

October 21, 2013

The regular monthly meeting of the Board of Commissioners of the Bayou Lafourche Fresh Water District was held on Monday, October 21, 2013 at 5:00 p.m. at the Water District office, 1016 St. Mary Street, Thibodaux, LA

Present were:	Hugh Caffery, Chairman	Francis Richard
	Gene Harrell, Vice-Chairman	Judge Jimmy Gaidry
	Greg Nolan, Secretary/Treasurer	Donald Schwab
	Ron Animashaun	Lance Authement
	Larry Dugas	Windell Curole

Absent: Jake Giardina

Also present were: Judge Randy Parro; Jimmy Ledet & Dustin Rabalais, T. Baker Smith
Barry Marionneaux, Attorney; Dirk Barrios, Lafourche Parish Water District
Gasper Chifici, CPRA Project Manager; Henry Templet; Nick Porto
Robert Thibodaux; Robert Mire; Doodie Mire; Donald Arceneaux
Jerry Waguespack; Ben Malbrough, Executive Director
Jana Langley, Administrative Assistant

Three Terrebonne Parish commissioners, Judge Edward "Jimmy" Gaidry, Donald Schwab, and Lance Authement were sworn in by Judge Randy Parro. Chairman Caffery thanked Judge Parro, and welcomed the new commissioners.

Chairman Caffery stated that the fourth Terrebonne Parish commissioner, Juan Pickett, could not attend the meeting tonight, and will be sworn in at the next meeting.

Chairman Caffery advised that the protocol of the meetings will be changed to accepting all public comments at the end of the meeting.

Vice-Chairman Gene Harrell stated that there is one discrepancy in the September 16th minutes on Page 1 regarding the range CH2MHill Operations & Maintenance manual was 8 ½ ft. – 9 ft., and on Page 3 the motion was passed with the range at 8 ft. – 9 ½ ft. He asked what range is correct. Chairman Caffery stated that the range will be corrected in the September 16th minutes to read 7.5 ft. – 9 ft. on both pages.

Moved by Vice-Chairman Gene Harrell, seconded by Commissioner Larry Dugas to dispense with the reading of the minutes, and correct the minutes on Page 1 and Page 3 regarding the Operations & Maintenance manual range to read 7.5ft. – 9 ft. Motion passed unanimously with the corrections.

Moved by Commissioner Francis Richard, seconded by Commissioner Windell Curole to approve the accounts payable for September. Motion carried unanimously.

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

Mr. Malbrough advised that he posted on the wall the year-to-date pumping summary graph. It shows the average pumping rate, the stage in the Mississippi River, and the bayou elevation at Sonic Bridge.

Mr. Malbrough stated that Civil Service did not approve promoting Eric Sanchez to Operating Engineer Superintendent. He advised that the District has an Optional Pay Adjustment policy that was adopted several years back that allows us, at our discretion, to give a maximum of up to 5% increase for additional duties. Mr. Malbrough stated that he spoke to Hugh about the denial from Civil Service, and since the Board had already approved the 10% we went ahead and put into place the 5% increase.

Moved by Commissioner Francis Richard, seconded by Vice-Chairman Gene Harrell to grant the 5% increase for additional duties retroactive to October 1, 2013 for Eric Sanchez under the Optional Pay Adjustment policy. Motion carried unanimously.

Mr. Jimmy Ledet and Dustin Rabalais, T. Baker Smith, gave an update on the Mississippi River Reintroduction into Bayou Lafourche-Phase 2 project as follows:

- Jimmy Ledet brought the new commissioners up to speed on what was accomplished so far on the Phase 2 project.
- The analysis and study report was submitted to CPRA, and they had no comments. In a sense, CPRA is blessed that we continue the dredging from where it stopped after the Phase 1 project.
- They had a detailed site visit with their Geo Tech sub-consultant. Sixteen spots will require special focus.
- They had a kick-off meeting with their permitting folks. They are planning a pre-application meeting with the permitting agencies.
- Dustin Rabalais stated they are working on locating the access locations. They have identified some areas, and are proceeding through the process under the Uniform Relocation Act to acquire temporary servitudes for the access to the bayou.
- They are working to locate some disposal locations to place the material that is excavated from the bayou.
- Discussion to be held on the project to be divided into two contracts versus one. One contractor can come through and clear the bayou of vegetative debris, and a second contractor can hydraulically dredge it.

Mr. Malbrough announced that a public hearing will be held November 18, 2013 to adopt the 2014 Proposed Operational Budget, and 2014 Proposed Dredge Project-Phase 2 budget. The Board was given a copy of the notice of the public hearing that outlined the budget summary for the 2014 Proposed Operational Budget, and 2014 Proposed Dredge Project-Phase 2 Budget.

Chairman Caffery advised that a budget committee will be formed with a commissioner from each parish. The budget committee will consist of Gene Harrell, Greg Nolan, Judge Gaidry, and Francis Richard. The budgets will be sent to the Board after the budget committee meeting for review before the public hearing on November 18th to adopt the budgets.

Mr. Malbrough announced that the 2013 Amended Operational Budget, and 2013 Amended Dredge Project-Phase 2 Budget will be adopted at the November 18, 2013 meeting.

Mr. Malbrough advised that there has not been an increase in the group health premiums next year. He asked if the Board will continue to pay 100% of the employees' premium for the year 2014.

Moved by Commissioner Larry Dugas, seconded by Vice-Chairman Gene Harrell and unanimously approved to pay 100% of the employees' group health premium for the year 2014.

Chairman Caffery advised that there is a conflict between our Standard Operating Procedures and the Operations & Maintenance Manual regarding the bayou water levels. We need to clarify our position on how we manage the water level in Donaldsonville. Commissioner Larry Dugas advised that he is not comfortable at all with anything above 8.6ft. A discussion was held regarding the water level, and the Board agreed to include the wording "to prevent flooding" to the Resolution proposed.

Moved by Commissioner Francis Richard, seconded by Commissioner Larry Dugas and unanimously approved to adopt the Resolution stating that where variances exist between the Operations & Maintenance (O&M) Plan and the Standard Operating Procedures, the O&M Plan will be followed, but within the operational discretion of the Executive Director after consultation with the District Commissioners to prevent flooding. RESOLUTION ATTACHED

Moved by Vice-Chairman Gene Harrell, seconded by Commissioner Larry Dugas and unanimously approved to authorize the Executive Director, Ben Malbrough, to execute the Intergovernmental Agreement between the BLFWD and Parish of Ascension to establish a protocol for the removal and disposal of fill material dredged from Bayou Lafourche, and will automatically renew each year until terminated by either party. RESOLUTION ATTACHED

Mr. Malbrough advised that at the June regular meeting the parish sent a representative from Waitz Engineering to talk about an Act of Donation regarding the District donating to Lafourche Parish the Dugas Canal structure, with the intent that it was going to be filled in with earthen and dam, and closed off completely.

Mr. Malbrough stated that last week he received a Coastal Use Permit from Lafourche Parish, and they have now revised that project to put a 450cfs pump station at the Dugas Canal location to pump directly into the bayou. The permit application was not very detailed. Mr. Malbrough advised that Michael Sobert with Consolidated Waterworks District, and Dirk Barrios with Lafourche Parish Waterworks District is opposed to this pump station project.

Mr. Dirk Barrios, General Manager of Lafourche Parish Water District, advised that his main objection is this is what they call black swamp water, which is water that has been in the canals for a lengthy period of time and has high organic material in it, and it gives them issues when they treat it. They have to meet certain criteria through the Safe Drinking Water Act. The north plant is about 1,000ft. north of the proposed pump station. Mr. Barrios stated this pump station would be 450cfs, which is bigger than what BLFWD can put into Bayou Lafourche.

Mr. Malbrough will send a formal letter to Lafourche Parish requesting a meeting with us, Lafourche Parish Water District, and Terrebonne Parish Water District to discuss the proposed pump station.

Moved by Commissioner Windell Curole, seconded by Commissioner Judge Jimmy Gaidry and unanimously approved to authorize the Executive Director to submit a public comment on the Coastal Use Permit stating BLFWD's objection to the proposed Dugas Canal pump station project until additional information is provided to us.

Mr. Malbrough advised that we finally received the Intergovernmental Agreement (IGA) from CPRA on the Phase 2 Project. Hugh Caffery will sign the IGA tonight, and Ben will hand deliver it to CPRA tomorrow for execution.

Mr. Malbrough stated that last month the Board approved \$5,000 for the installation of an alarm system in the three buildings. He advised that since the approval, he also included to add fire alarms in the two shop buildings, which brought the total to \$5,069.00.

Moved by Vice-Chairman Gene Harrell, seconded by Commissioner Francis Richard and unanimously approved to authorize the installation of fire and burglar alarms in the office building, and two shop buildings for a cost of \$5,069.00.

Mr. Malbrough advised that Barry Marionneaux and he had a meeting with the attorney general's office, State Lands, and CPRA regarding the property the District owns.

Mr. Barry Marionneaux stated that CPRA and the attorney general's office are all on board with assisting us to get the property in our name, to help resolve the issue of the Sonnier property, which is where our discharge pipes are located on, and to also to see if we could beef up our operating statute. They have agreed to work with us to put together a legislative package, which the Board would have to approve first, and they would add it to the CPRA legislative agenda.

Mr. Malbrough advised that Barry Marionneaux and he met with Mayor Sullivan and their attorney Chuck Long, and the City of Donaldsonville is definitely open to taking over the responsibilities of the boat launch, which we have pursued. We will draft an agreement and submit to the Board for review.

Mr. Malbrough stated that it appears we have finally been able to resolve the Don Guillot issue regarding the access point on Phase 1 dredging project. Mr. Malbrough advised that he has the copy of the release, and will see about getting all the signatures required, and getting it notarized.

Mr. Malbrough advised that the green utility barge was moved from the south end of the weir to the north end thanks to the ingenuity of Robert Mire, head foreman of the bayou crew, who saved us about \$14,000.00. Mr. Mire had the idea of checking with the contractors working on the Tiger Drive Bridge to see if they would lift the machine off the truck and put it in the bayou for us, and they agreed to it. The only cost to us was \$500.00 for the truck rental. Mr. Malbrough will send a letter to Mr. Thomassie in Lockport to thank him for lifting the green machine out of the bayou on the south end.

Mr. Malbrough stated that when we moved the green machine north we found the water level in the bayou was a little higher. The pedestrian bridge, which has been notched out to allow us to pass the green machine through, is not adequate now.

Mr. Malbrough called the mayor in Assumption Parish to see if they would object to us looking into us cutting more of a section out. Mr. Malbrough requested that he consult with an engineering firm to send a structural engineer to look at the bridge to see how much could be cut out. Commissioner Donald Schwab suggested that we check into taking out as much as is safe without jeopardizing the operation of the bridge.

Moved by Commissioner Windell Curole, seconded by Vice-Chairman Gene Harrell and unanimously approved to authorize up to \$15,000.00 to get a structural engineer to check the pedestrian bridge in Assumption Parish to cut the bridge as far back as would be safe.

Mr. Robert Thibodaux commented that if we should get two different contractors for the Phase 2 project, we need to make sure they are both on the same page so we don't run into the same problem we had in the Phase 1 project.

Mr. Gasper Chifici, CPRA Project Manager, advised that Jimmy Ledet stated in his update on the Phase 2 project that CPRA had no comments on the study and analysis report. Mr. Chifici wanted to let the Board know that they reviewed the report in depth. They recommended that the construction contracts be structured in such a way as to make the best use of the budget available. CPRA is still technically holding three million dollars, which they hope will be released at some point. He stated that they did have quite a lot of comments on the report, which were all good.

Mr. Jerry Waguespack welcomed the new members to the Board.

Mr. Nick Porto told the Board that the American Legion had a meeting a few weeks ago, and they may be selling the building but it is nothing really definite at this point.

Mr. Malbrough stated that Nick helps a lot when we have our project update meetings for the pump station rehab project.

Moved by Commissioner Francis Richard, seconded by Commissioner Windell Curole and unanimously approved to go into executive session at 6:30 p.m.

Moved by Commissioner Ron Animashaun, seconded by Commissioner Windell Curole and unanimously approved to return to regular session at 8:15 p.m.

Moved by Commissioner Windell Curole, seconded by Commissioner Francis Richard and unanimously approved the meeting adjourned at 8:15 p.m.

Hugh Caffery, Chairman

Greg Nolan, Secretary/Treasurer

