

April 18, 2011

The regular monthly meeting of the Board of Commissioners of the Bayou Lafourche Fresh Water District was held on Monday, April 18, 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
Ron Animashaun
Donald Arceneaux
Larry Dugas
Jake Giardina

Absent: Dr. Darby Chiasson

Also present: Lee Showalter, Michelle Robert, Tom Cancienne -CH2MHill
Alice Abney, Allen Dupont, CH2MHill; Shannon Haynes, OCPR
Dan Mahnke, Nathan Gilbert, Robert Lee-F. Miller Construction
Alma Robichaux, BTNEP; Bill Caffery; Matt Ledet, T. Baker Smith
Stacie Sagona; Bruno Deleo; Nick Porto; Jerry Waguespack
Archie Chaisson, Director; Jana Langley, Administrative Coordinator

Lee Showalter, CH2MHill, gave a progress report on the dredge project:

- Reaches 1 & 2 – 100%; Reach 3 – 98.9%; Reach 4 – 93.7% - Percentages Completed
- Reach 5 – 59.6%; Reach 6 – 0% - Percentages Completed
- Total Approximate # of Dredged Yardage Removed = 320,253 yd (65%)
- Stump Removal – Reaches 1-6 Complete
- Relo/Demo – 30 of 40 planned structures - 95%. Remaining DP-1 and DP-36
- Contractor has been given “issues log” of items to complete in Reaches 2,3,4,5.
- Substantial dredging in Reach 4 has been completed.
- Hydroseeding continues throughout project limits.
- Grubbing operations in Reach 6 are complete.
- F. Miller Construction is in process of getting bids for relocation of the sewer line.

Mr. Showalter advised that project schedule is 313 days complete with 347 days left as of April 18th. The project is 67% complete per contract with 33% remaining.

Mr. Showalter showed photos of some encroachments within the bayou. Mr. Chaisson advised that he sent letters to the permit offices in the three parishes notifying them that permits are needed to make changes on the bayouside. Chairman Caffery advised that Mr. Block is rewriting Ordinance No. 5 that will have some clarity. Mr. Block will have a draft for the May meeting.

Moved by Vice-Chairman Gene Harrell, seconded by Commissioner Jake Giardina to dispense with the reading of the minutes, and approve the minutes of March 21, 2011. Motion carried unanimously.

Moved by Commissioner Jake Giardina, seconded by Commissioner Ron Animashaun to approve the accounts payable for March. Motion carried unanimously.

BAYOU OPERATIONS

Crews: Harvesters were pulled from the bayou on 11 Apr for a short, routine maintenance and have been moved back to below the St. Patrick Bridge to begin cutting hydrilla from the weir. Second crew is working with the tree removal north of the Leighton launch area.

Equipment Status: Trucks: all operational; Boats: all operational; Harvesters: both operational

Misc equip.: operational

Personnel Strength: Present: 6; Annual: None; Sick: None; Accident/Incidents: None

RIVER STAGE

Beginning March: 7.61; Ending Month: 25.15; Current Stage: 23.17

PUMP OPERATION: No. Days Siphon: 25; No. Days Pumping: 6

STATION MAINTENANCE: Ordered and received new SC/4 Vacuum Pump. Serviced #1-2-Main Pumps. Pressure washing, chipping, and painting. General maintenance.

PERSONNEL STRENGTH: Annual: One man – 1hr Comp.; Sick: One man – 8hrs; No accidents

Moved by Commissioner Robert Thibodaux, seconded by Commissioner Jake Giardina to approve the finance report. Motion carried unanimously.

Mr. Chaisson advised that the Office of Group Benefits is switching from a July-June year to a January-December calendar year. The total health premium increase is \$686.00 per month. The new rates are within the planned budget for this year. Moved by Commissioner Robert Thibodaux, seconded by Vice-Chairman Gene Harrell to approve the health insurance premium increase. Motion carried unanimously.

DIRECTOR'S REPORT:

Met with Clay Braud at GSE about scaling down the station bridge project to just the installation of the new prefab office building. GSE should have a cost outline by the May meeting.

The harvester design work is underway at Wetlands. Should be about a month before we have preliminary drawings.

Chairman Caffery signed off on the termination of a probational non-permanent employee at the pump station effective April 19th per Civil Service rules.

Chairman Hugh Caffery stated that the Board was given a copy of the letter from F. Miller Construction through our project engineer Tom Cancienne. The letter references current negotiations between our engineer and the contractor regarding prices on rock versus mat. Mr. Haynes advised that the negotiations are ongoing and should be presented to the Board shortly. Vice-Chairman Gene Harrell stated that at the last meeting we discussed the replacing of the articulated concrete block with using rip rap everywhere. He asked if this is where we are going with the letter from F. Miller and Chairman Caffery answered yes, and this would require a change order. Mr. Haynes advised that we want to do this economically feasible.

Mr. Haynes advised the Board that there is a good possibility that they may request that the Board hold a special meeting within a week or two from now to make a decision on a change order regarding the mats and rip rap.

Chairman Caffery advised that Michelle Robert said at one time that there are three priorities with the project. They are slope stability, safety and aesthetics. Chairman Caffery asked if there is some type of demonstration project that they could show the Board how the small rock will look when it is a finished job. We haven't decided if we want rock versus mat yet and they are talking about coming back to us soon with a recommendation.

Vice-Chairman Harrell stated that if you look at the Spano property and if he were a homeowner living there, he would be tremendously upset. Mr. Spano has lost the use of that backyard on the bayou with the way the rocks are, and the upkeep of that property will be an issue. Vice-Chairman Harrell advised that he is concerned about the use of the rock. He asked if the Board members have the time to come and take a look at that before we make any final decision.

Commissioner Donald Arceneaux asked if the rocks by Mr. Spano's property go out to the center of the bayou like Café Lafourche. Mr. Haynes stated that as part of all these efforts that we are doing with Spano and Café Lafourche, one thing we are going to do is revisit the hydraulics. If we find it is compromising the original goal, we will obviously have to come up with options.

Commissioner Jake Giardina asked if we have determined whether these rocks on this land we are talking about is on private land or state land. Vice-Chairman Harrell answered that it is within the footprint of the project so it is on state land. Vice-Chairman Harrell asked who will keep it up. He asked if it will fall on the Fresh Water District to do that or will the state keep it up?

Commissioner Giardina stated that it is very unfortunate that when the people bought the land it wasn't explained to them by their attorney what they own and what they didn't own.

Bruno Deleo advised that at the last meeting he had questioned the 2 ½ to 1 slope and no one has come to see it yet. He also stated that the electrical line is still in the water and that was supposed to be taken care of. He wanted to know what they will do behind his house or everyone's house. Mr. Cancienne told Mr. Deleo that Kurt Brodtmann had met with him. Mr. Cancienne stated that when he went to Mr. Deleo's he was gone. Mr. Deleo asked who will be responsible for his property breaking off. They were supposed to dig it on a 2 ½ to 1 slope and they dug it on a 1 ½ to 1 slope.

Stacie Sagona asked if they were coming back to extend out the sewer treatment plant pipes that were cut back. Mr. Haynes answered that if they were cut back to far they would extend them back out. Ms. Sagona also stated that she has a dog and would like to be called if anyone plans on coming onto her property.

Vice-Chairman Gene Harrell stated that he some questions:

- 1) What is the status of the Nicholls low/high water marks? Mr. Chaisson stated that Dr. Balaji and Dr. Dantin are submitting a formal request for an agreement.
- 2) Has the invoices that were taking an inappropriate amount of time to get approved between CH2MHill and the State gotten any better? Mr. Haynes stated that at the State level he is signing them now. He stated that CH2MHill is doing a good job of their review also. He stated that they will try and tweak it.

- 3) What is the status of the sewer line and who will make the final decision on the bids? Dan Mahnke with F. Miller advised that they only received one quote so far, and will contact the other contractors to see if they will submit a bid. F. Miller will make the final decision.
- 4) He would like some expediency on forming a committee for Mr. Chaisson's contract renewal. Chairman Caffery stated that he will be able to do that.
- 5) What is the cost of the work that had to be done in the back of Café Lafourche? Mr. Haynes stated that they are not ready to discuss cost at this time.

Mr. Nick Porto stated that he would have never bought his property knowing what is being brought up now about what the state owns and what the people own.

Commissioner Jake Giardina advised that he is not an attorney but he has reviewed it with attorneys, and they told him it is riparian rights. Every attorney goes through riparian rights in his law training. It is a very complicated. Bayou Lafourche was pretty much fixed after it was shut off. It became state property at the time Louisiana became a State in 18 something.

Mr. Porto advised that several months ago our attorney general made an opinion that he was going to use the map of 1812 to determine boundary lines. Mr. Porto stated that he finally got a response from somebody in State Lands office saying that the map of 1812 that the attorney general refers to has never existed.

Chairman Caffery advised that we have those high and low water lines and in a matter of time we will be able to go in your backyard and show you where those lines are. Commissioner Giardina stated that if you remember they have drawings from 1904 when they put the dam at the river. Mr. Porto stated that those are the maps they are using now.

Chairman Caffery advised on a personal note he would like to acknowledge that he has the honor of having his older brother Bill here tonight from Connecticut to witness this meeting.

On motion by Commissioner Jake Giardina, seconded by Commissioner Robert Thibodaux and unanimously approved the meeting adjourned at 6:00 p.m.

Hugh Caffery, Chairman

Robert Thibodaux, Secretary/Treasurer