**MINUTES OF JUNE 16, 2015**

**Board of Commissioners of**

**Bayou D’Arbonne Lake Watershed District Regular Meeting**

Union Parish Courthouse Annex

303 East Water Street

Farmerville, LA 71241

1. Roll Call – President Steve Cagle called the meeting to order. Commission members present were Steve Cagle, David Hopkins, Bruce Hampton, Cary Brown, and Trotter Hunt. Also present were Bill Carter (arrived late), Ron Riley, Lum Farr, and Tracy Ambrose.
2. Invocation/Pledge of Allegiance – Bruce Hampton led the invocation, and Trotter Hunt led the Pledge of Allegiance.
3. Public Comment Registration – No comments.
4. Agenda Approval – Motion was made by David Hopkins and seconded by Trotter Hunt to approve the May agenda. The motion passed unanimously.
5. Approval of Minutes – Motion was made by David Hopkins and seconded by Bruce Hampton to approve the minutes of the May 19, 2015, meeting. The motion passed unanimously.
6. Treasurer's Report – The May 2015 treasurer’s report was presented. Motion was made to approve the report by Bruce Hampton and seconded by Trotter Hunt. The motion passed unanimously.
7. Old and New Business:
8. Road and Ramp Use Agreement with Union Parish Chamber of Commerce (July 4th Fireworks) – Bill Carter stated that for the last few years the Lake Commission has been requested to use the ramp road off Highway 15 for a July 4 fireworks show, as well as boat races in August. Both events are now sponsored by the Chamber of Commerce. He passed out two Road and Ramp Use Agreements, one for the fireworks show and one for the boat races. The agreement has been used in the past and worked well. Ramp Road is closed during the fireworks show for safety, and the Chamber provides liability insurance to protect the Commission. This year's dates and times are 10:00 p.m. on July 2, 2015, through 11:00 p.m. on July 3, 2015.

Lum Farr, the Chamber President, said they will come in on July 2, and the fireworks will be displayed on the evening of July 3. Steve Cagle said this will give him time to get the night fisherman off the road. Bruce Hampton made a motion that the District enter into the Road and Ramp Use Agreement with Union Parish Chamber of Commerce for the fireworks display on July 2 and 3, 2015, as prepared by Bill Carter, and authorize the President to execute all necessary documents. The motion was seconded by Cary Brown, and the motion passed unanimously.

1. Road and Ramp Use Agreement with Union Parish Chamber of Commerce (Boat Races) – Bill Carter said the second event is the boat races, which is the third year these have been held, primarily in the area in front of Old Folly Beach. Ramp Road is used as a staging area. This year's dates and times are 7:00 p.m. on August 7, 2015, through 8:00 p.m. on August 9, 2015. Mr. Farr said they will use the same format and the race will be sponsored by Deep South Racing Association. Mr. Farr said there are people from 11 states that attended last year. Mr. Carter said the Chamber will also provide insurance covering the Commission. Cary Brown made motion that we approve the Road and Ramp Use Agreement, as presented by Bill Carter, for boat races on August 7-9, 2015, and further authorize the President to execute any and all documents necessary to fulfill the Agreement. The motion was seconded by Bruce Hampton. The motion passed unanimously.
2. Boat Ramp Rules – Steve Cagle stated he was contacted by the Sheriff's office and told that people are swimming at boat ramps and they are leaving trash, and that is a dangerous liability. The Sheriff said if the Commission will work on the signage, he will make sure it is corrected. Mr. Cagle brought a sign to the meeting that was designed eight years ago that they use at the lake, but the wind has blown them down. The Commission prepared the sign the last time for liability purposes. He outlined the rules on the sign. Mr. Cagle suggested that we discuss whether the ramp should close when the water level reaches 84 feet. Some people want it closed at 83 feet because the wakes push the water into people’s yards. Mr. Cagle believes the signs are good. On the back of the sign, there is a large orange circle that says no wake within 300 feet, and these signs are located at the ramps, which covers state law. Mr. Cagle wants to get prices on new signs and get them installed. Trotter Hunt asked if the Sheriff will run the individuals off or whether he will write tickets if people break the rules. Mr. Cagle said the Sheriff will run off swimmers but write tickets to drinkers. Some people build a fire in the middle of a pier, and it gets pretty bad. Mr. Hunt asked whether the sign should point out that a person will be fined or otherwise. Mr. Cagle suggested we leave it to the Sheriff as to how to deal with the people. Ron Riley asked whether we have to warn them by law that they can be fined. Bruce Hampton said if there is a law/statute/regulation/ordinance that you do not have to put a sign warning that they will be fined. Mr. Cagle said everything on the sign is in the Commission regulations. He is trying to get the Police Jury to adopt the same regulations because then it becomes a parish ordinance more than a Lake Commission ordinance and gives the Sheriff has more clout. Mr. Hunt suggested that people may pay more attention if we add that violators will be fined on the sign. Mr. Cagle said it could be placed in the corner, and there is another spot where we can add the ramp name (a decal) on each sign. Ron Riley pointed out that we have not yet had a high water situation where we had to open the tainter gates but if the lake is up and the bayou is down, and we were to open the gate, there would be a heck of a current. He thinks the ramp should be closed at 83 feet because of the current. Mr. Cagle said they always had it at 84 feet to keep from using the gates of the old ramps because they didn’t know if they would open or shut. He said now that we have tainter gates, so we can drop it down to 83 feet and stop the boat traffic. He said if fishermen are on the water, they will run the boats not thinking about the damage they will do. The landowners are as critical as everyone else. Bruce Hampton asked if that is an ordinance. Mr. Cagle said yes, and we will need to adopt a change and change the sign. Mr. Riley stated that it is dangerous at 84 feet because of lots of stumps just under the water. Mr. Cagle said at 82.25 feet, we start getting water in yards. At 83 and 84 feet, boats come through there, even residents, who want to ride around and look at the water level. Mr. Cagle wants to get some prices on the signs. Mr. Hopkins noticed one by the spillway made of the same material, and it blew off the poles. Mr. Cagle wants to change the mounting structure and make it out of angle iron and 2” square tubing so it won't come off. Ron Riley suggested making the signs out of metal. Mr. Hopkins believes the metal signs will probably be lighter. Mr. Cagle will check on those prices. He said they make something called Accubond, which is on gas station canopies, is a sandwiched aluminum. Next month, he will have some numbers, and Bill Carter will have a chance to look at this sign. If everyone is agreeable on the 83 foot, they will drop it down. Some fisherman might be mad, but that decision will make a lot of people happy. Mr. Riley said it may save some lives, as well. Bill Carter arrived and handed out the ordinance they passed in 2003 when they had problems, and that was the purpose of that. Mr. Carter looked at the sign and said the Commission added other provisions that are not included in that. Noel James spearheaded the signs. Mr. Cagle said Bill Roark was President at the time. Bill Carter said a lot of markers were damaged, and Mr. Cagle agreed that they blew down. Mr. Cagle will get prices in this same material and in metal and he will have prices to install them by next month's meeting. The only thing they really need to change is 83 feet now that we have the tainter gate. Bill Carter said there are other ordinances when there were problems with boat idling. He suggested that we put a rule on a sign and that it should be an ordinance adopted by the Lake Commission. He suggested we make them ordinances. Some are general common sense. Mr. Cagle asked if we should put the ordinance number on the sign and No Swimming (since we already have an ordinance on those two issues). Mr. Cagle suggested putting the name of the ramp and the 911 address in the corner of each sign. Bruce Hampton believes they should be split on different signs, with provisions for ordinances at the bottom and general safety rules at the top. Then, as Trotter Hunt suggested, those in violation of the ordinances may incur a fine or jail time up to 30 days. We could put the penalty provision on the signs, as well. Mr. Cagle said if the ordinances are placed on the signs, the Sheriff said he will handle the rest. We have no ordinance about the ski and jet ski areas. Mr. Cagle said we do have ski areas that are marked both on our maps and on poles on the lake. Mr. Carter said if we tell them there is a designated jet ski area or swimming area, we need to mark the areas in the lake. Mr. Cagle said they are marked. Ron Riley asked whether jet skis can go down the channel. Mr. Cagle said they have to get from the ramp to those designated areas. Bruce Hampton said he sees nothing in this particular ordinance about that. Mr. Carter said this one does not. It is dealing with the ramps themselves. But he said they did designate about island. Mr. Cagle said it is now a state law to idle anywhere within 300 feet of a ramp. Bill Carter said they should ski and jet ski in the same areas. Ron Riley said the sign is saying a jet ski cannot go anywhere except in a ski area. Bill Carter asked if that is a problem, and Mr. Riley said it would be for teens. Mr. Cagle said that was placed on there to try to get them to stick to the ski area so they would not run up and down the channel getting in the way. Bruce Hampton said we should not put anything on sign that is not ordinance. Trotter Hunt agreed that the sign needs to be split showing safety guidelines at the top and the bottom of the sign with ordinances. David Hopkins said we need to look at, one, noise and improper conduct because there is nothing on the sign about that and, two, firearms. A lot of those places are close to houses. Mr. Cagle suggested everyone come up with something to design the signs. On the other side of the sign, there is an orange sign that reads "Idle only within 300 feet of boat ramp." That is placed toward water so there is a Slow - Wake Zone, which is state law. Bill Carter agreed that we could do that. There is no reason to change that part of the sign.
3. Channel Markers – Update – Steve Cagle said the decals are in, and the Sheriff is working on markers for us. Mr. Cagle ordered white decal and the trim coil, and the Sheriff is having them made and we can start putting them up. Then all we will need is the pole work. Ron Riley said we tried last year twice to do a town channel marker project but they were unable to do it. There are some rules we have to follow. If it is more than $25,000 project, you have to be bonded. If it is more than $50,000, it has to be with a licensed contractor with the State of Louisiana. For a number of years, we have done channel marker projects and the poles were approximately $1000 per pole. The people who helped previously are out of business, and the price now is several thousand dollars. You cannot split a project into smaller segments to evade these requirements. We need a budget. Last year, there were 35 locations where we needed poles, most were around the mixing hole area. Some were in the big lake, some were Caney or Corney, and he always wanted to mark a channel from Tech Lane across to the ski area. He is budget-wise, we are looking at $2000 a pole. Another thing to consider is that he does not have a man available to provide day to day marking and placement of poles. In past years used Calvin Hollis, a Spearsville boy who knows the lake well. He will work with the Commission directly for $35 an hour and will furnish the boat and gas, and that is a good deal. So if you move forward and choose to have someone verify pole locations, he would be an excellent choice. David Hopkins stated that there are at least 35 poles. Mr. Cagle asked if we had a $70,000 budget, would that be sufficient. Mr. Riley said we would have a chance, but it would still be tight. Mr. Cagle asked how far up they went with the poles. He was under the impression we never had any past the mixing hole in the past. Mr. Riley said there were two poles past the mixing hole, one on left-hand curve and one on the right-hand curve. He said you need one on the left-hand side of the left hand curve because people are cutting across the curve and are hitting a stump that is dangerous. Also, he said there are a few places when you are coming down the Joe Rainer Atkins camp is and to right, someone took out that pole. There are other poles around there that need to go. Mr. Cagle said at the Majestic fishing tournament, several fishermen tried to run at night and it was tough and dangerous. Mr. Cagle asked if they had to do them all at once or if they could do 20 one year and 20 the next, which would help our budget. Bill Carter said this is a safety issue. We have done this every few years. It is part of your responsibility and the problem is the price has gone up. Yes, there are issues about breaking it up. It would be helpful to have a map to see where the markers will go. He suggested giving it some thought. It is a lot of money, but it is a very specialized task. It would be difficult to do it piecemeal. Mr. Cagle said we need to change the budget amount and turn Ron loose on it. Bruce Hampton agreed with Bill. He doesn't think we can split it up. David Hopkins said we have to add more money to the budget. Mr. Cagle said it is a safety issue. Ron Riley said need someone to mark the poles, as well. David Hopkins said we need to figure out how many hours we need to pay Calvin Hollis. Mr. Riley said we can pay him separately. He will not be part of the bid. Bruce Hampton said he is serving as an inspector rather than a contract employee. In the past, we have put buoys and Ron Riley said people move them. Mr. Cagle said they put five a day in the past and still had problems with them being moved. Mr. Riley said the year they put out so many (300-400 poles), it was in the middle of yoyo controversy and they put channel markers out a half mile in territory no one knew about, and the game warden picked them up. Mr. Cagle said money is not an issue. There is money in the bank. David Hopkins suggested we raise the budget to $75,000. The budget was at $40,000. Bill suggested that we ask Ron to bid the project out again. The budget does not have to be amended now. Mr. Carter suggested that the budget be amended at the next meeting. Bruce Hampton agreed that we put it on the next meeting's agenda. Mr. Riley will work it up and start obtaining bids.
4. Mega Ramp – Update – Ron Riley looked at the house bill, it is 208 pages, and he doesn't know if the Lake Commission is in that bill or not. He hasn't had a version where you can type in "D'Arbonne" to find out. He received a copy of the agreement where DOTD is abandoning that portion of their right-of-way that is under water and is giving it to the Lake Commission. Since we already own the land, when we fill it up, we will be above the water. This should be recorded if it hasn't been recorded yet. The Corps of Engineers is being insistent about the litigation deal, but they have changed their Corps permit process. They now want us to tell them where we are going to mitigate when we do mitigate. The only two interested mitigation banks that we have been able to find are Long Lonesome Bank and the Black Bayou Bank. They are both between Sicily Island and Clayton. When the banks were asked for a price, one was higher than the other. When they went to high bidder, the bank matched the other bank, so the price is the same - $2400 per credit. We have 4.3 credits which total $10,320. If we were going to do it, that would be the cost. The Corps wants the Lake Commission to tell them where we are going to mitigate because they are going to put it in our draft permit. They will not issue the permit until we decide. Mr. Riley asked if anyone has a preference. Mr. Hopkins said all is the same; it doesn’t matter. Mr. Riley likes the name Long Lonesome, and Mr. Cagle said they are from Mangham, so that is who they would like to use. Mr. Riley stated that he would notify Mr. Pittman tomorrow and let them know that is who we will use. Mr. Riley then asked Mr. Hampton what is going on at the other side of the ramp where there is purportedly a hotel or restaurant being built. Mr. Cagle said they are almost done. They have all their Corps permits and everything they need. The problem is they are looking for a Dairy Queen and they are in contact with Dairy Queen to have the restaurant in their convenience store. They have their own design images so the architect cannot do anything until they make a deal. Everything else is done. They moved road down to where the entrance is straight across from Highway 15. Mr. Riley said he heard a rumor that they have permission to build two things: a bank and a convenience store. Mr. Cagle said the DOTD did the same thing on right-of-way for them. Mr. Riley agreed but said they have a hard and fast rule they require a turn lane if there is a certain amount of traffic there. Mr. Riley wanted to know if that turn lane will overlap on our Mega Ramp. Mr. Cagle said it would not. Turn lane is on the wide part of the road that has the shoulder on it. The DOTD said they can use that. The only place they are going to have to build the turn lane on is the Ludwig side. Mr. Riley said if there is an eight-foot shoulder there now, once the turn lane is built, there will still be an eight-foot shoulder so they will have to widen that. He said they would be paying for that, and Mr. Cagle agreed.
5. Spillway Repairs – (a) Update – Ron Riley said a few minutes ago, the President and Secretary signed and witnessed the contract. Mr. Riley said he will date it today, and they need another witness and will have Bill Carter record it. We have a contract now and met the deadline of having the money obligated by the end of June. But the problem is no one has seen spillway since December because it is under water. We cannot work on it. We can’t get into the gallery at all because it is flooded. Since we can’t do any repairs, even though we have a contract, the DOTD is holding off on the notice to proceed until we can proceed. At this point, we don’t know when that will be.

(b) Request Tainter Gate Opening to Draw Lake Level to Pool Stage for Spillway Repairs. The project calls for us to inspect the old gates in the dry. This means we have a stop log box. We put our stop logs in there and we seal it so we can climb down in between the water and the gate to look at it. The top of the stop log box is MSL 80. That's pool stage. So to inspect those gates, we must be at pool stage. He spoke with Marshall Hill, and the DOTD does not believe they have the authority to open the tainter gates except for a flood situation. Bill Carter will need a formal resolution to pass to request Wildlife & Fisheries to allow us to open the tainter gates for the purpose of just drawing the gate down so we can work on the spillway. DOTD will need a resolution saying that because their agreement is for flood control only. We will let Bill Carter tighten that up when he gets here. Marshall won’t let us draw it down unless there is a flood situation. That's not a problem. Mr. Cagle mentioned that Mike Woods retired from Wildlife & Fisheries on June 1, and they haven't replaced him yet.

1. State Park Lake Level Gauge – Ron Riley said we have a working level gauge but it is not accurate because it is not calibrated so he hesitates to send the site to everyone. This is another reason to get this lake down to pool stage. The deal is we cannot figure out what USGS has calibrated. If you read it, it is not MSL. We have MSL. The Farmerville side is two inches higher than the Downsville side. Once it goes to pool, all we have to do is reset it by phone. He is a little disappointed because it takes two to three minutes to get a reading. He will see if he can get any kind of history as well as value now, but what is on there is a number. You can look at that number to see if the lake is rising or falling. Mr. Cagle said it will give us some idea of whether the water is coming in that arm or somewhere else. He said we are using a gauge that is at Arkansas line almost. What if the water is coming from Ruston? The DOTD has numbers, and that's what they go by. They can’t use common sense. Mr. Cagle reminded everyone that this gauge was $3000 or $3200. We have Stow Creek and D'Arbonne covered. The State of Louisiana is paying at the dam right now almost $300 per month for USGS to read that gauge. Mr. Riley said our charge is $29. Mr. Cagle said if the Lake Commission buys the gauges and DOTD would pay maintenance, then we could come in and Riley said the $3200 includes two years of cell phone cost and free maintenance. Ron said USGS is reading the other one. Mr. Cagle said our flood control has to be major. Everyone is happy with the way the gates have operated this year. Mr. Riley said one part of the contract puts a downstream gauge down below the tainter gate so people who open the gate are in Ruston and they have to come here to see what the downstream gauge reads before they know to open it so many feet. Mr. Riley said they want to place the gauge away from the tainter gate structure because if water is coming over that structure, you wet a rise. It is hard to see what that pool stage is because you have that hydraulic jump. They will put it 300 feet down. Also they are putting it on the other side (on the old spillway side) because it is less turbulent there, so that will help.
2. Designate Official Names for Boat Launches – Steve Cagle referred to thelist of 12 ramps, most of which are located in Union Parish. Mr. Cagle also stated that most of the ramps have accepted names. D'Arbonne Village needs a different designation because the store is not there. Also, he prefers Highway 2 East and Highway 2 West for these ramps. Ron Riley said Downsville Spillway side or Farmerville Spillway side is another option. We have Terral Island, Jakes, Stowe Creek, Gills Ferry and Hogpen. If we get a Mega Ramp, we can change Ramp Road to Mega Ramp or whatever when we get to that point. Mr. Cagle will send an email to Bill Carter with all the names on it, and we can go from there.
3. Public Comment: Ron Riley said we lost 300 foot of buoys at the spillway. It is coincidental that it broke three times on the same day. We do not know if it is vandalism or what, but DOTD got on it within 24 hours and fixed it. If you can, he asked that everyone thank them. They had to go downstream to catch the buoys that went over the spillway. Mr. Cagle said this weekend was the Majestic Big Bass Tournament, and there were 90 places paid out over 16 hours. There were 39 fish over five pounds caught. There were nine over six pounds and one over seven pounds that were caught. There were two three-pounders won money. That’s how close it was, so our size limit of fish in lake is good.
4. Adjourn: Motion to adjourn was made by Cary Brown and seconded by Bruce Hampton. The motion passed unanimously.