

August 8, 2013

A special meeting of the Board of Commissioners of the Bayou Lafourche Fresh Water District was held on Thursday, August 8, 2013 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	Larry Dugas
	Gregory Nolan, Secretary/Treasurer	Jake Giardina
	Ron Animashaun	Francis Richard

Also present were: James Ledet and Dustin Rabalais, T. Baker Smith
Barry Marionneaux, Attorney; Gasper Chifici, CPRA Project Manager
Robert Thibodaux; Donald Arceneaux; Jerry Waguespack
Ben Malbrough, Executive Director

Chairman Hugh Caffery stated that the purpose of the special meeting is to discuss the final recommendation from T. Baker Smith for the dredging of the Phase II Mississippi River Reintroduction into Bayou Lafourche Project.

Ben Malbrough introduced Mr. Gasper Chifici, new CIAP Project Manager for the Phase II Bayou Lafourche Project. Mr. Chifici stated that he is happy to be here. He stated that his primary job is to offer advice, bring messages to CPRA, and get the invoices processed as quickly as possible. Chairman Caffery thanked Mr. Chifici for coming today.

Mr. Jimmy Ledet, T. Baker Smith, gave a power point presentation of the modeling for the potential areas for the dredging for the Phase II Bayou Lafourche Project. He showed graphs of the upper and lower dredge project area scenarios.

Mr. Ledet advised that their recommendation is that the next phase of dredging would be applied to them proceeding with the upper dredge scenario beginning at the end of Phase I and continue south toward Napoleonville.

Mr. Ledet stated that they had talked about the twelve pipelines at the last meeting, and they have one that is absolutely in the way. They found some documentation about that pipeline, and it shows that the pipeline company has to pay for its own relocation. We don't have to take anything from the cost of the project for that pipeline.

Mr. Ledet advised that they took the \$20 million and backed into what it would cost for construction, engineering work, land rights, and zeroed out contingencies. It translates back to about \$17 million for construction.

Commissioner Jake Giardina suggested that they notify the pipeline company that the pipeline has to be relocated so when the contractor gets there he can continue on with the project, and won't have to bounce around and end up with the same problem we had with the last project.

Mr. Ledet advised they are trying to find out if there is any official permit that was authorized. He has a letter from the State Dept. of Public Works to Acadian Gas stating that there is no objection to this pipeline being put in place as per the drawings, which shows it is only five feet below the bottom of the channel. In the letter there is a restriction that states, in an event if any public works job that would require the altering of the channel geometry if the pipeline was deemed that it needed to be relocated it was to be done at the owner's expense.

Commissioner Giardina stated if we can get a timeframe for them relocating the pipeline before the dredging contractor gets there we can be sure that there won't be any problems. Mr. Ledet stated that they will do everything they can to get that pipeline out of the way well before this project is bid out. Mr. Ledet stated that we are not expecting to bid this project out until another year.

Vice-Chairman Gene Harrell asked if the start point includes going back and eliminating that plug, and Mr. Ledet answered yes station 280 is the start of the plug.

Mr. Ledet advised they have completed a draft of their study and report, and they are anticipating starting their design work September 1. They have a preliminary design phase, some time for review, and final design phase, which is literally a year from now. They have a bidding and award phase for four months. Construction will be 1½ years, with construction starting around the end of February or March 2015 and completed by the end of August 2016.

Mr. Ledet discussed acquiring all the servitudes. The servitudes have to be acquired in accordance with the Uniform Relocation Act. They are anticipating seven access points along the bayou, and two disposal sites.

Commissioner Giardina asked about the timeline of the money coming to us from the State to do the project because the District does not have the \$20 million in our account today. Mr. Malbrough stated that we already had three invoices submitted to the State that they cannot begin processing until the IGA is signed by Garret Graves. As far as any kind of timeline beyond those three or even beyond design, he is not actually sure yet how they are going to disburse the money. Mr. Malbrough advised that the CIAP money is in the State's account right now.

Mr. Robert Thibodaux asked how much sediment will be removed, and Mr. Ledet answered 688,000 cubic yards will be removed.

Chairman Caffery asked Mr. Chifici what has to be done to get the IGA signed at this point, and Mr. Chifici answered it has been approved by legal and it is a matter of Mr. Graves getting to it. Commissioner Windell Curole stated that he spoke to Jerome Zeringue today and Jerome stated that it is on the top of the list, and if it not signed this week it will be signed early next week.

Mr. Malbrough advised that he has the video from Donaldsonville to the weir in Thibodaux if they want to see it, and Commissioner Giardina asked if we could hold that until the end of the meeting, and Chairman Caffery answered yes.

Moved by Commissioner Windell Curole, seconded by Commissioner Jake Giardina and unanimously approved to adopt the Resolution to accept the recommendation of Executive Director, Ben Malbrough, to authorize T. Baker Smith, to finalize the Data Analysis and Recommendation Report, with the understanding that T. Baker Smith recommends the next phase of dredging to begin where the previous phase left off, and continue south toward Napoleonville. Also to authorize Ben Malbrough to submit the report to CPRA for review and comment. Also to amend the Engineering Contract with T. Baker Smith and present it to the Board for review and approval prior to execution of same with T. Baker Smith. RESOLUTION ATTACHED

Mr. Barry Marionneaux reported that documentation has been gathered from the old files since the District was formed, and it seems starting in the 50's there was a movement before the pump station and pipe corridor was built to get right-of-ways for about 4.5 acres that encompass the pump station and pipes all the way down to the bayou. In the 50's DOTD did some maps, and for some reason they assumed that the BLFWD owned the 4.5 acres that encompass this project to be built. He advised that Ben and he started looking around and they found that was not the case. Mr. Marionneaux discussed the ownership of the property over the years, which were Dr. Schexnayder and currently Mr. Sonnier, according to old records.

Mr. Marionneaux stated that BLFWD filed a lawsuit in 2006 against Mr. Bradford alleging that he was encroaching upon the property of BLFWD. The BLFWD abandoned that lawsuit statutorily. The property is on the back side of the Bradford property, and it is between where those homes are located and the former bed of Bayou Lafourche.

Mr. Marionneaux advised that we need to see if we could have some conversations with Mr. Sonnier relative to the tip end of that property. The second thing we need to do is finish the boundary agreement with Mr. Mistretta.

Chairman Caffery stated that we need to come up with two overlays, which are one for operations we need today, and the second will be in the foreseeable future. Commissioner Giardina advised that we need to make sure that it goes sufficiently into the mouth of the present bayou. Mr. Marionneaux agreed that we should proceed with those two overlays.

Moved by Commissioner Windell Curole, seconded by Commissioner Jake Giardina and unanimously approved to amend the agenda by two-thirds vote to discuss the new commissioners seating arrangements.

Mr. Malbrough recommended taking the existing commissioners desk and splitting it right down the middle where Hugh currently sits, and inserting his desk in the middle. He would get a new desk for Barry and himself to sit at for the meeting. He will rotate the entire Board table around and rearrange where the public will sit. He will use the projector on the entire wall to make the images larger.

Moved by Commissioner Francis Richard, seconded by Commissioner Windell Curole to commence to reconfigure the Board room with a budget of a maximum of \$3,000 to be prepared for the Terrebonne commissioners when they come on the Board. Motion carried unanimously.

Chairman Caffery asked for any public comments, and there were none.

Moved by Commissioner Jake Giardina, seconded by Commissioner Francis Richard and unanimously approved to go into executive session. Motion carried unanimously.

Moved by Commissioner Jake Giardina, seconded by Commissioner Windell Curole and unanimously approved to return to regular session.

Moved by Commissioner Jake Giardina, seconded by Commissioner Windell Curole and unanimously approved that we follow the instructions of our attorney who has investigated and made the suggestion that we proceed accordingly. Motion carried unanimously.

Moved by Commissioner Jake Giardina, seconded by Commissioner Ron Animashaun and unanimously approved the meeting adjourned at 7:15 p.m.

Hugh Caffery, Chairman

Gregory Nolan, Secretary/Treasurer

It was moved by Commissioner Windell Curole and seconded by Commissioner Jake Giardina that the following Resolution be adopted:

RESOLUTION

A Resolution authorizing the Bayou Lafourche Fresh Water District ("BLFWD") to take the following actions in connection with Phase II of the Mississippi River Reintroduction into Bayou Lafourche Project, State Project No: BA-0161 (the "Project"):

1. To accept the recommendation of Executive Director, Ben Malbrough, to authorize T. Baker Smith, LLC ("TBS"), a Houma Engineering Firm, to finalize The Data Analysis and Recommendation Report, with the understanding that TBS recommends the next phase of dredging to begin where the previous phase left off and continue south toward Napoleonville; and
2. To authorize Ben Malbrough to submit The Data Analysis and Recommendation Report to CPRA for review and comment; and
3. To authorize Ben Malbrough and BLFWD Attorney, F. Barry Marionneaux, to negotiate remaining fees for the Engineering Contract relative to the Project with TBS, with the understanding that the amended Engineering Contract, once finalized, will be presented to the Board of Commissioners for review and approval prior to execution of same with TBS.

NOW, THEREFORE, BE IT RESOLVED that the BLFWD accepts the recommendation of Executive Director Ben Malbrough to authorize TBS, a Houma Engineering Firm, to finalize The Data Analysis and Recommendation Report with the understanding that TBS recommends the next phase of dredging to begin where the previous phase left off and continue south toward Napoleonville.

BE IT FURTHER RESOLVED that upon finalization of The Data Analysis and Recommendation Report, a copy will be submitted to CPRA for review and comment.

BE IT FURTHER RESOLVED that upon finalization of the amended Engineering Contract, it will be presented to the Board of Commissioners for review and approval. Thereafter, it is contemplated that an additional resolution will be adopted by the Board authorizing a representative of the BLFWD to sign and enter into the amended Engineering Contract with TBS.

WHEREUPON, the motion was put to a vote and the vote thereon was as follows:

YEAS: Gene Harrell, Greg Nolan, Ron Animashaun, Windell Curole, Hugh Caffery
Larry Dugas, Jake Giardina, Francis Richard

NAYS: None

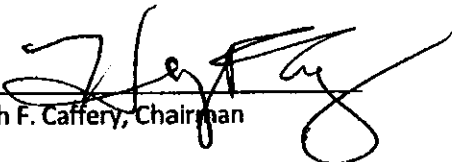
ABSENT AND NOT VOTING: None

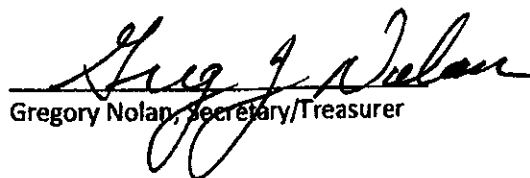
ABSTAINED: None

And the Resolution was declared adopted on this 8th day of August, 2013.

I, Gregory Nolan, Sr., Secretary/Treasurer, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Bayou Lafourche Fresh Water District, at a meeting held on the 8th day of August 2013, at which meeting a quorum was present and voted, and that said Resolution is now in full force and effect.

WITNESS MY OFFICIAL SIGNATURE this 8th day of August, 2013.


Hugh F. Caffery, Chairman


Gregory Nolan, Secretary/Treasurer