

Minutes of the Regular Monthly Board meeting of the North Lafourche Conservation, Levee & Drainage District, April 20, 2021

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, April 20, 2021 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 Susan Testroet-Bergeron, and the invocation was given by Percy Gasery. Commissioners present were Rodney Foret, Cory Kief, Kenney Matherne, Elmo Pitre, Louis Andolsek, Darcy Kiffe, Adley Peltier, Timothy Allen, Susan Testroet-Bergeron, and Percy Gasery. Commissioner Robert Pitre was absent. Others present were NLLD Executive Director Dwayne Bourgeois; NLLD Project/Program Manager Arthur Ostheimer; Administrative Assistant Madonna Viguerie; Field Coordinator Glenn Bourgeois; Executive Assistant Katie DeRoche; Attorney Patrick Amedee; and members of the public. C. Kief announced that the public hearing was being held to consider the 2021 Revised Budget. C. Kief called three times for discussion of the 2021 Revised Budget. There were none. C. Kief called three times for public comment for the 2021 Revised Budget. With no discussion or public comment, the Board unanimously agreed to adjourn the Public Hearing at 5:34 PM upon motion by T. Allen, 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 April 20, 2021 by Mr. Cory Kief, Board President, at 5:35 PM. The meeting was held at the District's office at 3862 Highway 1 in Raceland. President Kief called roll. Commissioners present were Timothy Allen, Louis Andolsek, Rodney Foret, Cory Kief, Darcy Kiffe, Adley Peltier, Elmo Pitre, Kenney Matherne, Susan Testroet-Bergeron, and Percy Gasery. Commissioner Robert Pitre was absent. Others present were NLLD Executive Director Dwayne Bourgeois; NLLD Project/Program Manager Arthur Ostheimer; NLLD Field Coordinator Glenn Bourgeois; Attorney Pat Amedee; NLLD Administrative Assistant Madonna Viguerie; Executive Assistant Katie DeRoche and various engineering professionals.

Approval of Minutes: Motion was made by S. Bergeron, seconded by P. Gasery, to approve the minutes of the following meetings: March 16, 2021 Regular Board Meeting and the March 16, 2021 Finance & Priority Committee. No discussion or public comment. Motion passed unanimously.

Adoption of the 2021 Revised Budget: K. Matherne motioned, seconded by E. Pitre to adopt the 2021 Revised Budget as recommended by the Finance & Priority Committee. No discussion or public comment. Motion passed unanimously.

Adoption of Millage Rates for the 2021 Tax Roll: Each year NLLD has to pass a resolution adopting its millage rates and send it to the Parish Assessor's Office for submission to the Louisiana Legislative Auditor's Office. NLLD Attorney Patrick Amedee read the full resolution provided to the commissioners. BE IT RESOLVED, that the following millage(s) are hereby levied on the 2021 tax roll on all property subject to taxation by the North Lafourche Conservation, Levee and Drainage District: MILLAGE Ad Valorem-Millage Key 1047082 Type C, 5.00 mills, and Construction & Maintenance-Millage Key 1047089 Type V, 6.00 mills, Total 11.00 mills. BE IT FURTHER RESOLVED that the proper administrative officials of the Parish of Lafourche, State of Louisiana, be and they are hereby empowered, authorized, and directed to spread said taxes, as hereinabove set forth, upon the assessment roll of said Parish for the year 2021, and to make the collection of the taxes imposed for and on behalf of the taxing authority, according to law, and that the taxes herein levied shall become a permanent lien and privilege on all property subject to taxation as herein set forth, and collection thereof shall be enforceable in the manner provided by law. The foregoing resolution was read in full by Attorney Patrick Amedee. D. Kiffe motioned, seconded by R. Foret to adopt the resolution as read aloud. Upon three calls, there was no

discussion or public comment upon three calls for public comment. Motion passed with 10 yeas, 0 nays, 0 abstentions, and 1 absence.

Formation and Appointments to NLLD Standing and Project Committees: The Legal and Development (L&D) Committee has been without a chairperson for a while, and with the formation of the new project committee (TRADS) last month, there is a member spot available since L. Andolsek withdrew from the L&D Committee to accept the Chairman position of the new committee. C. Kief appointed P. Gasery as the Chairman of the L&D Committee. R. Pitre will remain Vice Chairperson. D. Kiffe was appointed as a voting member. T. Allen will remain a voting member and C. Kief is the Ad-Hoc, non-voting member.

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. 67-JBE-2021

Agenda Topic Request: Ray J. Cheramie, who resides at 118 Serville Lane, Larose, LA, 70373, was in attendance and filled a request form for the board to address his concerns regarding the Lockport-Larose C4,C5,D1 Levee Project. T. Allen motioned, seconded by E. Pitre to deviate from the agenda to allow Mr Cheramie to address the Board at the beginning of the meeting. No discussion or public comment. Motion passed unanimously. R. Cheramie questioned the amount of time it is taking to finish this project and a section of the levee that is lower now than at the beginning of the project. He is concerned with the upcoming hurricane season approaching. A. Ostheimer said the project's official start date was on March 19, 2018. D. Bourgeois and A. Ostheimer stated NLLD and the Board have expressed similar concerns and are not pleased with the status of the project as well. But, such issues are beyond our control while the project is under contract. Ostheimer added that some emergency work was done at the pipeline for Hurricane Barry, and a change order was approved for additional work and days. A. Ostheimer said Onshore and Neil Angelette understand the concurrent work needed to be done on the project moving forward. Neil Angelette said he is working with Onshore on critical features of the project and believes they could finish within 4 to 5 months. A. Peltier motioned, seconded by D. Kiffe to return back to the regular agenda. No discussion or public comment. Motion passed unanimously.

A. Thibodaux – West Project Area:

Drainage Study: D. Bourgeois reported NLLD is developing items in the PA by extending this drainage study with additional investigations to assist the City of Thibodaux, NSU 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 NLLD project that will create a new major drainage channel functionally parallel to and complimentary to the existing Waverly Ditch NLLD is calling the Waverly No. 2 Channel Project; however, NLLD is faced with challenges from the landowners. NLLD has an agreement in place with a landowner and is putting something in writing to understand what is being committed. NLLD is getting an appraisal of the next tract to have a better understanding of the property valuation in this area.

B. Thibodaux - Lockport - Bayou Blue Project Area:

NSU Drainage Study: D. Bourgeois stated in the future, updates on the project will be based on whatever the Committee wishes to report for the project each month. This will probably be taken up after the current legislative session.

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. NLLD received the executed IGA from CPRA last week and executed it. LCI is working on addressing some comments from NLLD and CPRA which should be completed in the next week or two. At that point NLLD will submit the responses to CPRA and request concurrence to bid.

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. Lemoine has completed the 2nd and 3rd excavation cuts on the project. They are currently working on removing plugs and dressing the canal in areas that need additional work. NLLD will make a site visit this week to review the project. A. Peltier motioned, seconded by L. Andolsek to approve payment of pay request #16 in the amount of \$81,693.77 from The Lemoine Company, LLC as recommended by the project engineer. No discussion or public comment. Motion passed unanimously.

Cyprien FDA Channel Improvements/Cyprien Discharge Channel Levee Improvements: D. Bourgeois and A. Ostheimer reported Sealevel is continuing to work on the eastside. The weather has slowed progress. NLLD expects them to be able to begin working again later this week.

US 90 at Bayou Folse: D. Bourgeois and A. Ostheimer reported this project is one with GOMESA funding from CPRA that allowed for a permanent solution to raise the elevation of the levee adjacent to the US Hwy 90 Bridge over Bayou Folse on both sides. This project is complete and the retainage was paid to the contractor so it will be removed from next month's agenda.

Butch Hill and Twin Oaks Pump Station and FDA Improvements: D. Bourgeois reported this project as discussed when considering the purchase of the property owned by the Sugarland Country Club at LPSO Sheriff's Sale is a large project that would combine the Twin Oaks and Butch Hill Pump Stations which are both in disrepair along with improving the overall FDAs and performing levee maintenance on the surrounding levees. Sugarland Country Club was sold by the bank to a local interest. NLLD has been working with the new owners to negotiate a right of way on the property for the various drainage improvements and to purchase material NLLD can use to improve the levees in the surrounding areas. NLLD is also finalizing the NOPET evaluation for the pump station and FDA improvements for this area and reviewing funding opportunities in coordination with LPG. It was discussed at the last meeting that the intricacies of the above would be best discussed in committee. The discussion with the landowners has shifted to the purchase of the exact property NLLD needs to accomplish work which is in line with the boards concerns as compared to buying property NLLD did not need at the LPSO sale. NLLD can acquire the property needed at appraised value and that would cost much less than it would cost otherwise to acquire material. The TRADS Project Committee will meet on April 27, 2021 so that a recommendation can be brought to the full board at the next regular meeting.

Raceland Prairie District 2 of 12 Seepage Repairs: D. Bourgeois and A. Ostheimer reported this project will address seepage and the bid opening was conducted last Thursday. NLLD accepted bids here at the NLLD office on April 15th and received four bids. Leonard Chauvin P.E., Inc. reviewed the bids and offered a recommendation for award that is within the budget. D. Kiffe motioned, seconded by A. Peltier that NLLD awards the construction contract to Low Land Construction Company, Inc, thus committing \$383,463.00 of NLLD's net assets towards NLLD Project No. 6200.75Z 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.

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. Progress has been limited because of the weather. The contractor has several thousand yards of material ready to be hauled and installed in the area around the pipeline and pump station. They have moved some material on the southern end of the project but need to continue to work that material into template.

Lockport to Larose Reach B Levee Project: Picciola & Associates continues to develop the preliminary design and budgets for the proposed three phases of this levee reach. NLLD received the mitigation letter with requirements from the USACE. The next step is to review and receive quotes on the

mitigation for the project. This project is basically ready to move forward but NLLD will need to budget funds for 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 to 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.

D. Choupic Project Area:

East 80 Arpent (Dixie Canal): D. Bourgeois and A. Ostheimer reported Linkbelt/Wilco Deep-water Marsh Buggy is being used for some long term and long overdue maintenance dredging and is continuing to dredge the canal and has slowed based on high-water conditions.

E. St. James Project Area: D. Bourgeois reported NLLD is developing items in the PA via this drainage study by Duplantis Design Group. The plan here is to allow Thibodaux to develop this area in a proactive, forward looking way and to avoid trying to correct for unplanned difficult drainage issues in the future. Heather Klingman with DDG presented DDG's findings from the study. The TRADS Project Committee will take this issue up in a future meeting. Once that is done, the Committee will report back.

F. Lake Bouef Watershed Project Area:

Zeller/Larousse Forced Drainage Area Systems Improvements: D. Bourgeois and A. Ostheimer reported Phase 2 of this project is designed to provide structural stability to the system and improve the levee to a 5' elevation. CPRA has included \$1M for this project available this year (FY2021) in its Annual Plan coming from GOMESA and the IGA is fully executed. NLLD has received and addressed the comments from CPRA. NLLD should be able to begin advertising for construction. NLLD did have to address some immediate issues in this area with the recent rain. There was about a 250' area that was overtopping. Working with LPG and LCI this was able to be addressed immediately by creating a small "potato" levee across the top in the areas that were overtopping.

G. Gheens Project Area:

Des Allemands Bulkhead Project: A. Ostheimer reported the levee has been put into section and NLLD is currently monitoring it to see if it has stabilized. As of now there is not any additional settlement. All South Consulting Engineers is continuing to monitor.

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'. The substantial completion was approved last month. Onshore has addressed the punch list items for the project and is currently in the clear lien period. NLLD has been working closely with LPG on some issues with the pump station's ability to intake water. LPG is handling this, but NLLD is trying to assist as much as possible. S. Bergeron motioned, seconded by P. Gasery to approve payment of pay request #19 in the amount of \$55,842.66 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 and designed to improve the levee elevation to 7'. The State's Annual Plan indicates \$2.275M in GOMESA funds available this year (FY2021) for this project. These funds are available, and the IGA is fully executed. NLLD received bids for this project on March 23rd and received 6 bids for the project, four of which were very close. All South Consulting Engineers reviewed the bids and offered a recommendation of award that is within the budget. E. Pitre motioned, seconded by A. Peltier that NLLD awards the construction contract to Clark Construction Enterprises, LLC, thus committing \$3,236,152.00 of NLLD's net assets towards NLLD Project No. 6700.59Z 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.

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. The weather has slowed progress. Onshore has processed a good bit of material and once the project dries, they should be able to make some good progress. The change order presented is for an adjustment of material which is a result of needing additional borrow to achieve the levee design template. T. Allen motioned, seconded by L. Andolsek to approve Change Order No. 3 to increase the contract price by \$46,200.00 to compensate for additional borrow and for an additional 13 days to extend the construction period to August 22,2021 due to weather conditions as requested by Onshore Materials, LLC and recommended by the project engineer. No discussion or public comment. Motion passed unanimously. T. Allen motioned, seconded by L. Andolsek to approve payment of pay request #11 in the amount of \$97,075.75 from Onshore Materials, LLC as recommended by the project engineer. No discussion or public comment. Motion passed unanimously.

T-Bois Levee FDA: D. Bourgeois and A. Ostheimer reported Circle LLC is the contractor on this project that includes maintenance work on the area of the levee from Hamilton St. to North American Shipyard. NLLD held the preconstruction meeting for the project on March 30th and plan on a NTP being issued for the project the first or second week of May. NLLD will be performing some work in preparation of the NTP along the road to allow project access.

Morganza to the Gulf Eastern Tie-in, reach 2 Interim Improvements: D. Bourgeois and A. Ostheimer reported this project is designed to enhance nearly 20,000 LF of levee improvements to an approximate 7.5' elevation and modify the Ludevine Pump Station to account for the modified levee section. The CPRA will provide \$3M for this project available through Capital Outlay / State Surplus funds and the NLLD received the executed IGA from CPRA last week. GIS has addressed the comments from CPRA and will see if they need any additional information prior to moving forward with concurrence and bid advertising. GIS has submitted a report and recommendation for the Ludevine Pump Station. NLLD is working with a landowner regarding a RoW or possibly purchasing the land needed for the project and levee tie-in.

Morganza to the Gulf Eastern Tie-in, Reach 3 Interim Improvements: A. Ostheimer reported Outer Limit Contractor will continue the clearing which has been slowed down due to the weather. Once the weather lets up, hopefully there is window of time to assess the environmental aspects of the project. Currently, NLLD is getting the project ready this year for construction once funding becomes available.

I. Maintenance and other Regional Projects:

Maintenance Projects: The vegetation clearing in the MtoG Reach 2 was completed at the end of last month, then moved to LtoL C4 where there is material staged for levee maintenance. NLLD's operator was able to work the material in preparation for placing of the material into the section. Weather permitting, NLLD's maintenance contractor will fix these issues in the next couple of months. St. Charles By-Pass needs clearing of the channel that feeds the pump.

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 and will continue to monitor the permit.

Morganza to the Gulf: D. Bourgeois reported the Morganza to the Gulf project is included in the USACE final work plan from HQ and the ASA office and is approved by OMB to receive federal “new start” funding. The project will receive \$12.46 million in FY 2021 to begin construction of the replacement of the Humble Canal flood control structure. The next steps for the project in the future will be to secure funding on an annual basis. All involved are proposing different funding options and must be aware of all legislative actions we need to take to stay ahead. One such potential partial funding option may occur, and Congressmen Scalise and Graves are working together to make a joint appropriations request. Henri with MAC has been able to coordinate letters of support for this request coming from: Terrebonne Parish President Gordon Dove; Lafourche Parish President Archie Chaisson; TLCD Director Reggie Dupre; Houma-Terrebonne Chamber of Commerce Exec. Dir. Nicol Blanchard; Thibodaux Chamber of Commerce Exec. Dir. Tammy Ledet; SCIA Exec. Dir. Christy Naquin; BIG Exec. Dir. Jennifer Armand. T. Allen motioned, seconded by E. Pitre to pass a Resolution in support of FY 2022 Appropriations Request for the Morganza to the Gulf Storm Surge Protection System. No discussion or public comment. Motion passed unanimously.

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. SLDD has contracted with Sealevel Construction for this work and this work is progressing on schedule.

Equipment: There were no issues to report on equipment this month.

2012 John Deere Gator: D. Bourgeois reminded the board that NLLD had a series of maintenance issues with the Gator and in 2019 a resolution was approved to surplus this piece of equipment. However, with the onset of the COVID-19 pandemic and being unsure of possible interest and response, the advertising for surplus was delayed. That may have worked out for the better. It has since been realized that it could likely assist in the needs of the Fifth Ward Gravity Drainage District Five, which is a political subdivision of the Parish. The Fifth Ward Drainage District is within NLLD’s jurisdiction and they do work towards the common mission of improvement and maintenance of drainage in the area. This makes them eligible for NLLD to donate surplus equipment to them. S. Bergeron motioned, seconded by D. Kiffe authorizing the NLLD President to execute the CEA to Donate and transfer the 2012 John Deere Gator and all responsibilities of it to the Fifth Ward Gravity Drainage District Five. No discussion or public comment. Motion passed unanimously.

Photo Presentation: A. Ostheimer presented photos and gave explanations on the following projects: New Ludevine Levee; TLBB Element II; C4,C5,D1; the Zellar Larousse Levee; Edna Barrios Pump

Recent Excessive Rainfall: D. Bourgeois reported actions taken by the NLLD during the recent rainfall.

Morganza Action Coalition (MAC), continued funding: D. Bourgeois reported NLLD has been participating in this association since 2016 and it is providing substantial benefits to the District at the State and Federal level. Terrebonne Levee District is still participating, while South Lafourche Levee District backed out last year since the MtoG system is not as impactful to their district as it is for NLLD and TLCD. While MAC continues to look for and is receiving other funding, it needs to consider ongoing funding for the efforts during this year. T. Allen motioned, seconded by P. Gasery to approve payments up to the amount of \$110,000.00 to the Morganza Action Coalition for continued financial support in the interest of the NLLD for the efforts during this calendar year (2021). No discussion or public comment. Motion passed unanimously.

Louisiana Board of Ethics Reporting Requirements: D. Bourgeois stated that each Commissioner of the

NLLD is required to complete a Tier 2.1 Personal Financial Disclosure Statement (Form 417) on or before May 15th each year. The electronic version can be found at: <http://ethics.la.gov/Pub/FinDiscl/F417s.pdf>. Please let Madonna know if a printed version for submittal is preferred.

Association of Levee Boards of Louisiana (ALBL) Annual Workshop: D. Bourgeois reported the ALBL will be hosting its annual workshop in Baton Rouge on May 6 – 7, 2021. As with most events these days, this year's workshop will be a little different as they will offer in person and virtual attendance, but only the Executive Committee Members are invited to attend in person. There is no registration fee for any participation. More information will be coming for registration for the workshop link and NLLD will share that with all of the commissioners at that time. A draft agenda is in tonight's meeting packets for information and consideration of participation.

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:

Congressman Steve Scalise Virtual Press Conference: 3/17

MVFCA Executive Committee Meeting: 3/18

St. Tammany LD&CD Workshop: 3/18

Meeting w/ Parish President Matt Jewell: 3/19

Discussion w/ Scalise office- Claire Trokey: 3/2

MtoG in Infrastructure Bill Discussion: 3/26

Presentation on NLLD Coastal Center Programming: 3/30

Discussion w/ Graves office- Maggie: 3/30

ALBL Legislative Call: 4/8

BIG Luncheon: 4/12

Meeting w/ Congressman Steve Scalise: 4/12

MRC High-water Inspection: 4/16

Student Government Day @ NLLD: 4/19

SCIA Luncheon: 4/20

MAC Meeting: 4/20

Finance & Priority Committee: Commissioner L. Andolsek reported that the Finance and Priority Committee conducted a meeting on March 16, 2021. 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 accepted by the full board in the Regular meeting that followed. In the committee meeting prior to this board meeting, the committee reviewed the 2021 Revised Budget and recommended it for adoption by the board earlier in this meeting. The committee also reviewed the completed Louisiana Compliance Questionnaire as a required part of the annual audit engagement of Louisiana government agencies. K. Matherne motioned, seconded by E. Pitre to authorize the Board President and Secretary/Treasurer to sign the required Louisiana Compliance Questionnaire. No discussion or public comment. Motion passed unanimously.

Accounts Payable: A motion was made by K. Matherne, seconded by L. Andolsek 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 (or immediately following the 5:15 PM F&P Committee meeting) on Tuesday, May 18, 2021 at the District's office located at 3862 Highway 1, Raceland, LA. The meeting was unanimously adjourned at 6:49 PM on motion by R. Foret, seconded by E. Pitre.

/s/Cory Kief, President
/s/Dwayne Bourgeois, Executive Director