactive approach for drainage since this area is seeing a tremendous growth in this area.

Waverly No. 2 Channel Project: D. Bourgeois and A. Ostheimer reported NLLD is in the process of developing a potential project that would create a new major drainage channel functionally parallel to and complimentary to the existing Waverly Ditch called the Waverly No. 2 Channel Project. DDG is continuing to work ascertaining a list of landowners and reaching out to the landowners to work towards the right of way acquisitions.

NSU Drainage Study: D. Bourgeois and A. Ostheimer reported NLLD is looking into the long persisting drainage issues at Nicholls State University to address these issues on campus and the surrounding areas. The next step is to get an approved project for these issues and to work with the Nicholls State University's new Coastal Center.

B. Thibodaux - Lockport - Bayou Blue Project Area:

Bayou Blue – Hollywood Backwater Flood Protection Project: D. Bourgeois and A. Ostheimer reported The State's Annual Plan includes future funding expected from GOMESA funds for engineering and construction. Leonard Chauvin P.E., Inc. (LCI) continues with the design work and bid documents. The permit for this project has been issued. The NLLD has executed all but one RoW. LCI is continuing to work on the final RoW and on the design while the NLLD is working with CPRA to finalize and execute the IGA. Since NLLD recently received a final draft of the IGA, plans are to bid this project at the beginning of 2021.

TLBB Element 2, (Lockport to Mathews Levee Improvement Project): D. Bourgeois and A. Ostheimer reported the Lemoine Company, LLC is the contractor on Phase II which is the canal relocation and berm construction. This phase is included in an IGA with CPRA for GOMESA funds reimbursement. For phase II, Lemoine has started working on the 2nd and 3rd excavation cuts on the project. They have completed the area between Twin Oaks and 40 Arpent Canal and currently working toward the Fantastic Acres Pump Station in the 40 Arpent Canal. It is behind schedule but progressing well and they are making progress on getting things back on schedule. A. Peltier motioned, seconded by D. Kiffe to approve payment of pay request #12 in the amount of \$157,346.03 from The Lemoine Company, LLC as recommended by the project engineer. No discussion or public comment. Motion passed unanimously.

Cyprien FDA Channel Improvements: D. Bourgeois and A. Ostheimer reported NLLD's plan is to solicit pricing and perform this work at the beginning of next year.

US 90 at Bayou Folse: D. Bourgeois and A. Ostheimer reported this project is another one with a commitment from CPRA for GOMESA funding allowing for a permanent solution to raise the elevation of the levee adjacent to the US Hwy 90 Bridge over Bayou Folse on both sides. Byron E. Talbot Contractor, Inc. (BET) is the contractor. The certificate of substantial completion was accepted in October and the contractor is working on the punch list items. BET had to send the stop logs back to the manufacturer for a slight alteration. Once this is returned and installed, the project will be complete. L. Andolsek motioned, seconded by K. Matherne to approve payment of pay request #8 in the amount of \$65,431.25 from Byron E. Talbot Contractor, Inc. as recommended by the project engineer. No discussion or public comment. Motion passed unanimously.

C. Lockport - Larose Project Area:

Lockport – Larose Levee Project Reaches C4, C5, and D1: D. Bourgeois and A. Ostheimer reported Onshore Materials, LLC is the contractor on this project that is phase 1 and 2 of the improvements to the levees in these reaches. Onshore is continuing to shape the levee and is currently working towards the southerly end of the project. A/P met with Onshore last week to go over the details for the borrow pit and Onshore plans to begin excavation this week. D. Kiffe motioned, seconded by R. Foret to approve

payment of pay request #28 in the amount of \$82,571.81 from Onshore Materials, LLC as recommended by the project engineer. No discussion or public comment. Motion passed unanimously.

Parr/Larose Pump Station 30" Pump Addition and Canal Debris Screen: D. Bourgeois and A. Ostheimer reported Crosby Dredging is the contractor on this project that involves the removal of the old structure at Barrios, the addition of a pump and a debris screen at the new LPG pump station. The substantial completion certificate was accepted in September and Crosby has provided us with the Clear Lien Certificate. The president Cory Kief surrendered the gavel to Secretary Kenney Matherne for consideration of the proposed motion. E. Pitre motioned, seconded by A. Peltier to approve Change Order No. 3 to balance the actual quantities with a net decrease of \$10,050.82 and to extend the construction period to September 17, 2020 due to 7 additional workdays as requested by Crosby Dredging, LLC and recommended by the project engineer. President C. Kief abstained from discussion and vote. There was no discussion or public comment. Motion passed unanimously with 1 abstention. R. Foret motioned, seconded by A. Peltier to approve payment of the final pay request in the amount of \$110,353.42 from Crosby Dredging as recommended by the project engineer. President C. Kief abstained from discussion and vote. There was no discussion or public comment. Motion passed unanimously with 1 abstention. Secretary Matherne returned the gavel to president Kief.

Lockport to Larose Reach B Levee Project: D. Bourgeois and A. Ostheimer reported Picciola & Associates continues to develop alternatives to the preliminary design and budgets for the proposed three phases of this levee reach. Outer Limit Contractors has finished work on the levee repairs and access for the project. NLLD is expecting to place the stone going to the back next year as the work can be performed. Picciola is working on the permit modification submitted to the USACE and finalizing plans for the project. The next step will be to identify funding for the project and move forward with the first phase of construction.

Comeaux Drive Drainage Project: D. Bourgeois reported the NLLD and the Town of Lockport have had studies and work done since early 2018 to get resolution for their drainage problems. NLLD engaged LCI to advance the design and ROW requirements on this so that NLLD can help the Town pursue funding during the coming year. NLLD has also asked the Parish and LP DD#1 to get involved in the search for funding. The Town has submitted a Capital Outlay request for funding which we will support. NLLD has sent preliminary plans and cost estimates for the work north of Hwy 1, to the Town for their review.

D. Choupic Project Area:

East 80 Arpent (Dixie Canal): D. Bourgeois and A. Ostheimer reported the re-powered Deep-water Marsh Buggy is being used for some long term and long overdue maintenance dredging. Sealevel is clearing the trees and moving material along the spoil bank to put the excavated material.

E. St. James Project Area: D. Bourgeois and A. Ostheimer reported NLLD is developing items in the PA via this drainage study by Duplantis Design Group. To remind everyone, the plan here is to allow Thibodaux to develop this area in a proactive, forward looking way; to avoid trying to correct for unplanned difficult drainage issues in the future.

F. Lake Bouef Watershed Project Area:

Zeller/Larousse Forced Drainage Area Systems Improvements: D. Bourgeois and A. Ostheimer reported Sealevel Construction completed the work in 2018 on Phase 1A of this project which included clearing encroachments and dredging the reservoir. NLLD is working on the development of Phase 2 of this project with the intent to make further improvements in elevation and stability of this levee. CPRA has included \$1M for this project available this year (FY2021) in its Annual Plan coming from GOMESA and the IGA is with CPRA for execution. LCI has submitted the preliminary design for review. NLLD is still waiting on the final draft of the IGA back from CPRA to execute. Once the IGA is finalized, NLLD will plan to bid this out at the start of next year.

G. Gheens Project Area:

Des Allemands Bulkhead Project: D. Bourgeois and A. Ostheimer reported All South Consulting Engineers (ASCE) is monitoring the small sloughing area. The NLLD will have Outer Limit Contractors install the remainder of the material to bring the levee up to template while it is dry, probably in February.

Des Allemands FDA Pump Improvement Project: D. Bourgeois and A. Ostheimer reported Sealevel Construction Inc. is the contractor on this project that is that is being partially reimbursed with GOMESA funds and includes the construction of a new pump station in Des Allemands and the removal of the existing pump station. The substantial completion certificate was accepted in September and Sealevel has provided us with the Clear Lien Certificate and is operating per design. K. Matherne motioned, seconded by E. Pitre to approve payment of the retainage pay request in the amount of \$39,214.38 from Sealevel Construction, Inc. as recommended by the project engineer. K. Matherne stated the project was handled and finished quite smoothly considering the small work area. No further discussion or public comment. Motion passed unanimously.

Jesse Dufrene FDA Levee Improvements: D. Bourgeois and A. Ostheimer reported Onshore Materials, LLC is the contractor for this project which is being partially reimbursed with GOMESA funding through CPRA and designed to raise four miles of levee height from +4' to +7'. Onshore is making good progress on the project and is currently working on the area between the Jessie Dufrene pump station and the borrow pit. Onshore will continue to process, haul, and install material and NLLD expects them to complete the project in two or three months. L. Andolsek motioned, seconded by D. Kiffe to approve Change Order No. 6 with a net decrease of \$8,815.70 related to adjustments in contract quantities as requested by Onshore Materials, LLC and recommended by the project engineer. No discussion or public comment. Motion passed unanimously. E. Pitre motioned, seconded by K. Matherne to approve payment of pay request #15 in the amount of \$89,355.81 from Onshore Materials, LLC as recommended by the project engineer. No discussion or public comment. Motion passed unanimously.

Natural Gas FDA Levee Improvements: D. Bourgeois and A. Ostheimer reported the other half of the protection for the Gheens Community is the Natural Gas FDA. NLLD had been working to have this project framed up because, like Jessie Dufrene, it is a prime candidate for GOMESA funds. That strategy has been successful as the Annual Plan indicates \$2.275M in GOMESA funds available this year (FY2021) for this project. Once CPRA executes the IGA, NLLD will be ready to bid at the start of next year.

Upper Barataria Risk Reduction (UBRRP) Project: D. Bourgeois reported this project is included in the State's Master Plan for 2017. The NLLD and the LBLD have been working cooperatively to get this design further down the road. Field and Design work has been progressing well on this project.

H. Valentine - East Project Area:

New Valentine/Ludevine FDA: D. Bourgeois and A. Ostheimer Onshore Materials, LLC is the contractor for this project to stabilize about 5,500 feet of the levee running from Hamilton St. in Larose towards the Ludevine Pump Station along the Blackwater Canal. Onshore is continuing excavation of the new borrow canal, processing pit material, and filling in the old canal with about 5' or 6' left. Material will be placed into section next. E. Pitre motioned, seconded by K. Matherne to approve payment of pay request #7 in the amount of \$51,893.75 from Onshore Materials, LLC as recommended by the project engineer. No discussion or public comment. Motion passed unanimously.

T-Bois Levee FDA: D. Bourgeois reported NLLD had Picciola survey the area of the levee from Hamilton St. to North American Shipyard to assess the current level of protection. NLLD budgeted money for some maintenance of this levee and appears will be able to move forward with this work with the Board's concurrence. Picciola has submitted preliminary plans. This project is a priority based on its proximity to the GIWW; therefore, NLLD would like to bid this project in January to offer protection ahead of next hurricane season. D. Kiffe motioned, seconded by R. Foret approving T-Bois Levee FDA, NLLD Project No. 6800.56Z for advancement through the bid advertisement, through the receipt and evaluation of bids and asking the project Engineer to make a recommendation to the Board for award of

a contract to complete this project; allowing the Executive Director to sign any and all relevant documents. No discussion or public comment. Motion passed unanimously.

Morganza to the Gulf Eastern Tie-in, reach 2 Interim Improvements: D. Bourgeois and A. Ostheimer reported the CPRA will provide \$3M for this project available through State Surplus funds. NLLD has received the draft IGA for this project from CPRA, commented and returned it to them. GIS is continuing to work on the levee design in preparation to move to the bidding and construction phase in the first quarter of next year. NLLD also looked at an option for the Ludevine Pump Station, which is in disrepair and in conflict with NLLD's levee.

Morganza to the Gulf Eastern Tie-in, Reach 3 Interim Improvements: A. Ostheimer reported RRS has executed the right of way which will allow NLLD to clear the area so that it can be better evaluated in respect to existing conditions. NLLD will start work after January 20th. NLLD plans to use its machine for clearing and contracting an additional machine to complete the work by the end of February.

I. Maintenance and other Regional Projects:

Morganza to the Gulf (MTG), Larose to Lockport Feasibility Report: D. Bourgeois and A. Ostheimer reported Delta Coast (DCC) is working on the design of the actual alignment of the levee within the District and to file the permit application. DCC has modified the Reach 1 permit and submitted the information. The USACE has responded with questions and concerns. NLLD and DCC will meet with them to discuss next steps.

Maintenance Projects: D. Bourgeois reported that he and A. Ostheimer will keep the board informed on other current or upcoming maintenance projects. NLLD has mobilized the new Taz unit to the Raceland Prairie to perform some long overdue clearing along some of the major drainage right of ways. The work has been delayed based on some issues with the machine. The bigger MBI Buggy mobilized to the Coastal/Fantastic Acres Drainage Channel to perform some vegetation removal in cooperation with LPG.

Morganza to the Gulf: D. Bourgeois reported NLLD is working on a sustained new push to funding the federally authorized Morganza to the Gulf Project which now comes well into the jurisdiction of the NLLD. This push included a re-evaluation of their estimated cost of the project. NLLD has been working at all levels of the Corps, LA Delegation in DC, State legislators and others in this effort. There will be future meetings with OMB and other departments to garner support around the Morganza project. The most crucial next step is to relay to the chair of Senate Appropriations the importance of amending language from the House Energy & Water Development Sub-Committee that will permit New Starts. All involved needs to keep pressure on this issue to get the goal of federal funding.

Morganza to the Gulf (MTG), Reaches K & L and Structures: D. Bourgeois reported the CPRA will be providing \$18.2M in funding for the Grand Bayou Flood gate between Reaches K & L in Lafourche Parish. This gate, along with the levees being constructed along Reaches K & L will have a very positive impact on the levees and gravity drainage on the west side of Bayou Lafourche as Grand Bayou is a big source of storm water for those areas. SLLD has contracted with Sealevel Construction for this work and this work is progressing on schedule. D. Bourgeois read a resolution between TLCD and SLLD to approve a reimbursement for the Grand Bayou closure emergency work during Hurricanes Delta and Zeta. A. Peltier motioned, seconded by E. Pitre approving the resolution in which the North Lafourche Levee District (NLLD) Board of Commissioners hereby concurs with the request of the TLCD and the subsequent action of the CPRA to re-imburse the South Lafourche Levee District (SLLD) \$2,276,032.19 remaining from set aside Morganza revenue for the purpose of the emergency closure of Grand Bayou which was installed to protect lives and property from the impending threats of flooding caused by Hurricanes Delta and Zeta; and since these funds will be eligible for FEMA re-imbursement as an emergency protective measure, any funds received by SLLD from FEMA shall be forwarded to CPRA and made available to project wide needs in the Morganza to the Gulf Risk Reduction Project. No discussion or public comment. Motion passed unanimously.

J. Equipment: A. Ostheimer gave an update on equipment issues during the last month: The new Taz Linkbelt buggy is working and very impressive; however, it is having an auxiliary hydraulic issue on the unit attached to the machine and MBI is working on it. NLLD is getting another technician to look at the other MBI buggy that will be up for by-back in a few months- it recently had a track job. There are no issues with the other Linkbelt currently working in the Dixie Canal.

K. General Items – Items for discussion or information as follows:

Photo Presentation: A. Ostheimer presented photos and gave explanations on the following projects:

New Ludevine Levee; LtoL C4, C5, D1; Jessie Dufrene Levee; TLBB Element II

NLLD Insurance Renewal: D. Bourgeois was pleased to report NLLD received the Insurance Proposal from AJG for the 2021 renewal and the total premium is in line with the total premium for this expiring year. The expiring cost listed is more than the amount actually paid in 2020 due to equipment changes and pump station additions were made throughout the year, so the premium summary shows an annualized amount for comparison to the proposed amount. Gallagher did request a quote from Glatfelter Public Practice (public entity insurance specialist); however, they indicated the quote would be 2 to 2 ½ times the expiring premium AJG proposed so they did not complete the process to submit final amounts. L. Andolsek motioned, seconded by D. Kiffe to renew the insurance the same as the expiring coverage, at a total cost of \$126,641.63 and to authorize the Executive Director to sign any and all documents and to pay the invoices as presented for payment. No discussion or public comment. Motion passed unanimously.

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

Terrebonne Levee District Dinner: 11/18

MVFCFA Executive Committee Meeting (Virtual): 12/3

ALBL Executive Committee Meeting: 12/4

CPRA Board Meeting: 12/9

Restore or Retreat (RoR) Lunch: 12/9

Coastal Louisiana Levee Consortium (CLLC) Virtual Meeting: 12/10

BIG Luncheon (Virtual): 12/14

Finance & Priority Committee: Commissioner K. Matherne reported that the Finance and Priority Committee conducted a meeting on November 17, 2020. The NLLD Board has a copy of those minutes in tonight's meeting packet. 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: A motion was made by K. Matherne, seconded by E. Pitre to accept the Payables Report as given. No discussion or public comment. Motion passed unanimously.

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

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

The President announced the next Regular Monthly Board Meeting will be at 5:30 PM on Tuesday, January 19, 2021 at the District's office located at 3862 Highway 1, Raceland, LA. The meeting was unanimously adjourned at 6:40 PM on motion by A. Peltier, seconded by R. Foret.

/s/Cory Kief, President

/s/Dwayne Bourgeois, Executive Director