

OFFICIAL PROCEEDINGS OF
THE BOARD OF COMMISSIONERS OF
ST. MARY PARISH WATER & SEWER COMMISSION NO. 4

April 17, 2024
Baldwin, Louisiana

The Board of Commissioners of St. Mary Parish Water and Sewer Commission No. 4, State of Louisiana, met on this date at the St. Mary Parish Water & Sewer Commission No. 4 Office Building at 900 Main Street in Baldwin, Louisiana, with Commission President Mr. Willie Scott presiding and the following members present: Mr. Joel Authement, Ms. Jenny Darce, Mr. Anthony Darden, Mr. William Gray, Mr. Benjamin Grimm, Ms. Stephanie Milton, and Mr. Willie Scott as present.

Others in attendance at this meeting include Commission Staff: Ms. Tandra Verret and Mr. Brad Vosburgh; Engineer: Mr. Nick Molaison, Miller Engineers & Associates; and Guests: Mr. Craig Mathews, Parish Councilman; Mr. Russell Cremaldi, Legal Advisor; and Arnold Watson, St. Mary Parish Water & Sewer Commission No. 4 Employee.

Mr. Darden made the motion to approve and dispense with the reading of the minutes of the last meeting, motion seconded by Mr. Gray. Motion Passed.

ENGINEER'S REPORT:

Mr. Molaison updated the commission on the Water Sector grant projects.

Southern Constructors submitted a pay app for the Phase 1: Raw Water Intake Upgrades project. They have installed all of the lines but haven't made the final tie-ins at the plant or pump station. The VFDs have been installed, but they are not hooked up. Mr. Molaison informed the commission that this pay app brings the contractor to 88% of the contract price so they should be wrapping up in the next few weeks.

Mr. Molaison reminded the commission that we issued a Conditional Notice to Proceed on April 1, 2024, to allow the contractor to begin ordering materials for the Phase 3: Water Treatment Plant Upgrades project. He informed the commission that the Full Notice to Proceed will be issued and the contractor will be on site on May 1, 2024. He also informed the commission that Westech would be on site in the next week or so to get dimensions and measurements for the Clarifier 1.

Mr. Molaison questioned whether everything has been removed from the old building, as it will be demolished very soon. Mr. Scott and Ms. Verret each stated that they had removed everything from the building, including transferring the telephone lines. Mr. Brad Vosburgh inquired about the date of demolition and Mr. Molaison stated he would inform him when he finds out the date.

There was discussion relative to the survey that Miller Engineers would be conducting for the raw waterline intakes.

There being no other business from the Engineer, Ms. Milton made the motion to accept the Engineer's Report; seconded by Mr. Darden. Motion passed.

PUBLIC COMMENT/ENTERTAIN GUESTS:

Mr. Scott gave the floor to Councilman Craig Mathews; however, Rev. Mathews stated he would reserve his comments until later in the meeting, when the New Business is being discussed.

PRESIDENTS REPORT:

Mr. Scott informed the commission that he has been in touch with the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) relative to public assistance for the pumps on the levee, but we have not received reimbursement yet.

Mr. Scott discussed the problems with the truck that was in the shop and informed the commission that the cost would be too high for us to repair it. He discussed declaring this truck as surplus property, along with a second truck and a bushhog. He further discussed the commission holding a surplus property auction through the St. Mary Parish Government office and www.govdeals.com.

There being no other business from the President, Mr. Darden made the motion to accept the President's report, seconded by Ms. Darce. Motion Passed.

SUPERINTENDENTS REPORT:

Mr. Brad Vosburgh presented Mr. Brian Mitchell's Superintendent Report for the month of March 2024. He stated that Mr. Mitchell's Report is mostly informational. The lake pumps are installed, and the roof is back on as of yesterday, but we are still waiting for ICE Sales & Service to come and wire the VFDs.

Mr. Vosburgh informed the commission that Jeremy Bourque is attending classes with Louisiana Rural Water Association this week and will be testing on Friday for Distribution Class I, Production Class I, and Water Treatment Class I certifications. He also informed the commission that there are two new customers hooked up to sewer on St. Peter Street, so the customers are actively hooking up to the system now.

The Water Treatment Plant and Distribution System were in compliance with all Health Department requirements, along with the Total Organic Carbon samples for March 2024. The Wastewater Treatment Plant and Collection System were in complete compliance with all DEQ requirements for March 2024.

There being no other business from the Superintendent, Ms. Milton made the motion to accept his report, seconded by Mr. Gray. Motion passed.

ADMINISTRATIVE REPORT AND PAYMENT OF BILLS:

Ms. Verret presented bills and discussed them with the Commission. Ms. Verret explained that Pay Request #4 for Water Sector Grant Program was approved in the amount of \$4,050.00 and that she would prepare Pay Request #5 with the two pay apps from Southern Constructors and the one invoice from NCMC that Mr. Molaison delivered this evening. Ms. Verret informed the commission that for the revenue anticipate note, there is an interest payment due on May 1, 2024, in the amount of \$21,038.39.

There being no other business from the Administrator, Mr. Darden made the motion to accept her report, seconded by Ms. Milton. Motion passed.

OLD BUSINESS:

1. Update on Water Sector Program (ARPA) Grant – Discussed earlier in the meeting
2. Discussion of Sewer Rates – Mr. Scott tabled this item until the next meeting.

NEW BUSINESS:

1. Discussion and Action Relative to certain personnel matters.
2. Discussion and action relative to assigning certain management tasks to individual commissioners.

Mr. Mathews addressed the commission and Mr. Cremaldi, relative to assigning certain management tasks to individual commissioners in the absence of a written policy, specifically regarding the customer payment plan

policy. Ms. Verret explained that the customer must pay half of the past due balance up front, and the remaining half is split into either 3-month or 6-month payment plans, depending on the amount owed. She reminded the commission that this was discussed in the July 2011 Board of Commissioners meeting. Mr. Mathews echoed his previous statement that the policy should be in writing and adopted by the commission. Mr. Cremaldi advised that if the board wishes to discuss this policy at the next meeting, an item should be on the agenda as “discussion and/or action relative to customer payment plan policy.”

Mr. Grimm stated that discussion was had at the last meeting relative to per diem for commissioners, and that item was to be placed on the agenda for this meeting. There was discussion relative to whether this was approved at the last meeting or if it was to be on this meeting’s agenda. Mr. Cremaldi advised that if the board wishes to discuss this policy next month, it needs to be added on the agenda as “discussion and/or action relative to per diem pay for commissioners.”

Mr. Scott gave the floor to Councilman Mathews for him to share his comments on the items under New Business. Mr. Mathews informed the commission that several St. Mary Parish Councilmembers received emails from a current St. Mary Parish Water & Sewer Commission No. 4 employee, Mr. Arnold Watson (in attendance at the meeting tonight), relative to allegations of discrimination.

Mr. Cremaldi advised that those in attendance are allowed to comment on any item on the agenda, but he reminded everyone that this is not a question-and-answer session. He also reminded the commission and strongly recommended that nobody on the board discuss any particulars on any employment issues or complaints in an open meeting. Mr. Cremaldi explained any agenda item should be something the commission wants to discuss and if a guest in attendance wants to respond to the item, they can under Public Comment. He also explained to everyone in attendance that the board could discuss this item, “New Business: 1. Discussion and Action Relative to Certain Personnel Matters” if they choose to but they do not have to discuss it or answer questions during this meeting.

Councilman Mathews reminded the board that every commissioner serves at the will of the Parish Council and if certain things are occurring with these entities under the jurisdiction of the Council, then the Parish Council reserves the right to address it in its own way. He explained that he is in attendance tonight to help resolve some of the concerning issues.

Mr. Scott explained that when charges were filed against the commission, he contacted our legal advisor and was advised not to discuss this matter since it is a legal matter. The commission was advised of the complaint with the U.S. Equal Employment Opportunity Commission (EEOC), but the board did not believe it was appropriate to discuss such matters in an open forum, so no other discussion was had at that time.

Mr. Scott informed the commission that we are waiting on mediation to resolve this issue. Mr. Cremaldi offered to get in touch with the attorneys tomorrow and get a status report on where the litigation lies. Mr. Grimm moved to authorize Mr. Russell Cremaldi to contact the attorneys relative to the status of the EEOC action, seconded by Mr. Darden. Motion passed.

Mr. Mathews discussed a second item of concern, specifically the practice of paying employees overtime compensation for hours they have not worked. Mr. Scott advised that he is unaware of any instance that the commission has paid anyone for overtime hours that they did not actually work. Mr. Mathews then questioned whether any other commissioners were aware of this happening, to which the commissioners in attendance stated they were unaware of this occurring.

Mr. Arnold Watson, St. Mary Parish Water & Sewer Commission No. 4 employee, informed of an incident which occurred relative to holiday pay, “on call” status, and overtime compensation. Mr. Cremaldi reminded the

commission that they should not discuss the particulars of the EEOC case in this meeting and explained that mediation is the appropriate time and place for that discussion.

Mr. Authement stated that only three members of this board received the emails, but they should be shared with all members. Mr. Cremaldi recommended to Mr. Watson, Mr. Mathews, and any other person in attendance that they leave copies of any documents they wish the board to have at the end of the meeting.

Mr. Mathews requested the commission keep the Parish Council informed on items such as this, as they are the authority over this board. Mr. Scott explained that he had spoken with a Parish Councilmember when the complaint was filed, as well as afterwards with updates. Mr. Scott questioned whether this information was shared with the other council members, to which Mr. Mathews stated he did not receive any updates.

Mr. Scott further explained that he was instructed by legal counsel to not disclose any information to the commissioners or the public in the beginning. Following authorization of legal counsel, Mr. Scott informed the commissioners at a board meeting of the EEOC claim that was filed. Mr. Mathews questioned whether the commissioners at that time were made aware of the claim. Ms. Milton stated the commissioners were notified in a meeting that charges were filed but clarified they could not discuss the matter openly. Mr. Gray confirmed her statement.

St. Mary Parish Council Chair, Ms. Gwendolyn Hidalgo stated for the record that she is in attendance at this meeting due to receiving the same email.

Mr. Scott reiterated that he has been in contact with legal counsel from the very beginning of this case. Councilman Mathews cautioned that commissioners should not act outside of the authority they are given and reminded them that several boards have been disbanded for this reason.

Mr. Scott questioned if Mr. Mathews wanted to speak on New Business Item 2. "Discussion and action relative to assigning certain management tasks to individual commissioners." Councilman Mathews explained that he would like to see a policy written describing the authority of daily management tasks given to the commission president outside of a board meeting.

There was discussion relative to the St. Mary Parish Government Personnel Policies and Mr. Cremaldi reminded the board that someone has to be given "supervisory" authority to conform to the Personnel Policies. Mr. Scott informed Mr. Mathews that this board gave him the authority during a public meeting to handle daily management tasks that take place outside of the monthly meetings. Mr. Cremaldi agreed that something be stated in writing, whether policy or in minutes from a board meeting, that the commission authorizes Mr. Scott to serve in that capacity.

There being no other business before the commission, Ms. Darce made a motion to adjourn seconded by Mr. Gray. Motion passed.

NEXT MEETING DATE: May 15, 2024

Willie J. Scott, President

Jenny R. Darce, Secretary/Treasurer