

OFFICIAL PROCEEDINGS
OF
SOUTH LAFOURCHE LEVEE DISTRICT
SEPTEMBER 12, 2016

The Board of Commissioners of the South Lafourche Levee District met in a regular session at its regular meeting place, 17904 Highway 3235, Galliano, Louisiana, on Monday, September 12, 2016 at three (3:00) o'clock p.m., pursuant to the provisions of a notice of regular session duly promulgated and posted in accordance with the law.

The public hearing was called to order by President Ronald Callais. Commissioner Clarence Marts led the Pledge of Allegiance.

President Callais directed the secretary to call roll.

Board members present: Ronald Callais
 Robert "Bobby" Eymard, Sr.
 Bob Faulk
 Mitch Danos
 Clarence "CJ" Marts, Jr.
 Mc Neely Rome
 Roland Curole
 Keith Guidry

Board members absent: Monty Vegas

Also present were: Executive Secretary and General Manager Windell Curole; Administrative Assistant 6 Mary Punch; Administrative Assistant 3 Amy Gisclair; Levee Board Operations Superintendent Drake Baudoin; Attorney Tyler Breaux; Engineering Personnel André Uzee, Joe Picciola, Neil Angelette, Stevie Smith, Mitch Marmande, Mike D'Angelo; MAC member Roland Guidry; property owners David and Lisa Bourg, and Lisa Guidry; and news media.

PUBLIC HEARING

President Ronald Callais announced that the hearing was being held to consider levying increased millage rates after reassessment and rolling forward millage rates not exceeding the maximum authorized by law. President Callais read the resolutions and called for any objections or comments after each resolution was read.

With no objections, or comments from the audience or board, the hearing was adjourned on a motion by Bob Faulk, seconded by Keith Guidry, and unanimously carried.

Immediately following the public hearing, the regular meeting for the month of September was called to order. President Callais directed the secretary to again call roll.

Board members present: Ronald Callais
 Robert "Bobby" Eymard, Sr.
 Bob Faulk
 Mitch Danos
 Clarence "CJ" Marts, Jr.
 Mc Neely Rome
 Roland Curole
 Keith Guidry

Board members absent: Monty Vegas

READING OF THE MINUTES

The minutes of the August 8, 2016, Regular Meeting were approved unanimously upon a motion by McNeely and seconded by Mitch.

PRESIDENT’S REPORT

ADOPT THE ADJUSTED MILLAGE RATE(S) FOR THE TAX YEAR 2016

Upon a motion by McNeely Rome, seconded by Bobby Eymard and unanimously carried, the following resolution was adopted:

RESOLUTION NO. 1.16-03

BE IT RESOLVED, by the South Lafourche Levee District (Taxing district) of the Parish of Lafourche, Louisiana, in a public meeting held on September 12, 2016, which meeting was conducted in accordance with the Open Meetings Law and the additional requirements of Article VII, Section 23(C) of the Louisiana Constitution and R.S. 47:1705(B), that the following **adjusted** millage rates be and they are hereby levied upon the dollar of the assessed valuation of all property subject to ad valorem taxation within said Parish for the year 2016, for the purpose of raising revenue:

MILLAGE

<u>Levee Operations, Repairs, Maintenance & Improvements</u> (Tax for: e.g. General Alimony, Library, Maintenance)	<u>4.65</u> mills
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<u>Levee Operations, Repairs, Maintenance & Improvements</u> (Tax for: e.g. General Alimony, Library, Maintenance)	<u>4.78</u> mills
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BE IT FURTHER RESOLVED that the Assessor of the Parish of Lafourche, shall extend upon the assessment roll for the year 2016 the taxes herein levied, and the tax collector of said Parish shall collect and remit the same to said taxing authority in accordance with law.

The foregoing resolution was read in full, the roll was called on the adoption thereof, and the resolution was adopted by the following votes:

YEAS:	8
NAYS:	0
ABSTAINED:	0
ABSENT:	1

SET FORTH THE ADJUSTED MILLAGE RATE(S) AND ROLL FORWARD TO MILLAGE RATE(S) NOT EXCEEDING THE MAXIMUM AUTHORIZED RATE(S) FOR THE TAX YEAR 2016

Upon a motion by Mitch Danos, seconded by Bob Faulk and unanimously carried, the following resolution was adopted:

RESOLUTION NO. 2.16-03

BE IT RESOLVED, by the South Lafourche Levee District (Taxing district) of the Parish of Lafourche, Louisiana, in a public meeting held on September 12, 2016, which meeting was conducted in accordance with the Open Meetings Law and the additional requirements of Article VII, Section 23(C) of the Louisiana Constitution and R.S. 47:1705(B), that the taxing district voted to increase the millage rate(s), but not in excess of the prior year’s maximum rate(s), on all taxable property shown on the official assessment roll for the year 2016, and when collected, the revenues from said taxes shall be used only for the specific purposes for which said taxes have been levied. Said millage rate(s) are:

	<u>Adjusted Rate</u>	<u>2016 Levy</u>
<u>Levee Operations, Repairs, Maintenance & Improvements</u> (Tax for: e.g. General Alimony, Library, Maintenance)	<u>4.65</u> mills	<u>4.86</u> mills
<u>Levee Operations, Repairs, Maintenance & Improvements</u> (Tax for: e.g. General Alimony, Library, Maintenance)	4.78 mills	<u>5.00</u> mills

BE IT FURTHER RESOLVED that the Assessor of the Parish of Lafourche, shall extend upon the assessment roll for the year 2016 the taxes herein levied, and the tax collector of said Parish shall collect and remit the same to said taxing authority in accordance with law.

The foregoing resolution was read in full, the roll was called on the adoption thereof, and the resolution was adopted by no less than two-thirds of the total membership of the taxing authority voting in favor as required by Article VII, Section 23(C) of the Louisiana Constitution and R.S. 47:1705(B). The votes were:

YEAS:	8
NAYS:	0
ABSTAINED:	0
ABSENT:	1

RECOGNITION OF PAST BOARD MEMBER, LULA AUENSON

President Ronald Callais called former board member Lula Auenson to the front and read aloud a resolution that was signed by all the commissioners. Mr. Callais then presented the resolution along with a desk plaque commemorating Mrs. Auenson’s many years of service to the board. Mrs. Auenson expressed her gratitude for having served with members of a board who work well together and have accomplished much over the years.

AUDIENCE COMMENTS

President Callais opened the floor for audience Comments.

Ms. Lisa Guidry introduced herself along with her parents, David and Irma Bourg, and stated that they had property along the Larose Floodwall. She informed the board that they had received letters from the SLLD stating intentions to obtain rights-of-way for the construction of the floodwall. Ms. Guidry and Ms. Bourg asked questions concerning the appropriation of right-of-way, to which Mr. Curole successfully answered.

There were no other comments from the audience.

GENERAL MANAGER’S REPORT

SLIDE PRESENTATION

General Manager Windell Curole presented a slide presentation beginning with a reminder of the destruction that had occurred with Hurricane Betsy in 1965. Mr. Curole showed photos of old Parish pumping stations and small levees, and a few of the current pumping stations, describing what was relied up on in the 1980’s for flood protection, and compared to the newer, larger pumps today. He then briefed the board on the heavy rainfall that had occurred on August 11th. Other slides showed project areas in various stages of construction, erosion prevention along A-East in Golden Meadow, terraces, pump station discharge pipes and the recently completed wall under the LA 1 Bridge in Larose. Mr. Curole pointed out the closure of the portion of Hwy 24 and explained that they were working on a solution that would provide an exit to homeowners in an emergency situation.

ACCEPTANCE OF QUOTE FOR TREE CHIPPING – SEALEVEL CONSTRUCTION AT LOWEST QUOTE OF \$52,000.00

Mr. Curole explained that there were some areas in Reach K of the Morganza to the Gulf project where material was needed to be placed, but trees were in the way. He added that they had decided the best way to eliminate the trees was through chipping. NLLD Director Dwayne Bourgeois received quotes, and each member was provided a copy. Mr. Curole requested approval of the lowest quote for tree chipping, adding that the cost would be paid out of the funding already set aside for the Morganza project.

Moved by Mitch Danos, seconded by Roland Curole and unanimously approved, the low quote for tree chipping in the amount of \$52,000 by Sealevel Construction was accepted by the board.

Commissioner Bob Faulk questioned why the quotes of all the other contractors were so much higher. Mr. Stevie Smith explained that the quote of \$52,000 was nearly half of all other quotes because Sealevel Construction was already working in the area so they would not have to charge for mobilization.

UPDATE ON PERMIT FOR THE LAROSE FLOODWALL PROJECT

Mr. Curole announced that the Corps had given SLLD a permit to continue work on the Larose Floodwall. With the Corps’ permission, we were allowed to resume construction on Sept. 6th. Mr. Curole informed the board that the contractor was working on the most critical part of the wall and

would have that portion completed in about 10 days. He explained that additional costs for the contractor to resume work were around \$110,000.00. Mr. Curole reminded the board that the original bid was only about half of the estimated bid cost so adding an additional \$110,000.00 caused by the Cease and Desist Order would still be well under the estimated bid cost. Mr. Curole added that the remainder of the floodwall would be complete in about a month, or before the end of the 2016 hurricane season. A lengthy discussion pursued.

ADOPT RESOLUTION 16-05 APPROPRIATING TRACTS A1-A THROUGH A-18 FOR THE CONTINUATION OF THE LAROSE FLOODWALL PROJECT

Mr. Curole presented the following resolution to appropriate rights-of-way for the construction of the Larose Floodwall Project:

Upon motion of J. McNeely Rome, seconded by Bob Faulk and unanimously passed, the following resolution was adopted by the Board of Commissioners of the South Lafourche Levee District at its regularly scheduled meeting on September 12, 2016:

RESOLUTION 16-05

WHEREAS, the majority of the barrier islands, marsh, and cheniers in the Terrebonne-Timbalier basin have subsided to open water, exposing the north side of the Larose to Golden Meadow, Louisiana, Hurricane Protection Project to higher surges and wave heights; especially from the Gulf-Intracoastal Waterway;

WHEREAS, the Federal government has established a higher level of storm surge for the 100 years storm;

WHEREAS, the increased number of storm surge events have occurred more frequently and expected into the near future;

WHEREAS, it is the primary duty of the South Lafourche Levee District to establish, construct or maintain flood control works as they relate to hurricane protection, tidewater flooding, saltwater intrusion, and conservation;

WHEREAS, this Board has identified the north side of the Larose to Golden Meadow, Louisiana, Hurricane Protection Project, referred to as the "Larose Floodwall", as the most susceptible to storm surge events and thus in most need of immediate upgrades;

WHEREAS, this Board deems it necessary for the implementation of such immediate upgrades to increase the size of the existing permanent levee servitude to encompass portions of land north of and adjacent to the existing permanent levee servitude in the location referred to as the "Larose Floodwall", said land more particularly described below; and

WHEREAS, this Board has, under the Constitution and Laws of the State of Louisiana, authority to appropriate a permanent levee servitude over the below described lands;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the South Lafourche Levee District that a permanent levee servitude over all lands lying within the below described area, in the location referred to as the "Larose Floodwall", be and the same is hereby appropriated by this Board, which lands are hereby designated as follows:

Those portions identified as Tracts A1-A through A-18 on the set of maps prepared by Angelette-Picciola, L.L.C., dated June 24, 2016 and filed on September 6, 2016 at COB 2046, Page 728, Entry No. 1225789 in the Conveyance Records of the Parish of Lafourche, State of Louisiana, said portions ranging in varying widths/square footage, as reflected on the above-described maps.

BE IT FURTHER RESOLVED, that the permanent levee servitude herein appropriated shall vest in the South Lafourche Levee District a perpetual and assignable right and easement in Tracts A1-A through A-18, as identified on the above-described maps, to construct, maintain, repair, operate, patrol and replace a flood protection floodwall, including all appurtenances thereto and all other flood control

works for the Larose to Golden Meadow, Louisiana, Hurricane Protection Project, together with the right to enter in, on and over the in above-described land situated in the Parish of Lafourche, State of Louisiana for the proper exercise of the permanent levee servitude herein appropriated; reserving, however, to the owners, their heirs and assigns, all mineral rights and all such rights and privileges in the land as may be used without interfering with or bridging the right and easement hereby acquired; subject, however, to all existing easements for public roads and highways, public utilities, railroads and pipelines.

BE IT FURTHER RESOLVED, that the General Manager of the South Lafourche Levee District be, and he is hereby directed to send notice of the adoption of this appropriation resolution, in accordance with La.R.S. 38:301, by certified U.S. Mail to the last record property owner as reflected in the parish assessment rolls at the address recorded in the assessment rolls; and that notice of the adoption of this appropriation resolution be published in the official journal of the South Lafourche Levee District within ten (10) days after its adoption

The foregoing resolution was read in full, the roll was called on the adoption thereof, and the resolution was adopted by no less than two-thirds of the total membership. The votes were:

YEAS:	8
NAYS:	0
ABSTAINED:	0
ABSENT:	1

On another issue, Mr. Curole reminded the board of their earlier approval to increase the size of the radiators at Pump Station No. 7 where the engines were overheating. He requested Levee Board Operations Superintendent Drake Baudoin to give an update. Mr. Baudoin stated that the pumps were not running at full capacity due to the engines overheating. With the new radiators in place, the pumps were now running at full capacity.

MORGANZA ACTION COMMITTEE (MAC) MEETING UPDATE

Mr. Curole directed Morganza Action Committee Board member, Mr. Roland Guidry, to update the SLLD Board on the recent MAC meeting. Mr. Guidry stated that the meeting was held on August 30th in Houma and he gave the names of all the members of the MAC committee. He added that the articles for the new committee had been put in place, and nominations for officers were proposed for approval at their next meeting. The next meeting would be held on Oct. 3, 2016. Mr. Curole added that when the levee district was first formed, it was with South Terrebonne and South Lafourche, but that some leadership had taken Terrebonne out of our levee district when the leadership didn't have as much interest in flood protection. He stated that we were back together again with both sides benefiting. He added that the Morganza project had possibly added to some amendments that could be made to the WRDA Bill that would lead to our benefit on the 408 permitting.

Mitch Marmande offered more insight on the WRDA Bill and 408 permitting saying the Senate would most likely pass a WRDA Bill the next day, but it was doubtful that our 408 amendment would make it as part of the senate bill. He added that it would still need to go through the House where there could be some negotiations made, and hopefully it would give us some leverage. He stated that the Corps was rethinking the 408 process now, so that would be on the table as to how they process the 408 permitting. We've learned that this is a nation-wide issue, and not just limited to our area. We feel there will be some reform in the Corps; however we won't get the 120 days limit as we'd like for processing, but it's something to work with in the future.

Mr. Curole added that the cost share for the Morganza Action Committee was 50% for TLCD, 30% for NLLD and 20% for SLLD.

REVIEW OF FINANCIAL STATEMENT FROM FY2016 AUDIT

Mr. Curole presented the Financial Statement from the FY2016 Audit and announced that there were no negative findings. He recommended the board accept the statement as presented.

Moved by Keith Guidry, seconded by Clarence Marts and unanimously carried, the Financial Statement for FY2016 was approved and accepted as presented.

CONSTRUCTION COSTS FOR HURRICANE PROTECTION LEVEE SYSTEM

Mr. Curole presented a summary of construction costs to date on all projects for the Larose to Golden Meadow Hurricane Protection System and its funding sources.

ENGINEERING REPORT

OFFICE OF COASTAL PROTECTION AND RESTORATION (DANIEL DEARMOND)

Mr. Daniel Dearmond reported that they were waiting on pipeline agreements to be approved by their legal department for Reaches K & L of the Morganza to the Gulf projects, that that it looked like they would be ready to go out for bids in December.

CORPS OF ENGINEERS (JOEY WAGNER)

There was no one in attendance from the Corps.

PROJECT ENGINEERS

PICCIOLA & ASSOCIATES

Engineer Joe Picciola gave the following report:

- **A-East Dredging**

Plaisance Dragline & Dredging Co., Inc. is the Contractor. They are working on dredging.

The contractor has submitted Pay Application No. 2. The Pay application includes work completed August 2016.

Pay Application #2 - \$5,580.00

- Pay Request No. 2 in the amount of \$5,580.00

Moved by McNeely Rome, seconded by Mitch Danos and unanimously accepted, the board approved Pay Request No. 2 in the amount of \$5,580.00.

- **Larose Floodgate Improvement and Protection, Ph 2 Interim Project – Floodwall below LA Hwy 1, Intracoastal Bridge**

Sealevel Construction, Inc. is the Contractor. The project is complete and in the Lien Period.

- **Yankee Canal Levee Repairs**

Plaisance Dragline & Dredging Co., Inc. is Contractor. The project is complete and in the Lien Period. The contractor has submitted Pay Application No. 5. They pay application includes final payment of contractor quantities. We also have Change Order No. 1 for balancing of final contract quantities, a decrease of \$54,267.12.

- Change Order No. 1 for a credit of \$54,267.12
- Pay Request No. 5 in the amount of \$ 19,401.69

Moved by Roland Curole, seconded by Bobby Eymard and unanimously accepted, the board approved Change Order No. 1 for credit of \$54,267.12 Pay Request No. 5 in the amount of \$19,401.69

- **Request authorization to advertise for bids for the Mechanic Shop**

We met with the Building Committee earlier and will have plans and specs ready soon. We request approval to go out for bid.

Moved by Bob Faulk, seconded by Mitch Danos and unanimously accepted, the board authorized engineers Picciola and Associates to go out for bid for the Mechanic Shop.

- **Request authorization to advertise for bids once plans and specs are reviewed and approved by DOTD, Facility Planning and CPRA for Interim Improvements – Elevation of LA Hwy 3235 at Levee Crossing in Larose**

Plans and specifications are complete and have been submitted to LA DOTD, LA CPRA, and LA FP&C for approval. We are requesting authorization to bid once required approvals are received.

Moved by Roland Curole, seconded by Clarence Marts and unanimously accepted, the board authorized engineers Picciola & Associates to advertise the Elevation of LA Hwy 3235 at Levee Crossing in Larose for bid upon required approvals from the State.

J. WAYNE PLAISANCE, INC.

Engineer André Uzee reported the following:

- **Bayou Lafourche Water Level Control**
The DNR is still waiting on information from our mitigation issue, along with a hydrology study.
- **Pump Station No. 4 Upgrades**
This project consists of the replacement of the crane at Pump Station No. 4 and the expansion of the building. We are reviewing various options on how to proceed.

I've been in contact with the Water District concerning the 36" water lines that cross over the levee, and have decided to place cement mats around the supports to insure erosion doesn't occur in the event of overtopping.

LEVEE IMPROVEMENTS – ANGELETTE-PICCIOLA, LLC

Engineer Neil Angelette reported the following:

- **B-South, B-North & C-South, Apache Farm to Golden Meadow Park**
The advertisement will begin next week on this project to receive bids on October 27, 2016.
- **Larose Floodwall Elevation, Ph 1 & 2**
The Corps of Engineers has given permission for the construction to continue and the contractor is on site and will begin installing sheet piles again this week.
- **Bason Pump Station Area Seepage Analysis**
Work is complete and we are currently in the clear line period for this project.
- **Morganza to the Gulf, Reach L**
We are continuing with the design for this project and will have preliminary plans ready for review this month.

MORGANZA TO THE GULF

DELTA COAST CONSULTANTS

Program Manager Report – Mitch Marmande

We had a geotechnical meeting with CPRA last week to review the dredge project. There are issues we will need to address. Mr. Stevie Smith of All South Consulting Engineers and his crew will work to answer those questions.

With the tree chipping and other projects coming up, I feel we need to obtain Letters of No Objection from the pipeline companies before the work begins. Dwayne Bourgeois will leave TLCD's terrace building machine out there for now. Mr. Smith has a contract to propose. I'm requesting that you add on to that contract, my approval, before awarding the contract for marsh mitigation.

ALL SOUTH CONSULTING ENGINEERS

Engineer Report (Stevie Smith)

- **Reach K Haul In Section**
This project was awarded to Low Land Construction at the July SLLD Board Meeting. The SLLD conducted a pre-construction meeting on August 2, 2016. Notice to Proceed was issued on Aug. 15, 2015 with a 120 day contract, and an end date of Dec. 13, 2016. The contractor has not begun work on site due to Tropical Storm Hermine and the recent rains.
- **Reach K On Site Excavation Section**
All South delivered a preliminary set of plans to the SLLD, CPRA, and TLCD on May, 27, 2016.

SLLD and All South met with CPRA representatives of Sept 8, 2016 have several geotechnical related questions on this project. All South and our geotechnical folk are preparing responses to those questions.
- **Reach K Marsh Mitigation**
All South conducted the necessary magnetometer survey last week. All South is processing the data from this survey.

- **Approval of contract for engineering services associated with Reach K Marsh Mitigation**
We are requesting board approval of the contract for engineering services associated with Reach K Marsh Mitigation, subject to engineering review.

Moved by Clarence Marts, seconded by Roland Curole and unanimously carried, the board authorized Mr. Ronald Callais or Mr. Windell Curole to sign the contract for engineering services associated with Reach K Marsh Mitigation, subject to engineers' review.

CB & I ENGINEERS

Engineer Report (Mike D'Angelo)

- **Grand Bayou Floodgate Structure**
We are nearing completion on the preliminary report for the Grand Bayou Floodgate Structure and we should be ready to provide a draft to you at the October meeting.

LEGAL, PERMITS, AND RIGHT-OF-WAYS COMMITTEE REPORT

Chairman Mitch Danos announced that no permit requests were received for review.

BOARD ATTORNEY

Attorney Tyler Breaux announced that there was nothing new to report other than getting the documents out to the land owners regarding the rights-of-way for the Larose Floodwall which was discussed earlier. Mr. Windell Curole added that the Supreme Court had accepted the Jarreau Case.

BUILDING COMMITTEE

Chairman Bob Faulk announced that the discussion of the Mechanic Shop was covered earlier in the engineer's report.

FINANCE COMMITTEE

INVOICES

In the absence of Commissioner Monty Vegas, Bobby Eymard announced that the Finance Committee had reviewed the invoices and recommended they be paid.

On a motion of Bobby Eymard, seconded by Clarence Marts, and unanimously carried, the board approved the payment of the invoices as presented.

OLD BUSINESS

There was no old business.

NEW BUSINESS

There was no new business.

With no further business to discuss, the board unanimously adjourned the meeting on a motion of McNeely and seconded by Mitch.

/s/Ronald Callais, President

/s/Windell A. Curole, Executive Secretary