

Minutes of the Second Monthly Meeting of the Board of Commissioners of Consolidated Waterworks District No. 1, held April 19, 2021 at the District's Office, 8814 Main Street, Houma Louisiana.

Present: Chester Voisin, President Vincent Celestin
 John Pizzolatto, Vice-President Charles Brown, Sr.
 Clifton Stoufflet, Secretary Teri Chatagnier
 Stephen Hornsby Wilbert Thomas

There being a quorum present the meeting was called to order at 5:30 P.M., pursuant to proper notice in writing to each Board Member and posted in the manner required by law.

The meeting opened with a prayer led by Mr. Clifton Stoufflet, followed by the Pledge of Allegiance and Roll Call.

Upon motion by Mr. Charles Brown, and seconded by Mr. Vincent Celestin, the minutes of April 5, 2021 were unanimously adopted as written.

Upon motion by Mr. John Pizzolatto, and seconded by Mr. Stephen Hornsby, the Financial Reports for March 2021 were unanimously accepted as presented.

Mr. David Waitz, Waitz Engineering & Surveying, Inc., reported as follows

1. *Project No. CIP-9-18-03 Effluent Line – Schriever Water Treatment Plant to Bayou Lafourche*
 We are working on obtaining necessary rights-of-way.

Mr. Jacob Prosperie reported for All South Consulting Engineers as follows:

1. *Project No. L-6-20-02 Waterline Extension Along Bayou Country Parkway and Valhi Blvd.*
 Pre-construction conference held scheduled for 4-15-21.

Mr. Shane Guin, High Tide Consultants, LLC, reported as follows:

1. *Project No. L-7-20-04 Montegut Waterline Replacement.*
 Additional research of existing servitudes and coordinating additional survey as required for the routing. Additional routing modifications continue due to the multiple obstacles (trees) prevalent along LA 55. We will continue with the design to include tree friendly routing and potentially additional preservation techniques.

The following bills were presented for payment:

Hancock/Whitney Bank, Debt Service	265,434.17
Dept of Health & Hospitals, DWRLF Debt Service	30,291.90
Dept of Health & Hospitals, DWRLF Debt Service	18,785.25
All South Consulting Engineers, LLC, Local Project	1,055.14
High Tide Consultants, LLC, Local Project	9,356.79

It was moved by Mr. Clifton Stoufflet, and seconded by Mr. Vincent Celestin, to approve the capital improvement bills of the District for payment as presented. The motion was unanimously adopted

Three calls were announced for anyone from the public wishing to address the Board. None.

Upon recommendation of staff, it was moved by Mr. Stephen Hornsby, and seconded by Mr. Charles Brown, to authorize the advertisement to receive bids for Project L-4-21-03 Bayou Cane Fire Protection District – Hydrant Installations on May 10, 2021 at 2:00 p.m. at the District's office. The motion was unanimously adopted.

Upon recommendation of staff, it was moved by Mr. Clifton Stoufflet, and seconded by Mr. Charles Brown, to adopt the following Resolution:

RESOLUTION

A resolution adopted by the Consolidated Waterworks District No. 1 of the parish of Terrebonne, Louisiana to request an opinion from the Louisiana Attorney General relative to the necessity of advertising and bidding under the Louisiana Public Bid Law for its Digging Contract and its Labor & Equipment Agreement

WHEREAS, the Consolidated Waterworks District No. 1 of the parish of Terrebonne, Louisiana (Waterworks) is a political subdivision of the state of Louisiana created by the Terrebonne Parish Consolidated Government in Chapter 27 of the Terrebonne Parish Code of Ordinances pursuant to La. R.S. 33:7712; and

WHEREAS, Waterworks is the sole provider of potable water to the residents and businesses of Terrebonne Parish, maintaining a treatment plant and a water distribution system consisting of transmission and distribution lines, as well as towers, standpipes, pumps, etc. to accomplish this function; and

WHEREAS, Waterworks has need of engaging independent contractors to 1) perform digging services, including maintaining the water distribution system, installing water services, and other digging work, as well as mowing and grubbing services at or on its facilities, pursuant to a "Digging Services Contract" and 2) provide extraordinary mechanical equipment and labor required for the maintenance of Waterworks' facilities, including repairs to main waterlines, fire hydrants, paved streets and other miscellaneous maintenance work, as well as individual small projects each in an amount not to exceed the "contract limit" as defined in Louisiana's Public Works Laws in Revised Statutes Title 38 unless an emergency has been declared, pursuant to a "Labor and Equipment Agreement" (hereinafter referred to collectively as "the Contracts"); and

WHEREAS, the Contracts have heretofore been procured by Waterworks advertising for bids and awarding the Contracts to the successful low bidder as per the procedures outlined in La. R.S.38:2212 et seq., as if the subjects and activities of the Contracts were considered "public work", as that term is defined under law; and

WHEREAS, Waterworks believes that the subjects, activities and actual work performed under the Contracts may well be considered 1) not to be "public work" as that term is defined in applicable state law, La.R.S.38:2211 or elsewhere, or 2) to be maintenance contracts for the repair and maintenance of public facilities owned, controlled, or operated by a public entity under La.R.S.38:2212 (U), and hence not considered to be "public works contracts" necessitating advertising and bidding; and

WHEREAS, Waterworks has presented these issues to its legal advisor, David J. Norman III, it has placed these specific issues on its agenda and has taken up and passed this Resolution, in compliance with the prerequisites for seeking an opinion from the Louisiana Attorney General; and

NOW, THEREFORE, BE IT RESOLVED, that Consolidated Waterworks District No. 1 of the Parish of Terrebonne, Louisiana authorizes its attorney, David J. Norman III to seek an opinion from the Louisiana Attorney General, the Honorable Jeff Landry, on the issues of whether or not these Contracts are considered "public work" or otherwise exempt from the need for advertising and awarding to the lowest responsive and responsible bidder, and to supply as many facts and as much information to the Attorney General as necessary to obtain an informed opinion to give Waterworks direction on how to proceed, and further authorizes its President to sign any and all other documents to further the goals of this resolution.

Upon Roll Call There Was Recorded:

Voted For: 7 Against: 0

Absent and Not Voting: 1

And the President declared the resolution adopted this, the 19th day of April 2021.

It was moved by Mr. Stephen Hornsby, and seconded by Mr. Charles Brown, that the Staff be authorized to advertise for a Public Hearing to be held June 7, 2021 on the ensuing budget of Consolidated Waterworks District No. 1 for fiscal year July 1, 2020 to June 30, 2021. The motion was unanimously adopted.

It was moved by Ms. Teri Chatagnier, and seconded by Mr. John Pizzolatto, to approve the Drinking Water Week Proclamation to be presented to the Parish President and Council for adoption at their April 28, 2021 meeting. The motion was unanimously adopted.

At 6:00 P.M, there being no further business to come before the Board, it was moved by Mr. John Pizzolatto, and seconded by Mr. Wilbert Thomas, that this meeting adjourn. The motion was unanimously adopted.

Secretary

President