

April 21, 2014

The regular monthly meeting of the Board of Commissioners of the Bayou Lafourche Fresh Water District was held on Monday, April 21, 2014 at 5:00 p.m. at the Water District office, 1016 St. Mary Street, Thibodaux, LA

Present were: Gene Harrell, Vice-Chairman	Donald Schwab
Gregory Nolan, Secretary/Treasurer	Judge Edward Gaidry
Windell Curole	Juan Pickett
Francis Richard	Eli Miles, Jr.

Absent: Hugh Caffery, Ron Animashaun, Lance Authement, Jake Giardina
Also present were: Dustin Rabalais, T. Baker Smith; Barry Marionneaux, Attorney; Nick Porto
Gasper Chifci, CPRA Project Manager; Clay Braud, Providence/GSE
Jerry Waguespack; Robert Mire; Ben Malbrough, Executive Director
Jana Langley, Administrative Assistant

Vice-Chairman Gene Harrell chaired the meeting in Chairman Hugh Caffery's absence.

Moved by Commissioner Donald Schwab, seconded by Commissioner Judge Edward Gaidry to dispense with the reading of the minutes, and approve the minutes of March 17, 2014. Motion carried unanimously.

Moved by Commissioner Francis Richard, seconded by Commissioner Eli Miles, Jr. to approve the accounts payable for March. Motion carried unanimously.

Jana Langley advised that Tia Barbera will be in the office tomorrow to do the annual audit.

Mr. Ben Malbrough showed pictures of the new generator that was installed at the pump station about a month ago. They dismantled the existing pump and removed it out of the well. The new pump is up and operational. They are working on demobilizing the #3 Pump. Vice-Chairman Gene Harrell asked what would be done with the old shaft parts, and Mr. Malbrough answered that those are scheduled to go to the scrap yard in the next couple of days. We kept as much of the existing pumps as possible.

Vice-Chairman Gene Harrell advised that usually on Channel 2 news they used to give the river stages in Donaldsonville and they haven't been doing that. He asked if there was a reason for that, and Mr. Malbrough answered that he has no idea.

Mr. Malbrough stated that on the pumping summary he sends to the Board every month, the blue graph on the summary is the river stage for the whole month.

Mr. Malbrough advised that on Canal Street Bridge in Thibodaux they did built a pedestrian bridge and they took down the existing USGS gauge which monitored water surface elevation. Mr. Malbrough stated that USGS is planning on relocating that gauge back to where it was.

Mr. Malbrough stated that he reached out to USGS because in reality that gauge really serves us no purpose. He asked USGS if they would have any issues with relocating that gauge towards

Napoleonville. They are open to the idea of relocating the gauge in Napoleonville if we would pay the incremental difference in cost.

Moved by Commissioner Windell Curole, seconded by Commissioner Donald Schwab and unanimously approved to authorize up to \$5,000 per year to relocate the USGS gauge to Napoleonville.

Mr. Dustin Rabalais, T. Baker Smith, gave an update on the Mississippi River Reintroduction into Bayou Lafourche Project, as follows:

- ◆ Topographic surveys are complete, and the data was processed.
- ◆ Geotechnical borings are complete. They may have to go back and take additional borings.
- ◆ They are working with Terracon with the preliminary results, and should receive the results by the end of this week.
- ◆ They will meet with the land owners again when the lease agreements are returned to T. Baker to discuss in detail the timeline.
- ◆ The aerial photography is 100% complete.
- ◆ The jurisdictional determination had been submitted to the Corps, and it is being processed. The preliminary permit plats were received, and there are a few little provisions that need to be tweaked.
- ◆ They are putting together the basic components of the preliminary engineering plans and design.
- ◆ The project schedule is going to construction by March 2015, and they had a hard deadline of December 31, 2016. They are hoping to get this to construction as quickly as they can, and hope to bump the start date up three to five months.

Vice-Chairman Gene Harrell asked how many disposal sites there will be, and Mr. Rabalais answered that they will have six total disposal sites, but basically one landowner.

Vice-Chairman Gene Harrell read the Resolutions to adopt the millage rates at 2.11 mills for the 2014 tax year for the parishes of Lafourche, Assumption, Ascension, and Terrebonne Parishes. He asked for any comments, and asked for a vote to adopt the resolutions.

Moved by Commissioner Windell Curole, seconded by Commissioner Francis Richard to adopt the Resolutions for the millage rates at 2.11 mills for the 2014 tax year for the parishes of Lafourche, Assumption, Ascension, and Terrebonne Parishes. He asked for a vote on the motion, and the motion passed unanimously to adopt the resolutions. RESOLUTIONS ATTACHED

Mr. Malbrough advised that Euel Zeringue, Jr. was hired on the bayou crew last year on April 23rd under probationary appointment. He was not eligible for a salary increase at the end of last year. Mr. Zeringue is now eligible to be moved to permanent status. He is also eligible to receive a 2% pay increase at this time according Civil Service rules.

Moved by Commissioner Windell Curole, seconded by Commissioner Eli Miles, Jr. and unanimously approved to move Euel Zeringue, Jr. to permanent appointment effective April 21, 2014.

Moved by Commissioner Judge Edward Gaidry, seconded by Commissioner Francis Richard and unanimously approved to grant Euel Zeringue, Jr. a two percent (2%) pay increase effective April 21, 2014 in accordance with Civil Service Rule 6.31.

Mr. Malbrough advised that he received the appraisal on the American Legion building in Donaldsonville, and it came in at \$333,500.00. We have an agreement with the American Legion, which was extended until April 30th. We have ten days upon receipt of the appraisal to review and make a decision as how we are going to proceed. Mr. Don Guillot will talk to his client to see if they can postpone that action date until our next meeting, which is May 19th.

Mr. Barry Marionneaux advised that we will not get the authorization through the legislature this session to purchase property. Hopefully, we will have legislation next year to purchase property.

Commissioner Donald Schwab asked if we could get someone else do an appraisal on the property for free, and it was agreed that he could get an appraisal.

Mr. Malbrough advised that we had a lot of issues come up recently with our permitting procedures and the way the District reviews Coastal Use Permits. A lot of landowners along the bayou essentially do the right thing and actually apply, and some don't. Right now our ordinance reads that we are not to issue a permit for any construction below the mean low water mark, which is basically below where the State Lands ownership begins. It is a problem for some landowners who want access to the bayou. The line in some cases, especially in the Ascension and Assumption areas, is way up on the bank.

Mr. Malbrough stated that he, Barry, State Lands office and CPRA has a meeting set up to discuss the Coastal Use Permit review process. Mr. Malbrough asked if the Board is interested in allowing landowners the ability to build docks and wharves on the bayou, even if they encroach on the mean low water mark.

Commissioner Windell Curole asked if we will have political will when the time comes to say we need it for public purpose so you have to take it out. Commissioner Curole stated that as long as we have some clear cut restrictions he has no problems with it.

Mr. Malbrough stated the change in our ordinance would be allowing landowners to build structures that are temporary in nature, such as wharves, docks, and piers for them to utilize the resources in the bayou. It has to be with the understanding that if it has to be removed it will be at the landowner's expense. The ordinance changes will be brought to the Board for approval.

Mr. Malbrough advised that a capital outlay request will be presented to the legislature this year to address the drainage issue in Donaldsonville. The District will have a 25% match, and we are asking for \$1.5 million in the request.

Mr. Malbrough advised that we have submitted our objection several months ago to the Dugas Canal Pump Station permit. He and all the representatives from Lafourche Parish had a meeting and our objection was the last one that was holding up the issuing of the permit. Lafourche Parish asked if he would remove this objection, and he told them unfortunately he did not have the authority to remove the objection without the authority of the Board voting. Terrebonne Consolidated Waterworks is still strongly opposed to the project.

Mr. Malbrough stated that his recommendation to Lafourche Parish was for them to go and meet with Terrebonne Consolidated Waterworks to see if they could come up with some resolution or agreement. We objected on water surface elevation concerns and water quality. Consolidated Waterworks objected to water quality concerns.

Vice-Chairman Gene Harrell asked for any other public comments. Mr. Jerry Waguespack asked if a wharf could be built that could be skidded, and he was answered yes.

Mr. Nick Porto asked if a structure would be built would it have to be removed at his expense, and Mr. Malbrough answered yes, or the Fresh Water District has the ability to remove it our expense and send a bill to the landowner.

Moved by Commissioner Francis Richard, seconded by Commissioner Windell Curole and unanimously approved to go into executive session at 5:55 p.m.

Moved by Commissioner Francis Richard, seconded by Commissioner Windell Curole and unanimously approved to return to regular session at 6:28 p.m.

Moved by Commissioner Donald Schwab, seconded by Commissioner Windell Curole and unanimously approved the meeting adjourned at 6:30p.m.

Gene Harrell, Vice-Chairman

Gregory Nolan, Secretary/Treasurer

