

August 18, 2014

The regular monthly meeting of the Board of Commissioners of the Bayou Lafourche Fresh Water District was held on Monday, August 18, 2014 at 5:00 p.m. at the Water District office, 1016 St. Mary Street, Thibodaux, LA

Present were: Hugh Caffery, Chairman	Windell Curole
Gene Harrell, Vice-Chairman	Francis Richard
Greg Nolan, Jr., Secretary/Treasurer	Donald Schwab
Judge Jimmy Gaidry	Eli Miles, Jr.
Jake Giardina	Lance Authement

Absent: Ron Animashaun, Juan Pickett

Also present were: Dustin Rabalais, Marc Rogers, Kenny Smith, Jr., T. Baker Smith
Clay Braud, Providence/GSE Associates; Alma Robichaux, BTNEP
Barry Marionneaux, Attorney; Stevie Smith, All South Consulting Engineers
Jerry Waguespack; Nick Porto; Robert Mire
Ben Malbrough, Executive Director; Jana Langley, Administrative Assistant

On motion by Commissioner Donald Schwab, seconded by Commissioner Windell Curole to dispense with the reading of the minutes, and approve the minutes of July 28, 2014. Motion carried unanimously.

Moved by Commissioner Jake Giardina, seconded by Commissioner Francis Richard to approve the accounts payable for July. Motion carried unanimously.

Mr. Ben Malbrough advised that the primary holder of our securities for Capital One is changing, and we have to pass a Resolution accepting the new custodian for the securities.

Moved by Commissioner Judge Jimmy Gaidry, seconded by Commissioner Jake Giardina and unanimously approved to adopt a Resolution authorizing Greg Nolan, Secretary/Treasurer to sign the new Third Party Custodian Agreement between Bayou Lafourche Fresh Water District, Capital One, and custodian, The Bank of New York Mellon. Also, Greg Nolan, Ben Malbrough, and Jana Langley is authorized to deliver instructions to custodian, The Bank of New York Mellon, pursuant to the Third Party Custodian Agreement.

Mr. Malbrough reported that the pump station flow summary report has been sent to the commissioners. We are still operating three, and sometimes four pumps. The new variable frequency drive pump has been installed. The operational range in the bayou is 8.6 ft. at the Sonic Bridge. We have some minor hiccups with the installation of the new generator. We have commitment from the contractor and the manufacturer Caterpillar that it will be worked out at no additional cost to us.

Mr. Malbrough advised that we have received two qualified applicants from Civil Service for the bayou crew position that we advertised. He will look at the applications, and set up the interviews.

Mr. Malbrough stated that they were finally able to go and observe the aquatic grass machine out in Delacroix. We were hoping to see the bigger one but the owner had some technical issues with it. We

observed the smaller machine. We got a commitment from them to bring the machine here in the bayou so that we can watch it operate in the hydrilla.

Commissioner Windell Curole advised that the machine can work underwater. Mr. Malborough stated that the machine has a thirty inch blade, and can drop down 3½ to 4 ft. Mr. Malbrough stated that two of the bayou crew guys went with him to look at the machine.

Chairman Hugh Caffery asked about the progress of the herbicide program. Mr. Malbrough answered that we hit a roadblock with the City of Thibodaux. We met with them and they were open to the idea of exploring that as an alternative. There is obviously some concern that has to be addressed. Mr. Malbrough advised that he has talked to the guys at DHH, and they are willing to come onboard to help with what has to be done to push that forward if that is the route we will try.

Commissioner Lance Authement asked if the herbicide is oxygen depletion, and Mr. Malbrough answered that it decays by being absorbed by the plants, heat, and salinity. Chairman Hugh Caffery asked if it has any toxicity to marine fisheries, and Mr. Malbrough stated that he can't answer that question. Chairman Caffery asked to find out about any toxicity studies.

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

- The preliminary design phase is complete, and it was handed in on July 15th. We haven't received any comments from CPRA, and none were really anticipated.
- We moved in to final design, and are proceeding with the final plans and specifications.
- We will submit the DOTD permits this week so that the contractor will have everything he needs to proceed once we let the contract out.
- We received the final Geotechnical report Friday, and will be reviewing those results this week.
- The Corps of Engineers is not going to take jurisdiction over this project, and they allowed the Office of Coastal Management to process it.
- We will come off of public notice August 23rd, and to date we have not had any letters of objections to the project.
- We delivered a revised draft lease agreement to Lula. We feel now it appears that all terms are acceptable.

Mr. Rabalais advised that he feels comfortable that we're going to be advertising this job in October. This would put us in construction in January. We have to complete this project by December 2016.

Mr. Marc Rogers commented that the good news is concerning land rights. It looks like we got an agreement that all parties have agreed on. The biggest push is to put all documents together for the land rights.

Chairman Caffery asked if we are planning on any alternates. Mr. Rabalais answered the way they have it set up is they have plans for 8.3 miles. He stated the base bid essentially covers 6 miles, and an alternate covering an additional 2.3 miles. They permitted an additional three miles just in case the bids come in drastically low, or CPRA finds another two or three million dollars. The three miles would take us to the pedestrian bridge at Assumption High School.

Mr. Ben Malbrough advised that we have been working with Scott Angelle and CPRA to set up some discussions to get Union Pacific to meet with us, and make some sort of commitment to addressing the flow restriction at the railroad crossing at Donaldsonville. We were able to secure a meeting on September 3rd with management level personnel with Union Pacific in Omaha. The attendees of the meeting will be Ben, Hugh, Windell, Scott Angelle, Jerome Zeringue and Robert Routon.

Moved by Commissioner Francis Richard, seconded by Commissioner Jake Giardina and unanimously approved to authorize Ben Malbrough, Hugh Caffery, and Windell Curole to fly out on September 2nd to attend the meeting with Union Pacific Railroad representatives in Omaha, Nebraska on September 3rd.

Mr. Malbrough advised that they have to prepare a presentation to take to Union Pacific, and he and Robert Routon have been putting together the presentation. One thing we believe the engineers and management are going to ask is what analysis has been done. Mr. Malbrough stated that it is difficult for him to go through the fifteen years of data to find some of this analysis. It was recommended that we bring on the main point of contact as a consultant for a week to help us prepare this presentation to shed light on some of the conversations that the State, through CH2MHill, had with Union Pacific.

Chairman Hugh Caffery stated that Ben was talking about hiring Thomas Cancienne because he lived with the project for a while. He is not working for CH2MHill now but he still remembers the work he did. We would hire him for a limited time.

Moved by Vice-Chairman Gene Harrell, seconded by Commissioner Eli Miles, Jr. and unanimously approved to hire Thomas Cancienne in a consulting role to help prepare and compile existing information and analysis as it pertains to the design of alternatives at the Union Pacific Railroad.

Mr. Malbrough reported that the maintenance dredging and sediment trap plans and specs are ready, and asked for approval to advertise for public bid after we receive the wetlands delineation on our property. Vice-Chairman Gene Harrell asked if the plan is still to put the dredge fill material on our property and the parish will haul it off, and Mr. Malbrough answered yes. Mr. Malbrough stated that they will also look at addressing the boat launch at that time.

Moved by Vice-Chairman Gene Harrell, seconded by Commissioner Francis Richard and unanimously approved to authorize Ben Malbrough to advertise for public bid for the maintenance dredging of the sediment trap in Donaldsonville.

Ms. Alma Robichaux reported that the Bayou Lafourche cleanup will be held March 14, 2015. She stated that the deadline for applications to replace Kerry St. Pe' is September 1st.

Chairman Hugh Caffery announced that there will be no executive session due to no new issues regarding the litigation.

Moved by Commissioner Jake Giardina, seconded by Vice-Chairman Gene Harrell and unanimously approved the meeting adjourned at 5:50 P.M.

Hugh F. Caffery, Chairman

Greg J. Nolan, Jr., Secretary/Treasurer

