

July 18, 2016

The regular monthly meeting of the Board of Commissioners of the Bayou Lafourche Fresh Water District was held on Monday, July 18, 2016 at 5:00 p.m. at the Water District office, 1016 St. Mary Street, Thibodaux, LA

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

Absent: Ron Animashaun, Chris Domangue

Also present: Dustin Rabalais, T. Baker Smith; Tia Barbera, CPA; John Lafargue  
Drew Tessier and Brett Meaux, Union Pacific Railroad  
Barry Marionneaux, Attorney; Alma Robichaux, BTNEP; Henry Templet; Hattie Templet  
Nick Porto; Jerry Waguespack; Robert Mire; Ayad Taofik  
Ben Malbrough, Executive Director; Jana Langley, Administrative Assistant

Moved by Commissioner Francis Richard, seconded by Commissioner Jake Giardina to dispense with the reading of the minutes, and approve the minutes of June 20, 2016. Motion carried unanimously.

Moved by Commissioner Ray Mayet, seconded by Commissioner Francis Richard to approve the accounts payable for June. Motion carried unanimously.

Moved by Commissioner Eli Miles, Jr., seconded by Commissioner Greg Nolan to approve the finance report for June. Motion carried unanimously.

Mr. Malbrough advised that the bayou foreman Robert Mire is here at the meeting today, and will be back at work Monday.

Mr. Malbrough stated that the bayou crew is still working in Plattenville cleaning up after the tornado. We should have that wrapped up in the next couple of weeks.

Mr. Malbrough reported that the pump station is back up in operation. We got the second temporary dolphin back in place. The river is starting to fall pretty hard so we are pumping now.

Mr. Dustin Rabalais, T. Baker Smith, reported that Phase 2 and Phase 2a dredge project is on day 369, and have 81 days remaining. They have thirty days of dredging left. He gave the status on the eight disposal sites.

Mr. Malbrough advised that we are still trying to get the pedestrian walk bridge in Assumption taken care of with this project. The permit has been submitted, and is under review now. He and Dustin plan on meeting on the design plan. Mr. Rabalais stated that we will try to have it out for bid at the beginning of August.

Moved by Commissioner Donald Schwab, seconded by Vice-Chairman Gene Harrell and unanimously approved to authorize Ben Malbrough to advertise for public bids for the pedestrian walk bridge in Assumption Parish upon completion and review of the plans and specifications.

Mr. Malbrough advised that Drew Tessier and Brett Meaux with Union Pacific are here today to give an update on the UP Railroad bridge replacement project. Mr. Malbrough stated that last meeting the Board approved the construction agreement with Union Pacific. The contractor, Russell Marine, is planning to start mobilizing equipment and start their site work the first week of August, and plan to be complete by end of November.

Mr. Drew Tessier introduced himself and Brett Meaux, who is manager of UP structural design. He advised that they know this is top priority for the District. Mr. Tessier advised that Ben and members of our Board met with their top leadership, and the presentation our District gave made a big difference, and really got them going in the right direction.

Mr. Meaux advised that the bridge will be built next to the existing railroad. He advised that they will work days. The pile driver will be the biggest disturbance because of the noise. Mr. Tessier advised that they pre-ordered the steel that will make up the bridge to make sure it came on our scheduled time. Chairman Hugh Caffery thanked Mr. Tessier and Mr. Meaux for being here today.

Mr. Malbrough reported that the saltwater control structure payment for \$212,666.97 is 45 days behind again, and asked the Board to approve a loan from the general fund to pay Lafourche Parish Government.

Moved by Commissioner Judge Jimmy Gaidry, seconded by Vice-Chairman Gene Harrell to approve a loan from the general fund to the dredge/CIAP fund to issue a check in the amount of \$212,666.97 for Pay Request #2 to Lafourche Parish Government on the saltwater control structure project. The district will reimburse the general fund when the money is received from the state. Motion carried unanimously.

Ms. Tia Barbera, CPA with Waguespack, Gallagher & Barbera, reviewed the 2015 Fiscal audit report. She advised that there is a new requirement included in the audit, which is pension liability which is incorporated into the financial statement. Ms. Barbera advised that the audit was good with the exception of a finding regarding budget amendments on the Financial Statement and Federal Awards Program.

Moved by Commissioner Ray Mayet, seconded by Commissioner Francis Richard and unanimously approved to accept the 2015 Fiscal audit report presented by Tia Barbera, CPA.

Commissioner Ray Mayet read the resolution for the millage rate of 2.03 mills for the tax year 2016 for Lafourche, Assumption and Ascension parishes. Moved by Commissioner Ray Mayet, seconded by Commissioner Donald Schwab and unanimously approved to adopt the resolution for the millage rate of 2.03 for the tax year 2016 for Lafourche, Assumption and Ascension parishes.

Moved by Eli Miles, Jr., seconded by Vice-Chairman Gene Harrell and unanimously approved to authorize Ben Malbrough to execute the Intergovernmental Agreement with Assumption Parish to accept their \$4.26 million dollars in CIAP funds for the continuation of the dredge project.

Moved by Commissioner Ray Mayet, seconded by Commissioner Jake Giardina to approve a permit for Avery Vedros, 274 E. Bayou Rd., Thibodaux, LA to add a fence to the bayouside, and add dirt to back fill low areas. Motion carried unanimously.

Chairman Hugh Caffery reported that there are about one dozen derelict, abandoned vessels between Lockport and Larose. He advised that since we are cleaning up the bayou and making it safe for recreation, this is an issue we have not yet addressed. He advised that Ben has been very diligent looking into this issue.

Mr. Malbrough reported that he got the names of contractors and ballpark figures on how much it will cost. He advised that the first step would be to identify the vessels, and make sure we have the teeth in our ordinance to undertake this issue. Mr. Marionneaux advised that we need to have a public hearing on the next agenda. He asked for the Board, especially Judge Gaidry, to read the ordinance. Mr. Marionneaux stated that there are national standards for abandoned vessels. Vice-Chairman Gene Harrell asked about disposal of the vessels, and Mr. Malbrough answered that this will be part of the project.

Mr. Malbrough reported that we survived the line item veto on the capital outlay bill. We got the final plans and specs from All South, and they are on his desk waiting for review.

Chairman Hugh Caffery asked for any public comments. Mr. John Lafargue advised that they advertised for the director position for Friends of Bayou Lafourche and received fifty applicants. He stated that they are currently interviewing applicants, and should have someone seated in the next six weeks.

Moved by Commissioner Jake Giardina, seconded by Commissioner Donald Schwab and unanimously approved to go into executive session at 6:05 p.m. to discuss litigation entitled Bayou Lafourche Fresh Water District Vs. Enterprise Marine, LLC, Docket Number 110324.

Moved by Commissioner Francis Richard, seconded by Commissioner Jake Giardina and unanimously approved to return to regular session.

Mr. Barry Marionneaux advised that Ben Malbrough was granted authority to negotiate and settle the litigation case, although the amount he is authorized will not be part of the public record.

Moved by Commissioner Jake Giardina, seconded by Vice-Chairman Gene Harrell and unanimously approved the meeting adjourned at 7:00 p.m.

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Hugh Caffery, Chairman

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Greg Nolan, Secretary/Treasurer

