

April 23, 2018

The regular monthly meeting of the Board of Commissioners of the Bayou Lafourche Fresh Water District was held on Monday, April 23, 2018 at 5:00 p.m. at the Water District office, 1016 St. Mary Street, Thibodaux, LA

Present were: Gene Harrell, Vice- Chairman
Greg Nolan, Secretary/Treasurer
Donald Schwab
Francis Richard
Ray Mayet
Lance Authement
Scott LeBlanc
Eli Miles, Jr.
Chris Domangue

Absent: Hugh Caffery, Chairman; Jake Giardina

Also present: Eric Dallimore, Stantec; David Boudreaux, Delta Coast; Stevie Smith, All South Consulting
Alma Robichaux, BTNEP; Doug Cheramie; Josh Bordelon; Nick Porto; Jerry Waguespack
Ben Malbrough, Executive Director; Jana Langley, Administrative Assistant

Vice-Chairman Gene Harrell chaired the meeting in the absence of Hugh Caffery, Chairman.

Moved by Commissioner Ray Mayet, seconded by Commissioner Francis Richard to dispense with the reading of the minutes, and approve the minutes of March 19, 2018. Motion carried unanimously.

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

Mr. Ben Malbrough reported that he sent the pumping summary to the Board. The river is still up, and we are still siphoning. Everything on the bayou is functioning as normal. Josh Bordelon has been patrolling the bayou to see if any activities are going on, and getting with landowners to make sure they are getting permits.

Moved by Commissioner Ray Mayet, seconded by Commissioner Eli Miles, Jr. to approve the finance report for March. Motion carried unanimously.

Ms. Alma Robichaux, BTNEP, reported that it has been very slow getting their results in from their site captains for the Bayou Lafourche Cleanup. She stated that things are not getting any better with people putting trash in the bayou. They had 918 volunteers for the cleanup. She estimated it was about 30 tons that was removed from the bayou. They had 380 tires removed. She advised that Donaldsonville was amazing this year with over 30 volunteers plus the fire department.

Ms. Robichaux advised that they got a nice donation from Spahr's Seafood to put signage along certain areas to get some awareness on the bayou. They will apply for a grant through DEQ for Bayou Lafourche for trash free water.

Ms. Robichaux advised that Paddle Bayou Lafourche followed the week after the cleanup, and was very successful.

Mr. Malbrough stated that the cleanup was on Saturday, and asked when the dumpsters get picked up. Ms. Robichaux answered that they get picked up sometimes on Monday and sometimes not until Tuesday. Mr. Malbrough asked if they take photos of the dumpsters right after the cleanup, and Ms. Robichaux answered yes right after the cleanup but not when they get picked up. Mr. Malbrough stated that he

noticed the Nicholls dumpster gets extremely filled. He said that the 30 tons is alarming but maybe some of it is coming after the fact.

Mr. Malbrough advised that maybe dumpsters should be left at different areas on the side of the road instead of people throwing things in the bayou. Ms. Robichaux stated that they should have a monthly tire drop off days somewhere.

Mr. Eric Dallimore with Stantec reported that they are finalizing particular components of the pump station, such as pipe locations, intakes, discharge, and seeing that everything fits within the right-of-way that they have. They are trying to get it to the 60% design by mid-June.

Mr. Malbrough stated that we got some good news from CPRA. We are slated to receive in 12.5 million in FY20, 12.5 million in FY21, and 10 million in FY22 for a total of 35 million committed to the Mississippi River Reintroduction into Bayou Lafourche Project as of now.

Mr. Malbrough advised that they have exhausted their options with landowners for acquiring property for the water control structure where the model shows it should be constructed. He received a few other contacts before the meeting, and will check with those landowners.

Mr. Malbrough reported that the Louisiana Tax Commission does a ratio study in each parish on the sales prices as compared to assessed value. If the sales price versus the assessed value is not within 90% of the sales price the parish has to do a reassessment that year. He advised that since Terrebonne Parish has to do a reassessment this year we have to roll forward to our approved maximum rate of 2.11, or we will lose the ability to keep the 2.11 rate.

Ms. Jana Langley advised that there is a waiting period after the publications along with other requirements to roll forward to 2.11. She stated that we would need a motion to rescind the prior millage resolution adopted at 2.06 for Terrebonne Parish, and start the paperwork for the roll forward process to be brought to the board for adoption after all timelines are met.

Moved by Commissioner Donald Schwab, seconded by Commissioner Scott LeBlanc and unanimously approved to rescind the prior millage resolution adopted at 2.06 mills for Terrebonne Parish, and start the paperwork to roll forward to our approved maximum rate of 2.11 mills to be brought to the board for adoption after all timelines are met. We have to roll forward to our maximum rate because Terrebonne Parish has to do a reassessment this year since they did not pass the Louisiana Tax Commission ratio study.

Mr. Ben Malbrough advised that he recommends approving an after-the-fact permit for Mr. Ronald Guillory. We saw activity going on in his backyard, and contacted him regarding obtaining a permit.

Commissioner Francis Richard stated that he read in the permit application that Mr. Ronald Guillory refers to damage done due to dredging. Mr. Malbrough advised that he will check with our attorney to see if there needs to be any language added into the permit authorization. Mr. Malbrough stated that it is an after-the-fact permit so it is already done, and we are only approving the placement of the rock.

Moved by Commissioner Eli Miles, Jr., second by Commissioner Ray Mayet to approve the permit for Mr. Ronald Guillory, 7546 Hwy. 1 South, Donaldsonville, LA to place rip rap to stabilize the bottom of levee on the backside of the property due to erosion of his property. The permit is approved contingent upon verifying with our attorney that any language relating to that permit be added to the permit authorization. Motion carried unanimously.

Mr. Malbrough advised that Ms. Claudette Pitre, 3158 Hwy. 308, Raceland, LA was replacing an old dock and bulkhead with a new bulkhead and dock, and had not applied for a permit with the Bayou Lafourche Fresh Water District. She received a Corps of Engineers permit in 1986 and 1990 for the old bulkhead and dock. She received all the required permits to build the bulkhead and dock for her residence.

Mr. Malbrough stated that he spoke with the Dept. of Natural Resources, the Office of State Lands and other entities that are in charge of permitting on how they handle grandfathering permits. He advised that it is his opinion that she should be allowed and grandfathered in because the Bayou Lafourche Fresh Water District did not have a permit ordinance on record at that time.

Mr. Malbrough's recommendation is that we approve her permit application to replace what was there and previously permitted within the footprint of what was there and previously permitted by the Corps of Engineers in late 1986 and 1990.

Ms. Pitre referenced the permits in her permit application so that we both know we are only allowing activity in the footprint of the previously permitted activity. She wants to put a dock back and as long as the dock stays within the footprint of the permitted dock we are okay.

We are grandfathering a project that was properly permitted to the best of our knowledge predating our permit ordinance.

Mr. Malbrough's recommendation is to approve the reconstruction of the permitted activity as approved in the Corps of Engineers permits LMNOD-SP (Bayou Lafourche) 1015, and SE (Bayou Lafourche) 1015 issued in 1986 and 1990 respectively. This is grandfathering in a previously approved project.

Commissioner Chris Domangue stated that he would like to see the ordinance codified a little more for the future. Mr. Malbrough stated that we certainly can add more language as we come across instances such as this one.

Moved by Commissioner Francis Richard, seconded by Commissioner Eli Miles, Jr. to approve the permit authorization for Ms. Claudette Ledet Pitre with the understanding that it is beyond the permits that were authorized in the 2017 permit revisions. It is on the premise that the structures were properly permitted to the best of our knowledge at the time by permit LMNOD-SP (Bayou Lafourche) 1015, and SE (Bayou Lafourche) 1015, which were issued by the Corps of Engineers in 1986 and 1990 respectively. We are permitting the same project that was permitted in those two permits within that footprint. Motion carried unanimously.

Mr. Malbrough advised that the next item on the agenda regarding the discussion on summit proposal by Emergent Method be tabled until the next meeting because Chairman Hugh Caffery wants to be here for that discussion.

Mr. Malbrough advised that the Friends of Bayou Lafourche is not here today to make their presentation because they are meeting with the plan developers for the Nicholls Bayouside Park. Mr. Malbrough stated that there are some really neat things being proposed for the bayouside park by Nicholls. We can expect to see a full blown developed final plan for the property in May.

Mr. Malbrough stated that we have the DOTD permit for the Donaldsonville Drainage Project, and the rights-of-way. We should be able to have the project out for bid within the next three or four weeks. The money so far is safe in the capital outlay bill.

Vice-Chairman Gene Harrell asked about the Kocke property, and Mr. Malbrough answered yes we are going to be moving to acquire it. The Planning & Zoning Commission approved our subdivision for the property. We will enter into a purchase agreement for \$451,000.00 for 4.4 acres. Kocke will retain .6 acres.

Commissioner Eli Miles, Jr. stated that on LA 1 during the last rain you could not pass. The parish is trying to figure out where the water is coming from because the water is bubbling out of the blacktop road.

Vice-Chairman Gene Harrell asked for any public comments, and there were none.

Moved by Commissioner Francis Richard, seconded by Commissioner Ray Mayet and unanimously approved the meeting adjourned at 6:05 p.m.

Gene Harrell, Vice-Chairman

Greg Nolan, Secretary/Treasurer