

OFFICIAL PROCEEDINGS OF THE GREATER LAFOURCHE PORT COMMISSION
OCTOBER 25, 1961

A special meeting of the Greater Lafourche Port Commission was held, pursuant to written notice to all members, at the domicile of the Commission on October 25, 1961, at 8:00 P. M. The meeting was called by the President, A. O. Rappelet, who presided.

The roll was called and the following members were present:

Senator A. O. Rappelet
Representative Dudley Bernard
Mr. H. P. Cheramie
Mayor John Egle
Mr. Luke Charpentier, Jr.
Mr. Eusebe "Neb" Chouest
Mr. E. J. Gremillion
Mr. Daize Cheramie

The following member was absent:

Mr. Leo J. Theriot

Others present were: Atty. Stanley L. Perry, and Mr. Thurman Morgan who is District Engineer of the Dept. of Public Works.

Two new members, Messrs. Daize Cheramie and E. J. Gremillion were welcomed to the board. They each stated that they appreciated the honor of being appointed to the board, and would do anything they could for the good of the Commission. The Recording Secretary was requested to furnish them a copy of the previous meetings so that they could familiarize themselves with previous actions of the board.

The President read a letter from the State Bond and Tax Board which approved application of the Greater Lafourche Port Commission for permission to borrow up to \$50,000.00 from a banking facility. He reported on his progress with the Raceland Bank, stating that the bank had tentatively approved the loan, but wanted a copy of the letter from the State Bond and Tax Board and a letter from the Tax Assessor of the Parish showing what taxes would be collected for the year 1961. This will be furnished them.

President Rappelet stated that the United Gas Pipeline Co. was laying a pipeline across the tenth ward of the Parish of Lafourche without first applying for a permit from the Commission. He stated that when the Corps of Engineers had received a request for a permit from their department, he had called Mr. Harvey of the Corps of Engineers, and told him that we objected unless they met the requirements of the board relative to navigation and authority vested in the board. Mr. Harvey stated that he would record their telephone conversation as an objection. The President then proceeded to give a resume' of what had been done by the Commission office to contact United Gas, i. e., sent registered letter to them, made several telephone calls to them, and personal contacts were made with their personnel and laws, etc. He stated that, as yet, no action has been taken by them to meet requirements of the board.

The President further stated that he had consulted the attorney for the Commission, Stanley Perry, regarding the advisability of a restraining order, and had been advised by the attorney to call a special meeting of the board to get the board's reaction.

Mr. Thurman Morgan, District Engineer of the Dept. of Public Works, was asked by the attorney if United Gas Pipeline Company's permit contained a provision to the effect that if it should later be necessary to deepen or widen a channel, the company would remove the pipeline at their own expense. Mr. Morgan replied that it did.

Atty. Perry stated that before proceeding with any action we should have an ordinance passed by this Commission which would require United Gas, or any other company, to comply with our requests. Before carrying out an injunction, however, we have to prove a company is violating or obstructing navigation, and we need competent engineering advice on this. It would be desirable to know where channel is going to be, i. e., a proposed route and alternate route. The Attorney further indicated that in order to successfully seek an injunction suit against United Gas Pipeline Co. it will be necessary to prove irreparable injury to the Port Commission and that in view of the expressed provision contained in the permit issued by the Corps of Engineers and La. Dept. of Public Works to the effect that United Gas would be forced, if later found necessary, to remove any pipeline at their own expense should it be determined that said pipeline would create a hazard to navigation arising through a subsequent deepening and widening of the waterway in question. The Attorney further advised the Board that if it did not succeed in such an injunction suit, it could possibly be subjected to a considerable damage claim by the Company, and that accordingly it would not be advisable to proceed with such a law suit at this time. The Attorney then suggested that the board proceed to adopt an ordinance regulating the obstruction in any way, shape, or form of the waterways situated within the tenth ward. At that time, President Rappelet called for a motion for the passage of an ordinance to be drafted by the Attorney.

Upon motion of Eusebe Chouest, seconded by Daize Cheramie, and unanimously carried, it was moved that such an ordinance be drafted and adopted by the Board.

The Attorney then advised the board that an officer should be authorized and empowered to file suits against any party violating any of the provisions of the above-mentioned ordinance. At that point, upon motion duly made by Dudley Bernard, seconded by E. J. Gremillion, and unanimously carried, it was:

²⁰RESOLVED, that the President of the Greater Lafourche Port Commission be authorized and empowered to bring legal action on behalf of the Commission against any party violating the provisions of the regulatory ordinance, being Ordinance No. 2, for the purpose of enjoining or restraining any and all violations thereof.

President Rappelet then entered into a discussion of the proposed \$50,000.00 loan by the Port Commission. He stated that even though authority had been granted to borrow the full amount of \$50,000.00, in order to avoid payment of unnecessary interest, funds would be borrowed only as needed.

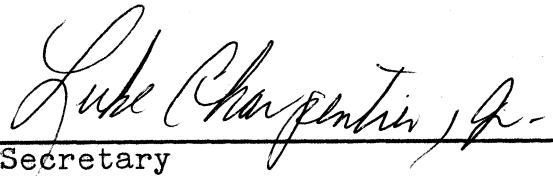
Mr. Morgan stated that in order to proceed with operations, the Commission must obtain rights of way from City of New Orleans. Rights-of-way maps will be furnished by the Dept. of Public Works.

Upon motion duly made by Dudley Bernard, seconded by Harrison Cheramie, and unanimously carried, the meeting adjourned at 11:00 P. M.

ATTEST:



President



Secretary