

April 16, 2012

The regular monthly meeting of the Board of Commissioners of the Bayou Lafourche Fresh Water District was held on Monday, April 16, 2012 at 5:00 p.m. at the Water District office, 1016 St. Mary Street, Thibodaux, LA

Present were: Hugh Caffery, Chairman  
Gene Harrell, Vice-Chairman  
Robert Thibodaux, Secretary/Treasurer  
Ron Animashaun  
Larry Dugas  
Jake Giardina  
Greg Nolan

Absent: Dr. Darby Chiasson

Also present were: Alma Robichaux, BTNEP; Barry Marionneaux, Attorney  
Arthur DeFraités, Jr., Consulting Engineer; Michael Somme, CDM  
Stevie Smith, All South Engineers; Matt Ledet, T. Baker Smith  
David Plater; Stacy Sagona; Nick Porto; Jerry Waguespack; Robert Mire  
Archie Chaisson, Jr., Director; Jana Langley, Administrative Coordinator

Moved by Commissioner Robert Thibodaux, seconded by Commissioner Jake Giardina and unanimously approved to deviate from the agenda to move Item 12(a) BTNEP presentation on Bayou Lafourche Cleanup up first for discussion.

Ms. Alma Robichaux, BTNEP, gave a power point presentation on the Bayou Lafourche Cleanup that was held on March 31<sup>st</sup>. Ms. Robichaux advised that the cleanup was a tremendous success. She stated that there was an amazing turnout with over 1300 volunteers with 15 sites. She showed pictures of the different items that were picked up. She thanked the District for the use of our tugboat for help in collecting the bags of trash from the volunteers' boats.

Chairman Hugh Caffery thanked BTNEP for the great result for Bayou Lafourche. Ms. Robichaux advised that they could not have done it without the great team effort.

Chairman Caffery stated that the next public event is the Paddle Bayou Lafourche, and asked what we could do to help. Ms. Robichaux advised that she thinks they are covered. Paddle Bayou Lafourche covers 52 miles from Donaldsonville to Lockport. It will be held April 19<sup>th</sup> – April 22<sup>nd</sup>.

Moved by Commissioner Robert Thibodaux, seconded by Vice-Chairman Gene Harrell and unanimously approved to sponsor the Paddle Bayou Lafourche event in the amount of \$500.00.

Chairman Caffery advised that he would like to consider the revised Master Plan Summary provided by Mr. Stevie Smith. The Master Plan Summary was put in a chronological format as follows:

1. **\$20,000,000 CIAP funding.**
2. **Operation and Maintenance Plan** – Complete the 2011 Dredge Project O&M Manual
3. **Communicate this Master Plan** to all Bayou Lafourche Users
4. **Identify and Secure Funding** for all Master Plan Projects
5. **Renew Millage**
6. **Update Water Usage Fees**
7. **Support Terrebonne Parish's inclusion into the BLFWD**

8. **Future Communication Plan** – Develop and execute a future Communication Plan to keep Bayou users updated
9. **Control Vegetation**
10. **Develop a Program to Prevent Saltwater Intrusion**
11. **Define the Drainage Area feeding the Bayou**
12. **Prevent Flooding in Donaldsonville**– Develop and execute a plan
13. **Coaster Restoration** – target area(s) for work
14. **Clean Up Enhance the Beauty** of the bayou water and bayou banks, remove threatening trees, sewerage, debris, structures, abandoned vessels, etc.
15. **Increase Flow through Railroad Crossing**– Research and obtain right-a-way agreement
16. **Increase Pump/Flow capacity to 1000CFS** – Recognize studies that have been done.
17. **Remove Thibodaux weir** – Consider reservoir creation methods that can be deployed should the necessity arise.
18. **Provide Additional Access to Bayou**

Mr. Marionneaux, attorney, advised that he will get whatever documentation that Bernie Boudreaux has regarding the railroad crossing, and come back to the Board with a status report.

Moved by Commissioner Jake Giardina, seconded by Commissioner Robert Thibodaux and unanimously approved to get everybody to respond by e-mail or verbal regarding any other changes to the Master Plan. Chairman Caffery asked that if there are no other changes after reviewing the amended changes to the Master Plan, then he would like this to become our Master Plan.

Moved by Commissioner Larry Dugas, seconded by Commissioner Jake Giardina and unanimously approved to go into Executive Session at 5:55 p.m. to discuss litigation entitled Byron Latino vs. Bayou Lafourche Fresh Water District, et al, Parish of Ascension, State of LA, Docket Number 00102574C, and Eric Weil, et al vs. Bayou Lafourche Fresh Water District, et al, Parish of Ascension, State of LA, Docket Number 00102631C.

Moved by Commissioner Larry Dugas, seconded by Commissioner Robert Thibodaux and unanimously approved to return to Regular Session at 6:20 p.m.

Moved by Commissioner Jake Giardina, seconded by Commissioner Larry Dugas to dispense with the reading of the minutes, and approve the minutes of March 19, 2012. Motion carried unanimously.

Moved by Commissioner Ron Animashaun, seconded by Commissioner Greg Nolan to approve the accounts payable for March. Motion carried unanimously.

Moved by Commissioner Robert Thibodaux, seconded by Commissioner Jake Giardina and unanimously approved to adopt a Resolution authorizing the Bayou Lafourche Fresh Water District to declare an emergency under La. R.S. 38:2212 D.(1)(a) relative to Bayou Lafourche bank repair and stabilization work. The Resolution also authorizes the Chairman to take any and all emergency action required in this emergency, and to sign any and all documents in securing assistance in this emergency. **(RESOLUTION ATTACHED)**

Chairman Caffery advised that the State has hired Eustice Engineering through CH2MHill to make sure Eustice Engineering analyzes the soil in the water just in front of the properties and bank. They will give CH2MHill a report and will make a recommendation to the State. The State will look over that and make a recommendation to us as to exactly what needs to be done. We will get the work plan in writing, and from there we will go out and look for a contractor who can do that work.

Vice-Chairman Gene Harrell asked if the District will have to bear the cost of the repair. Mr. Marionneaux advised that once they get a plan as to what they propose to be done to stabilize the areas, we will have a written document from the State guaranteeing funds.

Mr. Chaisson stated that he will check the date of the Emergency Executive Order by the governor which gave us a right to work along the bayou, and we will use that executive order if it is still in place.

Mr. Marionneaux advised that Cliff Bingham told him that the State would like us to utilize the State right-of-way agreement to get in and out if we don't have an executive order in place right now.

Moved by Commissioner Jake Giardina, seconded by Commissioner Greg Nolan and unanimously approved to adopt a Resolution authorizing the Chairman of the Bayou Lafourche Fresh Water District to finalize, and approve the Coastal Impact Assistance Program (CIAP) grant application for Phase II of the Mississippi River Reintroduction into Bayou Lafourche Project. The Chairman also has the authority to approve and sign any and all documents relative to finalizing the CIAP grant application. **(RESOLUTION ATTACHED)**

### **BAYOU OPERATIONS**

**CREWS:**In the last month, the harvesters have been working the area from Leighton to the St. John's Bridge. They should reach the bridge by 12 April. We will pull them, bring them to the shop for minor maintenance (engine servicing), and launch them in Labadieville and pick up at the St. John Bridge. They should be out the water no more than two days. The tug is working the area between Thibodaux and St. Charles. With the heavy rains of the last month, it has been busting more lily jams at the bridges. We have completed the majority of the move into the new shop. We still have minor items to take care of but those will come with time.

**EQUIPMENT STATUS:**Trucks: all operational; Boats: all operational;Harvesters: both operational.

### **PUMP STATION**

**RIVER STAGE:**March -Beginning month: 17.33Ending Month: 13.09;Current Stage: 12.55

**PUMP OPERATION:**No. Days Siphon: 28; No. Days Pumping: 1

**Station Maintenance:** New Flooring installed in office building. General maintenance, yard work.

Commissioner Jake Giardina requested information from any month ten years ago under normal conditions regarding the cfs we were pumping at that time. Mr. Chaisson stated he would e-mail him that information.

Moved by Commissioner Greg Nolan, seconded by Commissioner Jake Giardina to approve the finance report. Motion carried unanimously.

Mr. Chaisson reported that there will be an Open Meetings seminar on Wednesday, April 18<sup>th</sup> at Central Lafourche School from 6:00p.m.-7:00p.m. for boards and commissions members.

Chairman Caffery asked Mr. Chaisson if he had any luck finding a push tug for our barge, and Mr. Chaisson answered that he hasn't found anything yet. Commissioner Giardina asked Mr. Chaisson to check with Jeff Donnes brother who is in the boat brokering business, and Mr. Chaisson answered that he would check with Mr. Donnes.

Commissioner Thibodaux commented that the bayou crew has been breaking up the water hyacinth up, and they have been doing a good job.

Mr. Chaisson advised that they will start spraying water hyacinth and paspalum the first week of May. He stated that he also talked to the parish officials, and they agreed to use all of their equipment and personnel. We will loan them our spray pump.

Mr. Nick Porto asked if it would be possible to put “no wake zone” signs in heavily populated areas of the bayou. A discussion was held regarding how we would enforce that if the signs were put. Mr. Chaisson stated that Lafourche and Terrebonne does it under the parish regulations, and somehow or the other they intertwine with the speeding laws. Chairman Caffery advised that it would be a good idea to put up some signs.

Commissioner Giardina asked if we had discussed at the summit getting actual definition of our authority to do some things. Chairman Caffery stated that it will be added as an item on the Master Plan Summary as **Number 19 – Define Authority -current and what is needed.**

Ms. Stacy Sagonaasked if the property owner who doesn’t want the District to plant the trees if they would still be able to get the trees to plant themselves. Chairman Caffery answer that is not correct. He stated that if the property owner wants the trees the District would plant them, and if they don’t want the District to plant them, they don’t get the trees.

Moved by Commissioner Jake Giardina, seconded by Commissioner Larry Dugas and unanimously approved the meeting adjourned at 6:45 p.m.

---

Hugh F. Caffery, Chairman

---

Robert Thibodaux, Secretary/Treasurer

It was moved by Commissioner Robert Thibodaux and seconded by Commissioner Jake Giardina that the following Resolution be adopted:

**RESOLUTION**

A Resolution authorizing the Bayou Lafourche Fresh Water District to declare an emergency under La. R.S. 38:2212 D. (1)(a) relative to Bayou Lafourche bank repair and stabilization work required on the property of the owners identified below and other similar situated property owners which experience bank stabilization problems in the future.

WHEREAS, the following property owners along Bayou Lafourche have recently experienced bank stabilization problems:

Mr. Phillip Rodrigue 2411 Hwy 308 S., Donaldsonville, LA

Mr. Louis J Hymel 2401 Hwy 308 S. , Donaldsonville, LA

Mr. Dwayne Dupre 2391 Hwy 308 S. , Donaldsonville, LA

Mr. Kent Morris 2383 Hwy 308 S., Donaldsonville, LA

Mr. Don Guillot, Bessonnet lot, Highway 1 S., Donaldsonville, LA

WHEREAS, these Bayou Lafourche properties which need immediate repair, and other similar situated property owners which experience bank stabilization problems in the future, are within the scope of the dredging operations which were performed under the Phase 1 of the Mississippi River Re-introduction into Bayou Lafourche Project.

NOW, THEREFORE, BE IT RESOLVED that the Bayou Lafourche Fresh Water District declares an emergency under R.S. 38:2212 D.(1)(a) and authorizes its Chairman to take any and all emergency action, including but not limited to securing services, goods and materials to repair and stabilize the banks and side slopes of the affected properties identified above and other property owners as identified in the future.

BE IT FURTHER RESOLVED that the Bayou Lafourche Fresh Water District authorizes its Chairman to sign any and all documents relative to the procurement of services, goods and materials relative to this emergency as well as any and all documents required by the State of Louisiana and the Office of Coastal Protection and Restoration in securing assistance in this emergency.

WHEREUPON, the motion was put to a vote and the vote thereon was as follows:

**YEAS:** Ron Animashaun, Larry Dugas, Gene Harrell, Jake Giardina, Greg Nolan  
Robert Thibodaux, Hugh Caffery

**NAYS:** None

**ABSENT AND NOT VOTING:** Dr. Darby Chiasson

**ABSTAINED:** None

And the Resolution was declared adopted on this 16<sup>th</sup> day of April, 2012.

\*\*\*\*\*

I, Robert J. Thibodaux, Sr., Secretary/Treasurer, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Bayou Lafourche Fresh Water District, at a meeting held on the 16<sup>th</sup> day of April, 2012, at which meeting a quorum was present and voted, and that said Resolution is now in full force and effect.

WITNESS MY OFFICIAL SIGNATURE this 16<sup>th</sup> day of April, 2012

/s/ Hugh F. Caffery

Hugh F. Caffery, Chairman

Bayou Lafourche Fresh Water District

/s/ Robert Thibodaux

Robert J. Thibodaux, Sr., Secretary/Treasurer

Bayou Lafourche Fresh Water

It was moved by Commissioner Jake Giardina and seconded by Commissioner Greg Nolan that the following Resolution be adopted:

#### RESOLUTION

A Resolution authorizing the Chairman of the Bayou Lafourche Fresh Water District to finalize, complete and approve the Coastal Impact Assistance Program (hereinafter referred to as "CIAP") grant application for Phase II of the Mississippi River Reintroduction into Bayou Lafourche Project, State Project No: BA-25.

WHEREAS, the Chairman of the Bayou Lafourche Fresh Water District shall obtain input from the Board's consultant, Arthur A. DeFraités, Jr., for negotiation and finalization of the CIAP grant application.

WHEREAS, the Chairman of the Bayou Lafourche Fresh Water District shall have the authority to negotiate all language, approve and sign any and all documents relative to finalizing the CIAP grant applications as well as any and all documents required by the State of Louisiana and the Office of Coastal Protection and Restoration in securing the CIAP application.

NOW, THEREFORE, BE IT RESOLVED that the Bayou Lafourche Fresh Water District grants the Chairman authority to finalize, complete and approve the CIAP grant application for Phase II of the Mississippi River Reintroduction into Bayou Lafourche Project, State Project No: BA-25.

BE IT FURTHER RESOLVED that the Bayou Lafourche Fresh Water District authorizes its Chairman to negotiate all language, approve and sign any and all documents relative to finalizing the CIAP grant application for Phase II of the Mississippi River Reintroduction into Bayou Lafourche Project, State Project No: BA-25 as well as any and all documents required by the State of Louisiana and the Office of Coastal Protection and Restoration in securing the CIAP application, and obtain input from the

Board's consultant, Arthur A. DeFraités, Jr., for negotiation and finalization of the CIAP grant application.

WHEREUPON, the motion was put to a vote and the vote thereon was as follows:

YEAS: Ron Animashaun, Larry Dugas, Gene Harrell, Jake Giardina, Greg Nolan  
Robert Thibodaux, Hugh Caffery  
NAYS: None  
ABSENT AND NOT VOTING: Dr. Darby Chiasson  
ABSTAINED: None

And the Resolution was declared adopted on this 16<sup>th</sup> day of April, 2012.

\*\*\*\*\*

I, Robert J. Thibodaux, Sr., Secretary/Treasurer, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Bayou Lafourche Fresh Water District, at a meeting held on the 16<sup>th</sup> day of April, 2012, at which meeting a quorum was present and voted, and that said Resolution is now in full force and effect.

WITNESS MY OFFICIAL SIGNATURE this 16<sup>th</sup> day of April, 2012

/s/ Hugh F. Caffery

Hugh F Caffery, Chairman  
Bayou Lafourche Fresh Water District

/s/ Robert J. Thibodaux, Sr.

Robert J. Thibodaux, Sr., Sect/ Treasurer  
Bayou Lafourche Fresh Water District

