SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY – WEST (SLFPA – W)

Minutes of the Regular Meeting

January 22, 2013

The SLFPA – W Board of Commissioners met at approximately 5:37 PM on January 22, 2013 in the Board Room at the SLFPA – W office, 7001 River Road, Marrero, Louisiana 70072.

Ms. Maclay called the meeting to order and directed Mr. Dauphin to call the roll. In attendance were: Ms. Maclay, Mr. Camnetar, Mr. Dauphin, Mr. Merritt, Mr. Viera and Mr. Wilkinson. Dr. Westerink was absent. Also in attendance were: Mr. Miserendino, Mr. Roark, Ms. Ford, Ms. Rogers, Mr. Doody from SLFPA-E, Mr. Ehrhardt, public relations, and Mr. Pickering, Mr. Falcon and Mr. Colvin, legal counsel.

Ms. Maclay led all in attendance in the Pledge of Allegiance.

It was moved by Mr. Merritt, seconded by Mr. Wilkinson and unanimously approved by the Commissioners in attendance to accept and approve the minutes of the December 17, 2012 meeting.

It was unanimously approved by the Commissioners in attendance to affirm the agenda as amended.

There were no public comments.

There was no Executive Session to discuss litigation pertinent to the Oil Pollution Act of 1990.

Mr. Miserendino gave an explanation of a pending legal claim for damages resulting from the BP Oil Spill in 2010. Mr. Colvin addressed the Board, and provided more information about the claim and a summary of the proposed agreement between the Authority and his firm.

It was moved by Mr. Dauphin and seconded by Mr. Camnetar to ratify and approve the FALPI Committee’s decision to make presentation for the claims the Southeast Louisiana Flood Protection Authority – West and its member districts in a claim for recovery of civil damages under the Oil Pollution Act of 1990 against one or more of the following entities or other responsible parties: BP Exploration & Production, Inc.; Transocean, Ltd.; Anadarko Petroleum Corporation; Moex Offshore 2007 LLC; Anadarko E&P Company LP; BP, PLC; BP Products North America, Inc.; BP America, Inc.; Halliburton Energy Service, Inc.; Cameron International Corporation f/k/a Cooper-Cameron Corporation; Swaco, A Division of M-I L.L.C.; and any other responsible parties, arising from the explosion and sinking of the MODU DEEPWATER HORIZON in 2010.

Prior to the vote on this resolution, Ms. Maclay recused herself due to a family member’s involvement as a federal witness on this matter. She further noted that she had signed the agreement at the FALPI Committee meeting as an administrative duty, and this in no way implied approval or disapproval of the matter. Mr. Wilkinson stated that he would recuse himself from the vote, as well.

Mr. Merritt called for a point of information from legal counsel to ask if recusal was required for a Commissioner who was a former employee of one of the entities involved in the suit; he was advised by counsel that recusal was not mandated.

The foregoing resolution was read in full, the roll was called on the adoption thereof, and the resolution was adopted by the following votes:

 YEAS: Mr. Camnetar, Mr. Dauphin, Mr. Merritt, Mr. Viera

 NAYS: None

 ABSENT: Dr. Westerink

 ABSTAIN: None

 RECUSED: Ms. Maclay, Mr. Wilkinson

Mr. Miserendino presented the Regional Director’s report on the activities, meetings, and issues of the SLFPA – W and its member districts, and reported on a Strategic Goal Plan which will replace his monthly Regional Director’s report.

Mr. Dauphin reported on the activities, meetings, and issues of the Finance, Administration, Legal, and Public Information (FALPI) Committee in January.

Mr. Viera reported on the activities, meetings, and issues of the Technical, Operations and Maintenance (TOM) Committee in January.

It was moved by Mr. Dauphin, seconded by Mr. Camnetar and unanimously approved by the Commissioners in attendance to approve bills for payment and accept financial statements for the month of January as submitted for the Southeast Louisiana Flood Protection Authority – West and its member districts.

It was moved by Mr. Dauphin, seconded by Mr. Camnetar and unanimously approved by the Commissioners in attendance to ratify the President’s decision to use funds in the amount of $135,644.39 from the Emergency Fund of the West Jefferson Levee District, and funds in the amount of $45,214.80 from the Emergency Fund of the Algiers Levee District to pay for expenses incurred during Hurricane Isaac.

It was moved by Mr. Dauphin, seconded by Mr. Merritt and unanimously approved by the Commissioners in attendance to enact a Pay for Employees at Range Maximum Policy for the Southeast Louisiana Flood Protection Authority – West and its member districts, according to the rules of the Department of State Civil Service.

It was moved by Mr. Dauphin, seconded by Mr. Camnetar and unanimously approved by the Commissioners in attendance to enact a Performance Evaluation System Policy for the Southeast Louisiana Flood Protection Authority – West and its member districts, according to the rules of the Department of State Civil Service.

It was moved by Mr. Dauphin, seconded by Mr. Wilkinson and unanimously approved by the Commissioners in attendance to amend and re-enact a Training and Education Policy for the Southeast Louisiana Flood Protection Authority – West and its member districts, according to the rules of the Department of State Civil Service.

It was moved by Mr. Dauphin, seconded by Mr. Camnetar and unanimously approved by the Commissioners in attendance to authorize the administration to purchase two Heavy Duty 30-ft. Tag-along Trailers, at a budget not to exceed $60,000.00.

It was moved by Mr. Merritt and co-authored, seconded and adopted by unanimous consent of Commissioners in attendance, a resolution and proclamation applauding, honoring and expressing thanks to the late Gerald A. “Jerry” Spohrer.

On behalf of his family, Mr. Miserendino thanked the Board for honoring Mr. Spohrer with this resolution.

Ms. Maclay called for a ten minute recess.

After the recess, Ms. Maclay recognized Mr. Doody, who delivered a tribute to the late Gerald A. Spohrer on behalf of the Southeast Louisiana Flood Protection Authority – East. Ms. Maclay thanked Mr. Doody and SLFPA – E for their tribute.

Ms. Maclay announced the next regular meeting of the Authority will be held at Our Lady of Holy Cross College – Moreau Center, 4123 Woodland Drive, New Orleans, Louisiana 70131 on Monday, February 18, 2013 at 5:30 PM.

The agenda being completed, Ms. Maclay declared the meeting adjourned at approximately 6:40 PM.

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Susan H. Maclay, President

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Paul R. Dauphin, Secretary-Treasurer