

November 14, 2011

The regular monthly meeting of the Board of Commissioners of the Bayou Lafourche Fresh Water District was held on Monday, November 14, 2011 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
Dr. Darby Chiasson (Entered meeting at 5:30 p.m.)
Jake Giardina (Entered meeting at 6:15 p.m.)

Larry Dugas
Greg Nolan
Ron Animashaun

Absent: None

Also present were: Earl Paddock, OCPR; Jesse Means, Geologist-DEQ; Dr. Marilyn Kilgen, NSU
Jimmy Cantrelle; Henry & Hattie Templet; Robert Mire; Nick Porto
Jerry Waguespack; Stevie Smith, All South Consulting Engineers
Bruno Deleo; David Plater; Archie Chaisson, Jr., Director
Jana Langley, Administrative Coordinator

Earl Paddock, OCPR, advised that there is Change Order No. 6 for the F. Miller Construction dredge contract. This final change order is catching up on a few last things that the contractor had to do, and it also reconciles amounts. Change Order No. 6 is an addition in contract sum in amount of \$31,700.43. Mr. Paddock reviewed the five items in the change order.

Moved by Commissioner Robert Thibodaux, seconded by Vice-Chairman Gene Harrell to approve Change Order No. 6 for the F. Miller Construction dredge contract for an additional sum of \$31,700.43, and to authorize the Chairman Hugh Caffery to sign the change order. The new contract sum including this change order is \$15,804,295.86. Motion carried unanimously.

Commissioner Robert Thibodaux asked if anyone has gone out and checked Mr. Deleo's property regarding the electrical wires, and Mr. Paddock answered that they did go out to his property.

Commissioner Larry Dugas asked how much is left now that the project is complete, and Mr. Paddock answered that the project scope still has some contingency funds remaining to do a few things. Even though the construction contract is done, we have funds to finish up with including taking care of the trees along the bayou. We wanted to make sure we had contingencies for problems that might come up between now and the next dredging phase, and for engineering.

Commissioner Dugas asked about the tree situation. Mr. Paddock advised that they contacted BTNEP and they are open to handle the trees. Mr. Paddock is making sure that CPRA still has a contract in effect with BTNEP so that they could pay them to do the work on the bayou. BTNEP is putting together a scope of work, which will include acquiring trees, planting trees, contacting residents and coordinating on how, when, and where to plant the trees.

Vice-Chairman Harrell stated two months ago at our meeting we talked about the planting of trees, and he asked Mr. Paddock if they have a record of who needs trees. Mr. Paddock answered that CH2MHill has GPS records of where all the trees were removed, and there is a list of all the properties. They are correlating the property list with the number of trees per property. Vice-Chairman Harrell asked if we could get at the December meeting how much money is left in the project.

Vice-Chairman Harrell asked about the attorney letter representing Mr. Weil and Cafe' Lafourche, and Mr. Chaisson answered that we sent a letter Mr. Riviere, attorney, advising him that the State is our legal representative by contract. Mr. Chaisson advised that Mr. Jerome Zeringue told him that they are setting up a meeting with the State lawyers, Mr. Riviere, and Mr. Weil.

Chairman Caffery read a memo from CPRA as follows: The Coastal Protection and Restoration Authority (CPRA), as designated engineer for the project entitled "Freshwater Introduction into Bayou Lafourche" under the Cooperative Endeavor Agreement with the Bayou Lafourche Fresh Water District (BLFWD), concurs with their subcontractor CH2MHill's certification as stated in the Certificate of Final acceptance dated 10/24/11 for the F. Miller Construction, LLC Contract.

Chairman Caffery asked if there is any liability we would have by accepting the final certificate. Mr. Paddock answered that we are accepting the project so the warranty would start at that point. If there is something obvious that the contractor did that was defective and you could show that it was something under his warranty, we could request that he come back out.

Vice-Chairman Harrell asked Mr. Chaisson about the sewer leak by the Sonic Bridge, and Mr. Chaisson answered that everybody monitored the situation when the pump cycled on and off, and there is nothing there. It may have been just a puddle from rain. Mr. Chaisson stated that he drafted a letter to Mayor Sullivan in Donaldsonville informing the city that we took over their responsibility and replaced the line, and now the sewer line reverts to them and the maintenance is now their responsibility.

Moved by Commissioner Robert Thibodaux, seconded by Commissioner Greg Nolan and unanimously approved to accept the Certificate of Final Acceptance for the F. Miller Construction contract. The final acceptance is to be signed by three parties, F. Miller Construction, CH2MHill, and Bayou Lafourche Fresh Water District. This Certificate of Final Acceptance states that the project has been constructed in accordance with the conformed Plans, Specifications, and related Contract Documents. The Certificate of Final Acceptance is based on a final contract amount of \$15,804,295.86.

Chairman Caffery recognized Mr. Jimmy Cantrelle, candidate for Lafourche Parish President. Mr. Cantrelle stated that he would be working very closely with us, and he thinks we could revive Bayou Lafourche because it has been long overdue. He stated that whatever he could do as the next parish president he will be there for us.

Vice-Chairman Harrell asked about his monthly question on where we stand on the operations manual. Mr. Paddock answered that it is at CH2MHill and it is being developed and he doesn't have a timeframe on when they expect to deliver it. Vice-Chairman Harrell stated that for six months we have been asking about the operations manual processes. He stated by the time we see this thing the bayou

will be filled over again. It doesn't make sense that all we get is an answer that it is being worked on. We are going to be expected to do some operational things, and we don't know what we are going to have to do to maintain this project and what it is going to cost.

Mr. Paddock stated that he would think that you guys would be part of the process to develop the manual. Vice-Chairman Harrell stated how can we be part of the process if we don't even know what they are doing. Chairman Caffery asked if we could get a report on what they have done so far, what work needs to be done, and some timetable on the operations manual.

Chairman Caffery stated that the results of the pump test will be related to the operations manual. CPRA stepped up and they are paying for CH2MHill to be involved in managing the operation of the pump testing. The results of the pump test will feed into the model and will be continually updated.

Vice-Chairman Harrell asked how the model CH2MHill is working on for the pump test will be paid for, and Mr. Paddock answered it will be paid out of the construction funds that we have been working with.

Chairman Caffery advised that the next item is our discussion of the Director's contract extension. He advised that as a preference to that we had our summit and Stevie Smith is here. He has prepared the final summit results for us in writing to present to the Board. A master plan will be developed based on advice of the people we heard from. After that, we will go to the legislature and we will ask the legislature to help fund this mater plan.

Chairman Caffery stated that we will also have a scope of work, a job description, and to do list for our Executive Director, and from that scope of work and job description we will know who we will need as Executive Director. He stated that in the meantime that process is going to take a while, and after talking with Archie he is willing to stay on. Chairman Caffery stated that this will be a six-month extension to his contract as it stands. Commissioner Robert Thibodaux asked Archie if this is okay with him, and Archie answered yes it will give us time to work things out.

Moved by Commissioner Robert Thibodaux, seconded by Commissioner Larry Dugas and unanimously approved to give Archie Chaisson a six-month contract extension, which begins December 12, 2011. The bi-weekly salary will remain the same. Commissioner Jake Giardina was not present for the vote on the contract extension.

Moved by Commissioner Larry Dugas, seconded by Dr. Darby Chiasson to dispense with the reading of the minutes, and approve the minutes of October 24, 2011. Motion carried unanimously.

Moved by Vice-Chairman Gene Harrell, seconded by Commissioner Dr. Darby Chiasson to approve the accounts payable for October. Motion carried unanimously.

BAYOU OPERATIONS

CREWS:The harvesters are working in the vicinity of Green Wood to St. John working their way to Labadieville. The hydrilla is moderate to heavy in that area. North of St. John it is extremely heavy since we pulled the machines from the area to respond to complaints from the City of Thibodaux water plant

of excessive vegetation at their intakes. Second crew is working with the tug clearing hydrilla south of Thibodaux. The crew also ran the Company Canal structure and performed maintenance on the West Theriot canal gates during the month.

EQUIPMENT STATUS: Trucks: all operational; Boats: all operational; Harvesters: both operational.
Misc equip.: operational

PUMP STATION:

River Stage:October beginning month: 5.42;Ending Month: 4.55; Current Stage: 4.93

PUMP OPERATION:No. Days Siphon: 0; No. Days Pumping: 31

Station Maintenance: CH2M HILL's Engineers out to look over pumps and electrical equipment.
General maintenance, yard work, and painting.

Jana Langley advised that she mailed the financial report to the Board, and she doesn't have anything further to add to the finance report.

Mr. Chaisson advised that one employee resigned at the pump station for a better paying job. We will advertise later for a replacement.

Mr. Chaisson reviewed the 2011 Amended Operational Budget. Moved by Vice-Chairman Gene Harrell, seconded by Commissioner Robert Thibodaux and unanimously approved to accept the 2011 Amended Operational Budget.

Mr. Chaisson reviewed the 2011 Bayou Lafourche Dredge Project Budget. Moved by Commissioner Larry Dugas, seconded by Vice-Chairman Gene Harrell and unanimously approved to accept the 2011 Bayou Lafourche Dredge Project Budget.

Mr. Jesse Means, Geologist with DEQ, gave a power point presentation on the Bayou Lafourche Fecal Coliform Project as follows:

- Consistently not meeting swimming standard for fecal coliform of 400 colonies/100ml
- Spikes in data over boating/fishing standard and the drinking water supply standard (both 2000 colonies/100 ml). The water systems are able to treat the water so that it is safe for us when we drink it. There is such a high level of fecal coliform in the water that it is causing the water systems to treat it a little bit more.
- They sought opinions from citizens, local government, state agencies, various organizations, etc. to find out where the fecal coliform was coming from.
- There are malfunctioning individual home sewage systems.
- La. Dept. of Environmental Quality regulates discharges from sewer plants for anything other than a house. They inspected 780 facilities on both sides of the highways from Donaldsonville all the way down. They follow up to assure compliance.
- Contracted out to Nicholls State University for fecal coliform study.
- The study area is from Labadieville to below Lockport
- A new study now doing similar work upstream to Donaldsonville/Miss. River.
- **Future Actions/Possible Solutions**
 - **Further sampling;** Track routine DEQ fecal sampling; Additional in-stream sampling to ascertain if efforts to address fecal coliform are working.
 - Continue DEQ compliance follow up
 - **DHH regulations for individual homes**

- **Community systems:** Would remove sewage from public drainage, improving quality of life in neighborhoods, and to a centralized treatment facility.
- Direct discharge from central sewage treatment facility away from Bayou Lafourche toward wetlands. Would remove sewage from bayou. Would remove nutrients from bayou. Would add nutrients to the wetlands, encouraging plant growth and mitigating wetlands loss.
- **Public Education:** Proper maintenance of individual sewage treatment systems.
- Combination of all solutions, depending on location, layout, income level, local buy-in
- **Funding sources:** Community development block grants; Gulf of Mexico program; 319 nonpoint source pollution prevention grants

Mr. David Plater was wondering if anybody is studying any other kinds of pollutants that are coming into the bayou, such as from chicken pens or dog pens, laundry detergent outlets, etc. Dr. Marilyn Kilgen stated that they are picking up the total amounts that would be coming from all of those sources but is divided into those sources that are specifically human because that is what EPA is saying is most crucial.

Moved by Commissioner Jake Giardina, seconded by Commissioner Larry Dugas and unanimously approved the meeting adjourned at 6:30 p.m.

Hugh F. Caffery, Chairman

Robert Thibodaux, Secretary/Treasurer