

November 17, 2014

The regular monthly meeting of the Board of Commissioners of the Bayou Lafourche Fresh Water District was held on Monday, November 17, 2014 at 5:00 p.m. at the Water District office, 1016 St. Mary Street, Thibodaux, LA

Present were: Hugh Caffery, Chairman
Gene Harrell, Vice-Chairman
Greg Nolan, Jr., Secretary/Treasurer
Judge Jimmy Gaidry
Windell Curole
Jake Giardina

Francis Richard
Lance Authement
Eli Miles, Jr.
Donald Schwab

Absent: Ron Animashaun, Juan Pickett

Also present: Dustin Rabalais, T. Baker Smith; Lori LeBlanc; Tiffany Bergeron
Barry Marionneaux, Attorney; Ayad Taofik, Burk-Kleinpeter, Inc.
Jerry Waguespack; Robert Mire; Stevie Smith, All South Consulting Engineers
Ben Malbrough, Executive Director; Jana Langley, Administrative Assistant

Vice-Chairman Gene Harrell chaired the meeting until the arrival of Chairman Hugh Caffery at 5:10 p.m.

Moved by Commissioner Donald Schwab, seconded by Commissioner Francis Richard to dispense with the reading of the minutes, and approve the minutes of October 21, 2014. Motion carried unanimously.

Moved by Commissioner Francis Richard, seconded by Commissioner Jake Giardina to approve the accounts payable for October. Motion carried unanimously.

Moved by Commissioner Donald Schwab, seconded by Commissioner Jake Giardina to approve the finance report for October. Motion carried unanimously.

Mr. Ben Malbrough reported that everything is operating as normal, and we are still maintaining pretty steady water levels in the bayou. The weather looks like the temperatures are going to drop, and hopefully we can catch up with the grass. Ultimately, we will pull the harvester out and do some repairs to get ready for next year.

Mr. Dustin Rabalais, T. Baker Smith gave an update on the Mississippi River Reintroduction into Bayou Lafourche project, as follows:

- Geotechnical investigation work is 100% complete.
- The Coastal Use Permit and the USACOE permit are complete. The DOTD permitting is now complete.
- We are waiting on one or two letters of no objection for the pipelines. We don't anticipate any problems.
- We finally reached an agreement with the landowners' legal counsel. We are waiting for corporate resolutions authorizing those organizations to sign.
- The QA/QC is complete.
- The resolution to advertise will be at the next meeting.
- The Notice to Proceed will be January 2, 2015.

Moved by Vice-Chairman Gene Harrell, seconded by Commissioner Windell Curole and unanimously approved to open the public hearing on the 2015 Proposed Operational Budget, and 2015 Proposed Dredge Project-Phase 2 Budget. The 2014 Amended Operational Budget, and 2014 Amended Dredge Project Budget-Phase 2 Budget will also be reviewed.

Mr. Malbrough reviewed the line items for the 2015 Proposed Operational Budget revenues, expenditures, and capital projects. He also reviewed the line items for the 2015 Proposed Dredge Project-Phase 2 Budget revenues and expenditures.

Mr. Malbrough reviewed the line items for the 2014 Amended Operational Budget revenues, expenditures and capital projects. He also reviewed the line items for the 2014 Amended Dredge Project-Phase 2 Budget revenues and expenditures.

Chairman Caffery asked for any public comments on the 2015 budgets, and 2014 amended budgets that were reviewed, and there were none.

Moved by Commissioner Francis Richard, seconded by Commissioner Jake Giardina and unanimously approved to close the public hearing on the 2015 Proposed Operational Budget, the 2015 Proposed Dredge Project-Phase 2 Budget, the 2014 Amended Operational Budget, and 2014 Amended Dredge Project-Phase 2 Budget.

Moved by Vice-Chairman Gene Harrell, seconded by Commissioner Eli Miles, Jr. and unanimously approved to adopt the 2015 Proposed Operational Budget, the 2015 Proposed Dredge Project-Phase 2 Budget.

Moved by Vice-Chairman Gene Harrell, seconded by Commissioner Windell Curole and unanimously approved to adopt the 2014 Amended Operational Budget, and 2014 Amended Dredge Project-Phase 2 Budget.

Mr. Malbrough advised that he had talked to the employees to make them aware of the options going forward regarding the District separating from Civil Service. He feels that Civil Service is not a good fit for our agency because of what we do. Chairman Caffery commented that the bayou crew and pump station job duties is not easy to fit in the job descriptions of Civil Service.

Mr. Malbrough stated that there were two major concerns when he talked to the employees individually, which were what happens to the benefits and leave accrued. He advised that the benefits do not change. We will still fall under Office of Group Benefits, and the retirement system stays the same. The change from a leave perspective is if one of our employees were to leave and go to work for another Civil Service agency their accrual rate for annual and sick leave would be the number of years of service from the date of separation. Also, they would not be able to roll their accrued hours over to another Civil Service job.

Mr. Malbrough advised that it is his recommendation that if we do decide to separate from Civil Service that we would adopt the same Civil Service policy for annual and sick leave. The accrual rates would stay the same, and the rollover policy would be the same.

Commissioner Windell Curole advised that they got out of Civil Service and he stated that their Board became the Civil Service Board. They adopted Civil Service policies and changed the policies that fit their agency. They have a very detailed base that covers everything.

Mr. Malbrough advised that the other policy that employees were concerned about was the disciplinary action and termination policy. Mr. Malbrough stated that he made sure the employees understood that this was not about getting rid of anybody. This is more about retaining people, and retaining all our good employees.

Mr. Malbrough advised that we have to prepare a letter for all the employees to sign acknowledging that they have been made aware that the District is separating from Civil Service.

Mr. Malbrough advised that the resolution is authorizing us to prepare the paperwork to separate from Civil Service with an effective date of January 1, 2015. Also, included in the resolution is to adopt the Disciplinary Action and Termination Policy, and Leave Policy.

Moved by Commissioner Windell Curole, seconded by Commissioner Donald Schwab and unanimously approved to adopt the resolution to remove the Bayou Lafourche Fresh Water District and its employees from the authority of the Louisiana Department of Civil Service effective January 1, 2015. Additionally, the BLFWD adopts the Disciplinary Action and Termination Policy and Leave Policy. RESOLUTION ATTACHED

Mr. Malbrough advised that he submitted the comments back to Union Pacific regarding the agreement between BLFWD and Union Pacific.

Mr. Malbrough reported that he is in the process of setting up a meeting with the City of Donaldsonville and the Drainage Board regarding the Donaldsonville Drainage Project. He will let Mr. Gene and Mr. Eli and the other commissioners know when that meeting will be held.

Vice-Chairman Gene Harrell asked Ben what the concept is for the railroad design. Mr. Malbrough answered that there is going to be a shoo fly track that will go around the existing track. The question asked is it economical to build the shoo fly as just temporary and while the train is rerouted replace what is existing today with an open span bridge and then divert the trains back to the original track and take down the temporary bridge, or make the temporary bridge the permanent track. It will be contingent upon the curves in the track.

Chairman Hugh Caffery asked for any public comments, and there were no comments.

Mr. Malbrough advised that there will be no executive session due to no new issues regarding the litigations.

Moved by Commissioner Jake Giardina, seconded by Commissioner Francis Richard and unanimously approved the meeting adjourned at 6:00 p.m.

Hugh Caffery, Chairman

Greg Nolan, Secretary/Treasurer

