

July 18, 2013

The regular monthly meeting of the Board of Commissioners of the Bayou Lafourche Fresh Water District was held on Thursday, July 18, 2013 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
Gregory Nolan, Secretary/Treasurer
Windell Curole

Ron Animashaun
Larry Dugas
Jake Giardina

Absent: Francis Richard

Also present were: Barry Marionneaux, Attorney; Jimmy Ledet & Dustin Rabalais, T. Baker Smith
Ranjit Jadhav, FTN Engineers; Bruno Deleo; Nick Porto; Stacy Sagona
Robert Mire; Dodie Mire; Bobby Acosta; Robert Thibodaux; David Plater
Ben Malbrough, Executive Director; Jana Langley, Administrative Assistant

Moved by Commissioner Ron Animashaun, seconded by Commissioner Jake Giardina to dispense with the reading of the minutes, and approve the minutes of June 17, 2013. Motion carried unanimously.

Moved by Commissioner Larry Dugas, seconded by Commissioner Jake Giardina to approve the accounts payable for June. Motion carried unanimously.

Chairman Hugh Caffery asked if there are any questions regarding the finance report. Vice-Chairman Gene Harrell asked if we received anything from the State regarding reimbursement of legal fees. Mr. Ben Malbrough advised that he met with Matt Nowlin at the beginning of last week and he said that we should be receiving a reimbursement from CPRA any day now.

Moved by Commissioner Windell Curole, seconded by Commissioner Larry Dugas to approve the finance report. Motion carried unanimously.

Mr. Malbrough advised that the pump station rehab project is on schedule. The contractor is set to mobilize to the site to start pouring the slab and setting the generator at the beginning of September.

Mr. Malbrough stated the he received several calls regarding the water hyacinths in the bayou, particularly on the southern end of the weir. He advised that he met with a guy from Chem-Spray. He got a price for them to spray from St. Charles to Company Canal, and the day rate is \$2,500.00. Commissioner Windell Curole asked if it is a flow issue or just a navigation issue. Mr. Malbrough stated that he thinks it is a combination of both.

Moved by Commissioner Windell Curole, seconded by Commissioner Greg Nolan to authorize Ben Malbrough to move forward with checking the responsibility of the District regarding the flow issue and navigation issue in regards to spraying water hyacinths. Ben will check on how much of a responsibility it is of the District to spray the water hyacinths if it is not affecting the water supply to the water plants.

Mr. Malbrough advised that he will see about getting a couple of the bayou crew employees certified to spray because we do have the equipment to spray.

Mr. Malbrough stated that T. Baker Smith employees took a ride with him yesterday in the bayou from Donaldsonville to the weir. The newly dredged section in Donaldsonville looks really good. It bottlenecks down just south of Hwy. 998 until just south of Napoleonville, where it opens back up. From this point to the weir in Thibodaux, the bayou remains fairly open. Mr. Malbrough advised that he will have the video that was taken of the bayou to present at the next meeting

Mr. Jimmy Ledet advised that he has Dustin Rabalais with T. Baker Smith, and Ranjit Jadhav with FTN here today. Mr. Ledet gave a power point presentation on the update of the Phase 2 Mississippi River Reintroduction into Bayou Lafourche project as follows:

- ◆ Showed graphs of the upper dredge project area. The original scope as defined to the District from the State is from the 998 Bridge down to the Hwy. 70 Bridge, which is the four miles that is in the original contract with the State. There is about 400,000 cubic yards of material. He showed a graph of the last mile of the first job that was not completely dredged.
- ◆ Showed graphs of the lower dredge project area. The second project area is the nine mile stretch starting at the 2147 Bridge in Labadieville all the way down to the weir in Thibodaux. There are just a few utilities. There is about 700,000 cubic yards.
- ◆ Showed locations of twelve pipeline crossings that were issued in the Phase 2 design.
- ◆ Performed a recent "Pump Test", in which they read gauges for three days and were able to come up with their own calibration. They took the observed elevations from reading the gauges and craft their numerical model to match reality.
- ◆ Showed graphs of the existing conditions today versus what would happen if they send 500 cfs down the bayou. He showed the scenario of 500cfs with taking the weir out and the water level in Donaldsonville would be around 10ft. If the weir would be left in the water level in Donaldsonville would be even higher.
- ◆ Showed locations of twelve pipeline crossings in the upper reach, some of them very large. In contacting the pipeline people, they were able to eliminate six of them.
- ◆ They still have some work to complete the pipeline research. They have to look at the pipeline agreements.

Commissioner Jake Giardina stated that he understands that the reason T. Baker Smith looked at dredging in the lower region is because this is part of your project that was told to you by the State, and Mr. Ledet agreed. Commissioner Giardina advised you are summing it up by saying you don't dredge down there and you dredge up north, and Mr. Ledet stated yes that is correct.

Commissioner Giardina asked for a timeframe of when the pipeline research will be completed, and Mr. Ledet answered next week. Mr. Malbrough recommended shooting for two weeks.

Mr. Malbrough advised that last month Mr. Bruno Deleo brought up possible partying going on at the boat launch in Donaldsonville.

Mr. Barry Marionneaux stated that he wrote an opinion letter to Ben and Hugh relative to what can be done and it is real easy. This boat launch does not qualify as a public park so our options are to consider some guidelines and rules that the District may want to pass relative to that particular boat launch. We could put up signs with those rules and regulations once the District passes those rules.

Chairman Caffery stated that if we are going to entertain protection from recreation hazards that is a liability of recreation on our property, perhaps we want to have a partnership with those entities whose recreation is a responsibility.

Commissioner Larry Dugas advised that the day we are talking about regarding the gathering he thinks it was a family reunion, and they were blocking the boat launch so nobody else could use it.

Vice-Chairman Gene Harrell stated that there really isn't much space there. We will also have to use that area for dredging that sand pit.

Commissioner Curole advised that we could have an agreement that keeps the District's rights to do what we need to do, and at the same time the recreation district has the right to control it for recreation purposes.

Ms. Stacy Sagona stated that she would not like to see the boat launch used for recreational purposes. Commissioner Curole advised that the people of Donaldsonville and the elected officials make that decision. Chairman Caffery advised that he would like to put up the signs to limit the use of the boat launch, and Mr. Marionneaux advised that the District has to first have some rules and guidelines.

Moved by Commissioner Jake Giardina, seconded by Vice-Chairman Gene Harrell and unanimously approved to authorize Ben to work with Barry Marionneaux to draft a set of rules that he could distribute to the Board to review.

Mr. Malbrough informed the Board of a building along the bayou on Hwy. 308 between Tiger Drive and Jackson Street Bridge that is a potential hazard.

Mr. Marionneaux advised that Ordinance No. 5 lays out what the District should do. Obviously this building is encroaching upon the bayou. He is requesting that Ben send a certified letter to the owner giving him thirty days to remove this building at their own expense. After that, legal action can be taken whereas if the District removes it, the owner can be made to pay for the cost of removal.

Moved by Commissioner Windell Curole, seconded by Commissioner Jake Giardina and unanimously approved to authorize Ben Malbrough to send a certified letter to the owner of the building that is encroaching upon the bayou on Hwy. 308, and giving the owner thirty days to remove the building that their own expense. The District will send a letter to CPRA notifying them of what the District is planning regarding the building, and when we get a positive response from CPRA, we will send the certified letter to the owner.

Mr. Malbrough advised that at the last meeting the Board authorized him to solicit some engineers to look at putting together some plans and specs for the dredging of the sediment trap. He stated that since then the guy that heads up CPRA's operations and maintenance department will see if CPRA could help with putting the plans and specs together which will save us substantial money.

Mr. Malbrough informed the Board that CPRA will let the District borrow their GPS units which will be great because we could give landowners a ball park of where the mean high water and mean low water marks are before they do improvements on their property.

Mr. Malbrough showed the Board a draft template of the new website design. He advised that it will be more user-friendly. We will include a link on permitting and put a question and answers section for frequently asked questions regarding permitting, and rights of the landowners and the state regarding state lines. We can update the website easily.

Moved by Vice-Chairman Gene Harrell, seconded by Commissioner Larry Dugas and unanimously approved to authorize Ben Malbrough to proceed with the new website design in the amount of \$2,500.00.

Chairman Caffery advised that he has been in touch with some of the folks in Terrebonne but he has not heard of any appointments for the four positions on the Board. Mr. Malbrough stated that he got word yesterday that they are extremely close.

Moved by Commissioner Jake Giardina, seconded by Commissioner Windell Curole and unanimously approved to amend the agenda by two-thirds vote to include a discussion for a local services agreement with all the entities in Ascension Parish relative to abandoned property.

Mr. Marionneaux advised that they received a request from Ascension Parish to enter into a local services agreement with all of the entities in Ascension Parish relative to abandoned property. He stated that he would beef up the indemnification section that Ascension Parish has given the District.

Moved by Vice-Chairman Gene Harrell, seconded by Commissioner Greg Nolan and unanimously approved to enter into a local services agreement with all of the entities in Ascension Parish relative to abandoned property. The motion is conditioned on Ascension Parish agreeing to add the additional indemnification language that Barry Marrisonneaux had recommended.

Mr. Malbrough advised that since the maintenance dredging and sand trap is out of the coastal zone we don't have to get any permits since the original permit was extended through 2014 to do that area. Chairman Caffery stated that we need to start working on an extension to that permit. Mr. Malbrough advised that the paperwork clearly states that this is the last extension. We may have to go with a brand new permit since it will just be the operation and maintenance of that one section.

Mr. Malbrough stated that he is meeting with George Rodeillat Monday in hopes that he will take the dirt away that was removed from the cleanout of the culverts.

Moved by Commissioner Jake Giardina, seconded by Commissioner Windell Curole and unanimously approved to go into executive session at 6:40 p.m.

Moved by Commissioner Jake Giardina, seconded by Commissioner Windell Curole and unanimously approved to return to regular session at 7:10 p.m.

Moved by Commissioner Ron Animashaun, seconded by Commissioner Greg Nolan and unanimously approved the meeting adjourned at 7:10 p.m.

Hugh Caffery, Chairman

Greg Nolan, Secretary/Treasurer

