

January 23, 2013

The regular monthly meeting of the Board of Commissioners of the Bayou Lafourche Fresh Water District was held on Wednesday, January 23, 2013 at 5:00 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
	Ron Animashaun	Windell Curole

Also present were: Barry Marionneaux, Attorney; Joel Tillery; Lori LeBlanc; Jerry Waguespack
Kerry St. Pe' and Alma Robichaux, BTNEP; Gasper Chifici; Robert Mire
Tiffany Bergeron; Paul Tschirky; Tony Ricks; Allen Dupont
Mike Sobert, Consolidated Waterworks District; Robert Thibodaux
Ben Malbrough, Executive Director; Archie Chaisson, Jr.
Jana Langley, Administrative Coordinator

On motion by Commissioner Ron Animashaun, seconded by Vice-Chairman Gene Harrell and unanimously approved to deviate from the agenda to include a report by Alma Robichaux and Kerry St. Pe' with BTNEP on the Bayou Lafourche Cleanup.

Ms. Alma Robichaux reported that the 2013 Bayou Lafourche Cleanup will be held on March 2, 2013. She advised that they received a great response this year, and it is very positive for the bayou and the whole community. She showed the winner for the poster contest, and showed the t-shirts that will be ordered for the cleanup. Ms. Robichaux advised that they still need site captains and boats. Mr. Kerry St. Pe' advised that being a site captain is not very hard. Mr. St. Pe' stated that last year they picked up eighteen tons of garbage in four hours. Ms. Robichaux advised that there will be a planning meeting on Tuesday, January 29th from 5:30 p.m. – 7:00 p.m. at the Nicholls stadium.

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

Chairman Hugh Caffery asked for nominations for the election of officers.

Moved by Commissioner Windell Curole, seconded by Commissioner Jake Giardina to retain the same slate of officers. Chairman Caffery asked for any other nominations. Moved by Commissioner Gregory Nolan, seconded by Commissioner Windell Curole to close the nominations for the slate of officers. Chairman Caffery asked for a vote on the motion for the slate of officers, and the vote was unanimous to retain the same slate of officers.

Moved by Commissioner Ron Animashaun, seconded by Commissioner Jake Giardina and unanimously approved to go into Executive Session at 5:30 p.m.

Moved by Commissioner Ron Animashaun, seconded by Vice-Chairman Gene Harrell and unanimously approved to return to regular session at 6:15 p.m.

Moved by Commissioner Jake Giardina, seconded by Commissioner Francis Richard to adopt the Resolution authorizing the Bayou Lafourche Fresh Water District to ratify the salary and benefits

package offered to the new Executive Director Ben Malbrough. Motion carried unanimously. **(RESOLUTION ATTACHED)**

Mr. Barry Marionneaux, attorney, read the Resolution for the Board to adopt regarding the Intergovernmental Agreement (IGA), and the Request for Statement of Interests and Qualifications (RSIQ) regarding Phase 2 of State Project BA-0161.

Moved by Commissioner Jake Giardina, seconded by Commissioner Windell Curole to adopt the Resolution authorizing the Chairman of the Bayou Lafourche Fresh Water District to enter into and sign on behalf of the BLFWD upon finalization of said instrument, the "Intergovernmental Agreement (IGA) between the State of Louisiana CPRA Board, and the BLFWD regarding the Mississippi River Water Re-introduction into Bayou Lafourche, State Project BA-0161". Also, to advertise for engineering services for Phase 2 of State Project BA-0161 via the Request for Statement of Interests and Qualifications (RSIQ). Motion carried unanimously. **(RESOLUTION ATTACHED)**

Moved by Commissioner Ron Animashaun, seconded by Commissioner Francis Richard to dispense with the reading of the minutes, and approve the minutes of December 17, 2012. Motion carried unanimously.

Moved by Commissioner Ron Animashaun, seconded by Jake Giardina to approve the accounts payable for December. Motion carried unanimously.

BAYOU OPERATIONS REPORT

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

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

PUMP STATION REPORT

RIVER STAGE: Beginning December : 3.36;Ending Month: 7.19;Current Stage: 12.05

PUMP OPERATION: No. Days Siphon: 0; No. Days Pumping: 31

STATION MAINTENANCE: General maintenance, yard work, chipping and painting.

Chairman Hugh Caffery advised that he has asked the new Executive Director to focus on three things, which are as follows:

- 1) Getting the intergovernmental agreement done so we could get the funds, and get the work done as soon as possible;
- 2) Look at the problems with Phase 1 and resolve those problems as quickly, diplomatically, and economically as possibly so that we would know how much that is going to take out of our Phase 2 funds; and
- 3) Develop over time what he thinks we could get done in 2013.

Mr. Chaisson reported that Pump #4 motor went out and Houma Armature checked it out, and it is a problem internally. They picked it up Monday and are working on it.

Moved by Commissioner Windell Curole, seconded by Commissioner Ron Animashaun and unanimously approved to adopt the Resolution for Whitney Bank, and signed by Secretary/Treasurer Greg Nolan, authorizing ten signers on the checking account, and three signers on the savings account.

Moved by Commissioner Francis Richard, seconded by Commissioner Jake Giardina and unanimously approved to purchase a 2013 Chevrolet Tahoe from Gerry Lane Chevrolet which was listed through the Louisiana Office of State Purchasing.

Jana Langley advised the Board that the District received \$1.4 million so far in ad valorem taxes. She advised that she would call various banks for CD rates. Moved by Commissioner Windell Curole, seconded by Commissioner Greg Nolan to approve the finance report presented by Jana Langley. Motion carried unanimously.

Mr. Joel Tillery, CH2MHill, advised that the advertisement for the pump station rehab went out January 18th. There will be a pre-bid meeting at the American Legion in Donaldsonville on February 14th at 10:00 a.m. He stated that he doesn't know the exact date when the bids are due but it will be a few weeks after the pre-bid. There will be a site visit after the pre-bid meeting. They got the permit from the Corps the second week of January.

Moved by Commissioner Jake Giardina, seconded by Commissioner Larry Dugas to adopt the Resolution for the Louisiana Compliance Questionnaire, and a copy of the adoption and questionnaire will be given to the auditor. Motion carried unanimously. **(RESOLUTION ATTACHED)**

Chairman Caffery introduced Mr. Mike Sobert, Executive Director for Consolidated Waterworks District, and thanked him for coming to the meeting. Mr. Sobert thanked the Board and advised that they are there to support us, and do whatever they can to help us.

Mr. Robert Thibodaux wished the best to Mr. Malbrough in his job, and stated that there is a lot to do here with the water district. He advised that as a taxpayer of this parish and a property owner, he asked what Mr. Malbrough's salary is. Chairman Caffery stated that the Resolution that was passed has a salary of \$120,000 per year, health insurance for himself and his family, relocation reimbursement, retirement plan, and annual vacation. Chairman Caffery advised that Mr. Thibodaux could get a copy of it, and Mr. Thibodaux stated that he would like to have a copy of it.

Mr. Thibodaux stated that Archie did a lot for the water district, and Archie is very knowledgeable about the pump station and Bayou Lafourche. Mr. Thibodaux thanked the Board for their time. Chairman Caffery thanked Mr. Thibodaux.

Commissioner Windell Curole advised that there is a gentleman from Canada that had an idea, and sold his idea to two hundred different places around the world. He came up with a small hydraulic dredge that can run in eighteen inches of water, and can dredge down to twenty feet. They have it for three weeks for free, and are dredging trying to make some marsh with it. They will make a decision this week to see whether they think it is worth investing the money to keep it running.

Chairman Caffery recommended that Ben make an appointment with the Board to go down and see it. Ben stated that Archie and he had already talked about it, and will set something up with the Board members to go and see the equipment.

Moved by Commissioner Jake Giardina, seconded by Commissioner Windell Curole and unanimously approved the meeting adjourned at 7:00 p.m.

Hugh Caffery, Chairman

Greg Nolan, Secretary/Treasurer

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

RESOLUTION

A Resolution authorizing the Bayou Lafourche Fresh Water District to ratify the salary and benefits package offered to the new Executive Director Ben Malbrough.

1. The Board authorized Chairman Caffery to offer our new Executive Director a salary and benefits package, as follows:
 - a. **Salary – \$120,000/year;**
 - b. **Health Insurance – Full Family coverage at no premium cost to Executive Director;**
 - c. **Vehicle provided with fuel, maintenance, insurance, etc., to be used for transportation to and from work and for District business;**
 - d. **Relocation – reimbursement of moving expenses up to \$15,000 upon moving into the District; (The intent here is for you to be nearby the work.)**
 - e. **Salary Increases to be based on achieved results;**
 - f. **Retirement – The BLFWD’s retirement plan is through the Parochial Employees’ Retirement System of Louisiana, Baton Rouge, LA. The plan provides that the employee contributes 3% of bi-weekly gross wages, and employer contributes 10% of gross wages quarterly to the system. A Deferred Compensation Plan through the Louisiana Public Employees Deferred Compensation Plan (457 plan), Baton Rouge, LA is also available. Only the employee contributes to this plan at his option. There are no employer contributions. The employee can contribute in \$25.00 increments per bi-weekly payroll. He can contribute as much bi-weekly as he chooses up to the annual contribution limits in the 457 plan, which are \$17,000 per annum if employee is under age 50, and \$22,500 if over age 50; and**
 - g. **Annual (vacation)leave and sick leave will be earned based on the number of years of service, and shall be creditable at the end of each bi-weekly eighty hour pay period with the following Civil Service Rules schedule:**
Less than 3 yrs. – 3.6880 hrs.
3 yrs. but less than 5 yrs. - 4.6080
5 yrs. but less than 10 yrs. - 5.5360
10 yrs. but less than 15 yrs.- 6.4560
15 yrs. or more – 7.3840
- The Executive Director will be an at-will employee of the District.**

2. Authorizing the BLFWD to approve the salary and benefits package outlined above to Executive Director Ben Malbrough.

NOW, THEREFORE, BE IT RESOLVED THAT that Bayou Lafourche Fresh Water District approve the salary and benefits package for the new Executive Director Ben Malbrough.

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

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

NAYS: None

ABSENT AND NOT VOTING: None

ABSTAINED: None

And the Resolution was declared adopted on this 23rd day of January 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 23rd day of January, 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 23rd day of January 23, 2013.

/s/ Hugh F. Caffery

Hugh F. Caffery, Chairman

/s/ Greg Nolan

Greg Nolan

On motion by Jake Giardina, seconded by Larry Dugas, the following Resolution was unanimously adopted:

RESOLUTION

BE IT RESOLVED that the Bayou Lafourche Fresh Water District Board of Commissioners was presented with the Louisiana Compliance Questionnaire, and said questionnaire was adopted by the governing body in an open meeting on January 23, 2013.

BE IT FURTHER RESOLVED that the Louisiana Compliance Questionnaire and a copy of its adoption will be given to the auditor.

CERTIFICATE

I hereby certify that the above Resolution was adopted at the regular meeting of the Board of Commissioners of the Bayou Lafourche Fresh Water District on January 23, 2013.

/s/ Hugh F. Caffery

Chairman

/s/ Greg J. Nolan

Secretary/Treasurer

