

**OFFICIAL PROCEEDING
OF
SOUTH LAFOURCHE LEVEE DISTRICT
OCTOBER 12, 2009**

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, October 12, 2009, 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 regular meeting for the month of October was called to order by President Ronald Callais. He directed the secretary to call roll.

Board members present: Ronald Callais
 Clarence "CJ" Marts, Jr.

 Ernest J. "E.J." Gremillion
 Lula Auenson
 Robert "Bobby" Eymard, Sr.
 Bob Faulk
 Mitch Danos
Board members absent: Roy Gisclair
 Monty Vegas

Also present were: Executive Secretary and General Manager Windell Curole; Administrative Assistant 5 Mary Punch; Clerical Assistant Amy Gisclair; Levee Maintenance Superintendent Jimmy Badeaux; Engineering Personnel Joe Picciola, Ben Hodson, Neil Angelette, Larry Picciola and John Plaisance; Attorney Bryce Autin; Roland Diaz of Allain-LeBreton Co.; Eugene Chauvin of LL&G; Dwayne Bourgeois of North Lafourche Conservation, Levee and Drainage District; and news media.

READING OF THE MINUTES

The minutes of the September 8, 2009 Regular Meeting were approved unanimously upon a motion of Bobby Eymard and seconded by EJ Gremillion.

PRESIDENT'S REPORT

President Ronald Callais stated that he had nothing to report.

AUDIENCE COMMENTS

Henri Boulet of the LA 1 Coalition gave an update on the new elevated LA 1 highway. He reported that the LA 1 Coalition had just submitted an application for stimulus funds to build the next segment of highway. The US Dept of Transportation in Washington, DC has \$1.5 billion to award. We submitted an application for \$300M for the Golden Meadow to Leeville segment of highway. We are hopeful that we could be in the top 1% out of 1400 applications submitted. The estimated completion of the Fourchon to Leeville segment is September 2011. The old road from Port Fourchon to the floodgate in Golden Meadow will become a Parish road and they will be responsible for maintenance which will be difficult, cost-wise. Mr. Boulet briefed the board on the report he gave in DC pointing out the importance of the highway to our area. He then answered questions from the board.

GENERAL MANAGER'S REPORT

THANK YOU LETTER TO PICCIOLA CONSTRUCTION – GROUTING OF ROCKS

General Manager Windell Curole announced that Picciola Construction had donated a crew of eight to help the levee district crew with the grouting of rocks by the Golden Meadow Pump Station Floodwall. He presented the board with a letter he sent to Mr. John Picciola thanking him for the donation of labor and expertise with the grouting project. Mr. Curole then presented a slideshow which included the grout project and updates on the entire levee system.

Mr. Curole reminded the board of the \$20M that had been promised by the State, and explained that they would need to set a Priority Committee meeting in the near future to decide where to spend the money.

CORPS LETTER – COST SHARE RESPONSIBILITIES

Mr. Curole presented the board with a Corps letter on cost-share responsibilities. As of this date, the last approved estimated cost for the 70/30 cost share is \$462M. The estimated in-kind work is \$25M. The lock alone is at least \$18M so we should get credit for that. Our levee in-kind work is around \$35M.

LAND LOSS ISSUES

a. Long Distance Pipeline

We had requested that Lafourche, Plaquemines and Jefferson Parishes help get a long distance pipeline from the Mississippi River to Lafourche Parish near Bayou Perroux. The State has offered to fund \$70M which will be added to the \$3M that the three parishes have already offered. After reviewing estimates, they have determined the cost to run the pipeline will be between \$500M and \$800M. At this time, the state cannot afford the pipeline at this cost.

b. Small Dredge Project

The Small Dredge Project goes from Catfish Lake to the levee system. This is a \$2M project and bids have been received. The low bid is acceptable, but the CIAP funds are not yet available. Mr. Curole spoke with Parish President Charlotte Randolph regarding getting the project started quickly. The local marsh grass will be producing seeds itself in October and November.

GEAR BOX INSTALLATION AT THE LOCK

Mr. Curole presented a letter to the board regarding the cost of a gear box installation at the Leon Theriot Lock. There was a problem with the design of the box. The contractor has estimated the work to correct this at over \$100,000. Field Superintendent Jimmy Badeaux found a solution and two hours of labor which cost \$40.

CORPS COST ESTIMATE

This item was discussed earlier.

FLOODGATE OPERATIONS

Mr. Curole explained that there had been some miscommunications with boaters over the opening times of the floodgates, but that we have worked hard to eliminate this confusion.

STATE FUNDS - \$20M

The State has awarded the levee district \$20M. There have been last minute issues that have prevented the agreement from being finalized. Attorney Bryce Autin stated that he had reviewed the agreement and that he saw no problems. A Priority Meeting will need to be set to decide where to spend the \$20M.

HIGH TIDE – TWO MONTHS

This item was discussed earlier.

CAMERA SYSTEM FOR LOCK

Mr. Curole informed the board that there are cameras on the present floodgate and that more are needed on the lock. An estimate of \$17,000 for a camera system was obtained. The levee district is in the process of getting more quotes and would like approval to spend up to \$17,000 on a system for the new lock.

Moved by Mitch Danos, seconded by Bobby Eymard and unanimously carried, the board authorized the purchase of a new camera system for the Leon Theriot Floodgate with a limit of \$17,000.

ENGINEERING REPORT

OFFICE OF PUBLIC WORKS

No one was in attendance from the Office of Public Works.

CORPS OF ENGINEERS

No one was in attendance from the Corps of Engineers

PROJECT ENGINEERS

LEON THERIOT LOCK PROJECT – PICCIOLA & ASSOCIATES

Program Manager Ben Hodson gave the following report:

- **Completion Phase**

The project was substantially complete as of October 7, 2009. We are requesting approval of the Certificate of Substantial Completion.

Moved by Mitch Danos, seconded by EJ Gremillion and unanimously carried, the board approved Certificate of Substantial Completion for the Leon Theriot Lock effective October 7, 2009.

- **LL&G Pay Request No. 22**

No pay request was made. Invoice was turned in late.

- **FEMA Debris Administration**

The debris removal is complete and the substantial completion certificates have been issued to the contractor. The monitoring contractor lien period is complete and we are awaiting their Clear Lien Certificate to process the retainage for the project.

We are awaiting word on contract price negotiations between the district's attorney and the attorney for Lemoine Industrial Group.

Attorney Bryce Autin stated that he was waiting on documents from the contractor's attorney.

- **Pre-Position Debris Plan**

Bids were opened publically at the SLLD office August 26, 2009. The Technical Review Panel, which consists of Windell Curole, Jimmy Badeaux, and Archie Chiasson, III of Picciola & Associates, has reviewed the proposals submitted. There is an item on the agenda to award the removal contract to Omni Pinnacle, LLC and the monitoring contract to J & S Resources, LLC. After six months, if no storms have caused us to use these contractors, we can renew their contracts for another year. We can do this up to three times. They are on standby in case of a storm so they can move in immediately and start clearing debris.

President Callais requested the awarding of these contracts be postponed until the November meeting to give the board a chance to review the bids received.

- **Elevation of floodgate (Reported by Joe Picciola)**

We are generating computer models of the existing gates and performing engineering calculations.

Waiting for USACE approval may delay the project.

Design and construction time is limited so that the gates will be in place for next hurricane season.

J. WAYNE PLAISANCE, INC.

Engineer John Plaisance reported the following:

- **Discharge Pipe Repair PS #1**

The contractor, Blanchard Contractors, Inc., is progressing well on the discharge pipe repairs of Pump Station No. 1.

The East Golden Meadow Retention project will be discussed during Bayou Water Level Committee report.

LEVEE IMPROVEMENTS – LARRY PICCIOLA, INC.

Engineer Neil Angelette reported the following:

- **Section A-East – Raising to +16' (Present elevation is 13')**

Weeks Marine, Inc. is proceeding with construction on this project which is scheduled to be complete by the spring of 2010. We are recommending approval of Pay Request No. 20 for \$342,688.97.

Moved by Lula Auenson, seconded by Bob Faulk and unanimously carried, the board approved Pay Request No. 20 for \$342,688.97.

- **Section B-North – Raising to +12' (Present elevation is 10-11')**

Civil Construction Contractors, LLC has completed this project and we are recommending substantial completion as of October 2, 2009.

Moved by Bobby Eymard, seconded by EJ Gremillion and unanimously carried, the board approved Substantial Completion effective October 2, 2009.

- **Section E-South – Raising to +11.5'**

Manson Gulf has completed this project and we are waiting on the clear lien certificate to pay the retainage.

- **Section D-South – Raising to +13.5'**

Manson Gulf, LLC has completed the elevation improvements to +13.5' and is proceeding with the berm improvements. This project is scheduled to be complete by the middle of 2010. We are recommending approval of Pay Request No. 7 for \$984,463.43.

Moved by Bob Faulk, seconded by Mitch Danos and unanimously carried, the board approved Pay Request No. 6 for \$984,463.43.

- **Section C-North Pipeline Walls (Present elevation is 8,8 & 9')**

We are finalizing the design for this project and will have final plans complete and submitted to the Corps of Engineers and the pipeline companies in two weeks. We anticipate receiving bids in the middle of December and completion of the construction in May of 2010.

- **Section E-North – Raising to +13' (Present elevation is 10')**

We are proceeding with the design for this project which will involve a levee shift away from the borrow canal and additional right of ways from the farm. We will be

completing preliminary plans in two to three weeks which will include the amount of additional right of way needed.

- **Section C-South – Raising to +12'**

Phylway Construction, LLC has completed this project. We are recommending approval of Change Order No. 1 which increases the Owner Furnished Compacted Embankment from 11,600 cy to 16,156 cy and increases the Contractor Furnished Compacted Embankment from 14,200 cy to 18,669 cy for a total increase of \$123,671.80. These quantity increases are within the 9 inch overbuild tolerance given to the contractor that has been previously discussed and budgeted for. We are also recommending approval of Pay Request No. 3 in the amount of \$25,081.23 for retainage on this project.

Moved by EJ Gremillion, seconded by Clarence Marts and unanimously carried, the board approved Change Order No. 1 which increases the Owner Furnished Compacted Embankment from 11,600 cy to 16,156 cy and increases the Contractor Furnished Compacted Embankment from 14,200 cy to 18,669 cy for a total increase of \$123,671.80.

Moved by Bobby Eymard, seconded by Mitch Danos and unanimously carried, the board approved Pay Request No. 3 for \$123,671.80.

- **West Side Levee Improvements**

We are proceeding with preliminary designs for raising the west side levees up to +16 in the south and +13 in the north. We will be presenting these at the next meeting which will include estimated costs and additional right-of-ways needed for these improvements.

- **Larose Floodwall Improvements**

The Corps of Engineers has discussed possibly making some improvements to the Larose Floodwall which is currently the lowest feature in the system (elevation +7 to +8). We will be working closely with the Corps and will be proposing a preliminary design for possible construction by the Corps and/or the Levee District.

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

Chairman Mitch Danos announced that there were seven permit requests received for review and that none interfered with the levee.

On a motion of Clarence Marts, seconded by Mitch Danos and unanimously carried, the board approved Letters of No Objection for the following requests:

1. **GREATER LAFOURCHE PORT COMMISSION**

CUP NO: P20090953

LOCATION: POB RipRap at Lat 29° 08' 40.76"N / Long 90° 13' 06.31"W; POE RipRap at Lat 29° 08' 54.33"N / Long 90° 12' 35.42"W; POB Mooring Dolphins @ Lat 29° 08' 40.98"N / Long 90° 13' 05.20"W; POE Mooring Dolphins @ Lat 29° 08' 54.91"N / Long 90° 12' 30.80"W; Section 2 and 3 T23S R22E; Golden Meadow, LA

DESCRIPTION: Proposed installation of 18 mooring dolphins, 3100' x 10' RipRap and a 24' x 20' fish dip, composed of three (3) 8' x 20' concrete mats. Approximately 3,444 cubic yards of rock and 53 cubic yards of concrete will be used as fill. No other dredge or fill required. *Approximately 0.43 acres of wetlands and 0.29 acres of non-vegetated waterbottoms may be impacted as a result of this proposed activity.

2. **LOUISIANA DELTA FARMS**

CUP NO: P20090905

LOCATION: Lafourche Parish, LA; Lat. 29° 38' 49.44"N, Long 90° 17' 11.05"W; POB: Lat 29° 38' 48.52"N, Long 90° 17' 18.25"; POE: Lat 29° 38'

49.01°N, Long 90° 17' 07.93"W; Section 36, T16S-R21E; between Lake Salvador and the Intracoastal Waterway near Larose, LA.

DESCRIPTION: EATF issued under eroded 09-038. Proposed restoration of an eroded 900' strip of land that separates Lake Salvador from the Gulf Intracoastal Waterway (GIWW) and serves as a barrier to control tidal flows between two water bodies. Project requires the dredging of a 900' x 130' x 5' area of the GIWW producing 21, 667 cubic yards of spoil to be placed on approximately 900' x 80' x 8' area of eroded section of land. Spoil placement area will be stabilized using vegetative planting. *Approximately 2.69 acres of non-vegetated water bottoms and 1.65 of upland spoil may be impacted as a result of this proposed activity.

3. LOUISISANA DELTA OIL COMPANY, LLC

CUP NO: P20091040

LOCATION: Lafourche Parish, LA; Approx 5.2 miles southwesterly of Lafitte. The POB is at Lat 29° 40' 16"N, Long 90° 11' 05"W and the POE is at Lat 29° 38' 24"N, Long 90° 11' 01"W.

DESCRIPTION: Proposed installation of a 6-inch SWD pipeline (~13,651ft) from an existing production barge to serve the BP24 well. The pipeline will be jettied a minimum of 5 feet below the existing mudline in the canal crossings and laid on the marsh surface. Approximately 510 cu. yds. of native material will be trenched and then backfilled to bury the pipeline under the water bottom. Approximately 15cu yds. of rock will be used for bankline stabilization at the mand/water interfaces. *Approximately 8.07 acres of marsh and 0.31 acres of unvegetated water bottom may be temporarily impacted by this proposed project.

BOARD ATTORNEY

President Callais stated that a resolution of employment needed to go to the Attorney General's office. Attorney Bryce Autin presented the details of the resolution.

Moved by Lula Auenson, seconded by Mitch Danos and unanimously carried, the board accepted the employment resolution as offered by Attorney Bryce Autin to be sent to the Attorney General's office.

Mr. Autin updated the board by stating he had been in contact with project engineers and SLLD office personnel on various levee district projects.

FINANCE COMMITTEE

INVOICES

Chairman Lula Auenson announced that the Finance Committee had reviewed the invoices. He advised that the invoices were in order and recommended they be paid.

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

BAYOU WATER LEVEL COMMITTEE

East Golden Meadow Retention Project

Chairman EJ Gremillion reported that the Bayou Water Level Committee had met earlier and received a report from Engineer John Plaisance. He stated that they were hopeful that the project would be finalized by the next meeting and that they would have a complete report by then.

PERSONNEL COMMITTEE

LOCK PERSONNEL

In the absence of Chairman Monty Vegas, President Callais reported that the Personnel Committee had met earlier and approved the hiring of lock personnel. He explained that four employees would be needed to operate the lock. The employees will work 12 hours per day, seven days per week on a 7 & 7 schedule. The cost to the levee district including salaries and benefits for four employees would be approximately \$124,000 per year. New employees will receive paid health coverage on themselves only, plus additional benefits. If the new hire wishes to place family members on the employee's health coverage, that employee will be responsible for paying the difference. Mr. Callais explained that one or more of the current employees may be transferred into that position. If so, those employees would retain all benefits that they currently have.

President Callais added that the district would be approaching other entities to take over the lock operations at a later date.

Moved by Bob Faulk, seconded EJ Gremillion and unanimously carried, the board agreed to hire four people to operate the locks.

PROPOSED OFFICE HOURS

President Callais explained that the office staff had shown an interest in working 9 hours Monday-Thursday from 7:30 a.m. to 5:00 p.m., and 4 hours on Friday from 7:30 a.m. to 11:30 a.m. Mr. Callais announced that the Personnel Committee had no problems with the new office hours. He added that most vendors and entities that we are associated with are already closed on Fridays.

Moved by Lula Auenson, seconded EJ Gremillion and unanimously carried, the board authorized new office hours from 7:30 a.m. to 5:00 p.m. Monday through Thursday, and from 7:30 a.m. until 11:30 a.m. on Friday.

Mr. Callais further explained that Call Forwarding would be set up on the phones so all calls could be forwarded to the employee on call. The cost to set up Call Forwarding is a onetime set-up fee of \$28 per line, and then \$5.50 per month for each line thereafter.

Mr. Curole would explain the DFIRM appeal letters that Mr. Bourgeois, of North Lafourche Levee District, had been working. The appeal from the North Lafourche and South Lafourche Levee Districts was made by the Parish and along with a separate appeal for the Parish. Engineer Neil Angelette explained that the DFIRM maps are inaccurate. He stated that a study by the Shaw Group showed that the levee system could be overtopped, but that because of a vast amount of pasture land, there would only be about one foot of flooding. FEMA shows 14 ft of flooding inside our system if the levee is overtopped. A formal appeal was made Sept. 30th. It could take anywhere from three months to one year to resolve. Mr. Curole complimented the board on taking an aggressive stance for the 1% sales tax and elevating the levees. If not for these efforts, our system would have shown up much worse on DFIRM maps.

OLD BUSINESS

There was no new business to discuss.

NEW BUSINESS

Jimmy Badeaux informed the board that Philadelphia Gear was coming down tomorrow to check a gear head had just been repaired and was still under warranty. He explained that they have had some problems with the unit.

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Jimmy Badaux informed the board that there were several upgrade items needed at the floodgate in Golden Meadow such as new windows, restroom, and small repairs. He requested the board approve a budget of \$20,000 for upgrading the floodgate.

Moved by EJ Gremillion, seconded by Bobby Eymard and unanimously carried, the board approved spending up to \$20,000 for improvements at the floodgate in Golden Meadow.

With no further business to discuss, the board unanimously adjourned the meeting.

/s/Ronald Callais, President

/s/Windell A. Curole, Executive Secretary