**MINUTES OF OCTOBER 20, 2015**

**Regular Meeting of Board of Commissioners of**

**Bayou D’Arbonne Lake Watershed District**

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, Edward Lee, Bruce Hampton, and Trotter Hunt. Also present were Bill Carter, Ron Riley, Tracy Ambrose, Robert Lemoine, Rob Shadoin and Carol Shadoin.
2. Invocation/Pledge of Allegiance – Edward Lee led the invocation, and Bruce Hampton led the Pledge of Allegiance.
3. Public Comment Registration – No registration.
4. Agenda Approval – Motion was made by Bruce Hampton and seconded by David Hopkins to approve the October agenda. The motion passed unanimously.
5. Approval of Minutes – Motion was made by Edward Lee and seconded by David Hopkins to approve the minutes of the September 15, 2015, meeting. The motion passed unanimously.
6. Treasurer's Report – The September 2015 treasurer’s report was presented. Motion was made to approve the report by David Hopkins and seconded by Trotter Hunt. The motion passed unanimously.
7. Old and New Business:
8. Boat Ramp Rules/New Signs – Steve Cagle has received nothing back from the welding companies or sign companies. He will handle that this month. Mr. Cagle said companies in Bernice, Shreveport and Arkansas want to bid on the welding. Bill Carter requested that Mr. Cagle keep Trotter Hunt informed since he was on the committee that designed the sign and is an engineer.
9. Channel Markers/Update – Ron Riley said our part of the project is complete. There are 35 new poles, and Steve Cagle is working to get green and red signs on them. Substantial completion of the project has been granted and recorded. We are in the 45-day lien period so unless someone files a lien, we will pay the contractor his retainage after 45 days if we get a certificate of no liens from the Clerk. Mr. Cagle said we have 290 green and red markers to put on poles. Mr. Cagle also said as soon as the lake comes up, we can either hire it done or have everyone take some and nail them up. Ron Riley asked if there were any orange ones, and Mr. Cagle said there are not. He asked whether we need a roll of orange decal material, and Mr. Riley said we do need some for the ski area. He said we are missing several orange poles that have been stripped. He also stated that there is some confusion on Monroe side of the Highway 33 bridge in the ski area. Mr. Cagle said we have white decal material and all we need to do is get one roll of orange decal material, and he will have one ordered. Bill Carter said there is some question about whether there is an official designated ski area. Bruce Hampton agreed and said we need to designate that area. Mr. Carter said if we need Ron Riley involved in that to determine what type of criteria we will have, for example, do we certify that there are no stumps? He said if we designate a ski area, we could face liability if a skier hits a stump. Mr. Cagle said the ski area was formed before this Commission was created and that the ski area has already been designated. Ron Riley said he placed the ski area on the map of the lake prepared several years ago. Mr. Riley said the poles were marked around the ski areas 15 years ago. Mr. Hampton said he did not know Mr. Riley was involved in the designation of the ski area. Mr. Riley and Mr. Cagle both stated that they are not aware of any problems in the ski area. Mr. Cagle said the map was put together about 12 years ago, and there is a three-foot round Cypress tree in the middle of the ski area on the west side of Highway 33, and when the lake drops five feet, then there is a large log pile in the middle of the ski area which has been the case since the lake was created. Mr. Cagle said the ski area is designated now by orange and white markers which say ski area. Mr. Cagle said there were two or three spots where it was marked with orange and white poles but he doesn't know if they are there any more. Mr. Carter asked him to get with Mr. Riley later and show him where the data points are. Mr. Riley stated that the poles are still there, but Mr. Cagle said we just have to replace the orange markers on them. Mr. Hopkins said the spillway end also needs to be marked as a ski area, and Mr. Cagle said we need to do that, as well.
10. Mega Ramp – Update/Mitigation – Ron Riley said we do not have to re-submit by October 31 because the State gave us a non-cash line of credit in Priority 5 for construction but nothing for planning to get us to Priority 5. He went to Baton Rouge and spoke to State personnel about it because he has never seen them do that. They said it is common, in that what they are doing is like an IOU and we will probably get it next year, but that is not a fact until it happens. We do not have to re-submit the E-Corp application to the state because once it is in the Bill, it has been approved by the Bond Commission. We also applied for a grant from the Department of Parks and Recreation. We were told Wallop-Breaux hasn't had any money in two years. With the Board's permission, Mr. Riley said he would up the request to State Parks and try to get as much money as possible. We are eligible to apply for $250,000 from State Parks, and that can be matched to a statement with Capital Outlay funds. Mr. Cagle asked if we need to do a reappraisal of the property to be used as a match, and Mr. Riley believes we should. He said we did an appraisal on the Ramp Road because that was the only thing above water. Since that time, DOTD has signed a quitclaim to the right-of-way that was in the water, and the Commission already owned 80 acres in there, so now we own everything. He would like to get the appraiser to come in and appraise the property to the value it will be once it is filled up. Bruce Hampton made a motion to authorize Ron Riley to make the application to State Parks for $250,000 and to get a reappraisal on the Mega Ramp to continue with the project. The motion was seconded by David Hopkins. The motion passed unanimously.

Mr. Carter stated that Rep. Rob Shadoin has spoken about how our funding was in the Capital Outlay. Mr. Riley said we did not get any money in the first year, but we got a promise. So we do not have to reapply as long as we have that non-cash in there, so we have a good chance next year. The key is moving it up to Priority 1 as soon as we can. That doesn't mean it will be funded, but the next hurdle is getting it approved by the Bond Commission. Mr. Riley said the earliest would be next November. Rep. Shadoin said he has already spoken to the State people down there, and he will continue to do everything he can to shepherd it through.

1. Spillway Repairs – Update – Ron Riley said this should be completed by the end of this month. We got written approval by DOTD this afternoon to execute the final change order. We lacked $5,600 to pay the contractor. The State will pay for it. He believes the President has authority to execute any and all documents in connection with this project, so as soon as Bill Carter approves it, he will bring the Commission a change order. Steve Cagle asked if the gauge is functioning at the creek. Mr. Riley said yes but they had a glitch, and they found the glitch today. You can look up instantaneous or last reading of the creek height, but you could not pull up the history for the last two weeks. That was only a matter of how it was named in the computer, so they have to re-name it, and that should fix the glitch. They will hopefully do that today.
2. State Park Lake Level Gauge – Update – Ron Riley said this is completed. It is paid for and it is working. We went in to service it in March with a two year paid-up monthly charge on it. When the two years is up, it will cost $29 or $30 a month.
3. Maricopa Island Project – Update – Steve Cagle got a call from Christy Hall of the Corps of Engineers today, and she asked about this project. She wanted to send 10 questions that Mr. Cagle printed for everyone. Basically, we had confirmed that we wanted a public hearing but her first statement is they are trying not to have a public hearing. Mr. Cagle asked about the 32 land owners who opposed it, and she claimed she asked several for their opinions. Mr. Cagle gave Mr. Carter and Mr. Riley a copy of the questions so everyone has a copy now. He thinks we need to answer her letter. He also has a copy of the questions she sent to the parish. Bill Carter said Wildlife & Fisheries and the developers answered some comments in 2012 when they originally were going to build a lake and use the fill to raise the elevation. Mr. Carter said they could not see the status in their internal database. If Christy Hall is the gatekeeper of all this, Mr. Carter will call her and tell her there is more input from the Commission and public, so we would like a public hearing. Steve Cagle said there is no deadline to answer but he told them he would give a copy to the attorney (Mr. Carter) and the engineer (Mr. Riley) for answers. Mr. Riley stated that he will provide his answers to Mr. Cagle, but he does not want to speak for the Commission. Mr. Cagle stated that he brought up several things that no one had mentioned to Ms. Hall previously. If they eliminate the public hearing, the Commission appear to be the bad guys. Mr. Hopkins asked what these questions were, and Mr. Carter stated that these are responses by the developer to Wildlife & Fisheries comments in 2012. Mr. Hopkins asked whether a biologist went out to the island to do a study. Mr. Carter said there were environmental issues, as well as fish and wildlife issues, according to Wildlife & Fisheries. Mr. Hopkins said he heard that the Wildlife & Fisheries biologist actually did not even get out of the boat to do the study. Mr. Cagle said there was a report from the Federal Wildlife & Fisheries where they claimed they did it. Mr. Carter said we need to send this to Wildlife & Fisheries and let them respond to these comments. Mr. Hampton stated that this was a response to the Wildlife & Fisheries' submission that would best be responded to by them. Mr. Carter agreed and said there are other concerns we have as to the effect of this on the lake. Mr. Hampton was under the impression that the Commission already sent something in. Ron Riley said we asked for a public hearing so people could air their concerns. Mr. Hopkins said we do not need to have an opinion about aquatics or wildlife. Mr. Hampton said we need to urge that on behalf of the people on the lake we ask for a public hearing and that’s as far as we need to go. Mr. Cagle wants Mr. Riley and Mr. Carter to ask the questions, for instance, about culverts, is it going to be above the FEMA regulations since the building code is 18 inches above. Make sure if they allow something that it is all built to FEMA standards. This is a road and should meet standards. Mr. Hampton said we need to limit our dealings to just this. There was a lot of discussion about this, and Mr. Carter stressed we need to send this back to Wildlife & Fisheries for response. Steve Cagle said Commission issues are different than Wildlife & Fisheries, and Mr. Carter agreed. Bruce Hampton said to an extent it makes it more difficult for people to use that part of the lake. Ron read a portion of the letter from the Corps which concerned him because it read, in part, “Our attorney agrees with us that the Lake Commission has already agreed with our construction request." Mr. Cagle said this was going back to a 1960 letter from Lake Commission that said they had permission to build that dump. This is one of the things that must be addressed. It would not matter in 1960, but it does now. Mr. Carter said this was not a letter but it was an agreement wherein they gave the flowage servitude to the Commission. Mr. Cagle said they are using this letter to say the Commission already has given them permission. Mr. Carter said we should reiterate our request for a public hearing because of the various concerns of different owners. Mr. Cagle asked that Dan Morgan be kept in the loop. He has been ill and has been unable to respond.
4. Public Comment: None
5. Adjourn: Motion to adjourn was made by David Hopkins and seconded by Bruce Hampton. The motion passed unanimously.