

December 17, 2012

The regular monthly meeting of the Board of Commissioner of the Bayou Lafourche Fresh Water District was held on Monday, December 17, 2012 at 4:00 p.m. at the Water District office, 1016 St. Mary Street, Thibodaux, LA

Present were: Hugh Caffery, Chairman	Larry Dugas
Gene Harrell, Vice-Chairman	Jake Giardina
Gregory Nolan, Secretary/Treasurer	Francis Richard
Windell Curole	Ron Animashaun

Absent: None

Also present were: Barry Marionneaux, Attorney; Matt and Jimmy Ledet, T. Baker Smith Stevie Smith, All South Consulting Engineers; Alma Robichaux, BTNEP Joel Tillery; Nick Porto; Bruno Deleo; Robert Mire Robert Thibodaux; Jerry Waguespack; Henry & Mattie Templet Archie Chaisson, Jr., Director; Jana Langley, Administrative Coordinator

Moved by Vice-Chairman Gene Harrell, seconded by Commissioner Jake Giardina and unanimously approved to go into Executive Session at 4:10 p.m.

Moved by Commissioner Larry Dugas, seconded by Commissioner Francis Richard and unanimously approved to return to regular session at 5:00 p.m.

Mr. Barry Marionneaux, attorney, read a Resolution authorizing the Bayou Lafourche Fresh Water District and its Chairman, Hugh Caffery, to negotiate a salary and benefits package with applicant, Benjamin Malbrough to serve as the BLFWD's new Executive Director.

Moved by Commissioner Jake Giardina, seconded by Commissioner Francis Richard and unanimously approved to adopt a Resolution authorizing the Bayou Lafourche Fresh Water District and its Chairman, Hugh Caffery, to negotiate a salary and benefits package with applicant, Benjamin Malbrough, to serve as the BLFWD's new Executive Director, subject to reasonable adjustments by Chairman Caffery as he deems necessary. Also, authorizing the BLFWD to hire Benjamin Malbrough as its new Executive Director after an agreement as to salary and benefits has been reached, and to place Mr. Malbrough into the unclassified Executive Director position along with Archie Chaisson for 90 days of training, which double incumbency is permissible for an unclassified position.

Chairman Hugh Caffery advised that the Levee Board Operations Superintendent position will be addressed once we are in operation in the 90 day training period.

Moved by Commissioner Windell Curole, seconded by Commissioner Vice-Chairman Gene Harrell and unanimously approved to amend the agenda by two-thirds vote to move Leo Sternfels, Gallagher Insurance, further down on the agenda after several other items have been discussed.

Commissioner Windell Curole advised that the BP oil spill may have affected the tax income of the District, and some of the other parish agencies have gone in with Special Counsel, Leger & Shaw. Our attorney has agreed that this is a good idea. We do not have to invest any money at all, and we can get a return on this. A Resolution has to be adopted to hire the Special Counsel, and it also has to be approved by the attorney general.

Moved by Commissioner Windell Curole, seconded by Commissioner Larry Dugas and unanimously approved to adopt a Resolution authorizing the Bayou Lafourche Fresh Water District to employ Special Counsel, Legal & Shaw, relative to BP/Deepwater Horizon oil spill claims, and to enter into contingency fee agreement with said legal representation. Also, Chairman Caffery is authorized to execute the Legal Services Contract for Leger & Shaw, Special Counsel.

Moved by Commissioner Larry Dugas, seconded by Commissioner Jake Giardina to dispense with the reading of the minutes, and approve the minutes of November 13, 2012. Motion carried unanimously.

Moved by Commissioner Vice-Chairman Gene Harrell, seconded by Commissioner Ron Animashaun to approve the 2013 Equal Employment Opportunity Policy (EEO) as required by Civil Service rules. Motion carried unanimously.

Chairman Caffery stated that he had to leave the meeting, and Vice-Chairman Gene Harrell took over conducting the remainder of the meeting.

Leo Sternfels, Arthur J. Gallagher Insurance, distributed the insurance proposal to the Board members. He reviewed the 2013 insurance premium summary and coverage with the Board. He advised that there was a decrease in the total premium as compared to last year.

Moved by Commissioner Windell Curole, seconded by Commissioner Jake Giardina to approve the 2013 insurance proposal for the January 1, 2013 renewal. Motion carried unanimously.

Moved by Commissioner Ron Animashaun, seconded by Commissioner Windell Curole to approve the accounts payable for November. Motion carried unanimously.

BAYOU OPERATIONS

CREWS: The crews have been alternating between working the harvesters, tree cutting and operating the tug to clear hydrilla along with Theriot Canal gate maintenance.

EQUIPMENT STATUS: Trucks: all operational; Boats: All operational ;Harvesters: both operational.

PUMP STATION: November 2012

RIVER STAGE: Beginning November : 2.85; Ending Month: 3.47; Current Stage: 3.00

PUMP OPERATION: No. Days Siphon: 0; No. Days Pumping: 30

STATION MAINTENANCE: Automatic Power out for inspection and repairs to Dolphin pile nav-aide lights. Ace Industries repaired deficiencies and recommendations found during annual inspection on station's 15 ton overhead crane.

Vice-Chairman Gene Harrell asked for a breakdown of the attorney's expenses that we paid and were supposed to get reimbursed by the State. Mr. Chaisson stated that we haven't received any reimbursement yet.

Moved by Commissioner Francis Richard, seconded by Commissioner Jake Giardina and unanimously approved to give an investment to BTNEP for \$5,000 to help with the 2013 "Bayou Lafourche Cleanup" which will be held Saturday, March 2, 2013.

Mr. Chaisson advised that he spoke to Jessie Means regarding the time of travel dye study on the bayou. The chemical cost will be between \$5,000 - \$7,000. The Board agreed to go ahead with the dye study.

Commissioner Windell Curole asked if we have sent letters to the property owners giving them an update on the status of their property. Mr. Chaisson answered that we sent the first letter after the first meeting, and basically there has been no change since then.

Vice-Chairman Gene Harrell asked if we have any update on the blockage of the culverts at the railroad. Mr. Chaisson answered that he is still waiting for an update from Brandon Kasper at Union Pacific, and hasn't heard back from him. Commissioner Curole recommended sending a copy of the letter to Scott Angelle since he is the new Public Service Commissioner.

Moved by Commissioner Jake Giardina, seconded by Commissioner Larry Dugas and unanimously approved to adopt the Resolution providing for canvassing the returns and declaring the result of the special election which was held on December 8, 2012 to renew the millage tax for twenty years. The election passed.

The Board agreed to change the meeting date for January to Wednesday, January 23, 2013 due to a holiday that falls on the regular meeting day in January.

Moved by Commissioner Jake Giardina, seconded by Commissioner Larry Dugas to approve the 6.5(g) Civil Service policy regarding the Levee Board Operations Superintendent position. This policy gives the Board authority to pay above the minimum pay for that position if the applicant possesses extraordinary qualifications above and beyond the minimum qualifications for that job title. Motion carried unanimously.

Mr. Joel Tillery stated that the Corps permitting for the pump rehab has gone through and passed the engineering review. The State should get with the District in a few weeks regarding the bidding for the project.

Mr. Bruno Deleo asked the Board what will we get out of the new director. Vice-Chairman Gene Harrell answered hopefully it will be a person that could lead us to be able to handle these long range

plans that we worked on so diligently. He will be graded on how he achieves those things. Mr. Deleo asked what is the new director going to do that Archie didn't do. Commissioner Curole answered that he is an engineer. Vice-Chairman Gene Harrell stated that the major thing that they are looking at his point of view is someone to be able to go out and chase the money to help us achieve those projects.

Mr. Robert Thibodaux stated that the new director is going to cost taxpayers a lot more money. When you spend taxpayers money you have to be responsible and accountable.

Moved by Commissioner Jake Giardina, seconded by Commissioner Larry Dugas and unanimously approved the meeting adjourned at 5:45 p.m.

Hugh Caffery, Chairman

Greg Nolan, Secretary/Treasurer

Gene Harrell, Vice-Chairman
Acting Chairman