

OFFICIAL PROCEEDINGS OF THE GREATER LAFOURCHE PORT COMMISSION

DECEMBER 8, 1975

The Greater Lafourche Port Commission of the State of Louisiana met in regular session at the Tenth Ward Annex Building in Galliano, Louisiana, on Monday December 8, 1975, at 4:00 P.M., pursuant to the provision of due notice given in writing to each and every member thereof, and duly posted in the manner provided by law.

There were present: Nolty Theriot, Tomey Doucet, Irvin Melancon, Jr., Harrison Cheramie, Jr., Adam Gisclair, Jr., and Anson Toups

There were absent: Andrew Martin, and Loyman Terrebonne.

The President, Nolty Theriot, duly convened the meeting and announced the purpose of the meeting in accordance with the aforesaid written notice and then stated that the Commission was ready for the transaction of business.

In the absence of the Secretary, Anson Toups read the minutes of the last meeting held on November 10, 1975. It was moved by ANson Toups, seconded by Adam Gisclair, Jr., and duly passed that the minutes be adopted as read.

The President announced that it was time to open bids for the "Maintenance Dredging of Belle Pass" and asked if there were any bids to be turned in from the audience.

All bids were publicly opened and read as follows:

T. L. James & Co., Inc.	\$774,950.00	120 Days
OKC Dredging, Inc.	678,433.50	150 Days
Williams-McWilliams Co.	725,635.00	100 Days

On motion by Anson Toups, Second by Harrison Cheramie, Jr., the following resolution was adopted by the following vote:

<u>6</u>	Yeas
<u>0</u>	Nays
<u>2</u>	Absent

RESOLUTION

WHEREAS, the Greater Lafourche Port Commisison is authorized under Department of the Army Permit # LMNOD-SP (Gulf of Mexico) 1242, to conduct maintenance dredging operations of channel in Belle Pass (Bayou Lafourche), and

WHEREAS, "Notice to Bidders" were duly advertised in the official journal of the Commission, all in accordance with the rules and regulations set forth, and bids were publicly opened at the C-ommission's meeting of December 8, 1975,

NOW, THEREFORE, BE IT RESOLVED: That the Greater Lafourche Port Commissio take all bids submitted under advisement, and that the Port engineers, Picciola & Associates, Inc. and J. Wayne Plaisance, Inc. be authorized, by and on behalf of the Greater Lafourche Port Commission, to review all bids submitted, to report and to make recommendations to the Commission of their findings.

BE IT FURTHER RESOLVED: That the President, Nolty Theriot, and/or Secretary, Andrew Martin, and/or General Manager, Irvin Melancon, Jr., be authorized to sign any and all documents with the successful bidder, necessary for the commencement and orderly execution of proposed operations.

The Treasurer then read the financial statement for the month of November, 1975:

Previous Balance		159,897.46
Receipts:		
Shell Oil Company	6,200.00	<u>6,200.00</u>
		166,097.46
Disbursements:		
Salaries	3,733.00	
State Retirement	282.80	
Hospitalization Insurance	85.01	
Office Maintenance	35.02	
Auto - Fuel	635.59	
Parts & Repairs	408.53	
Travel	191.82	
Utilities	316.10	
Telephone	403.17	
Advertising	39.00	
Public Relations	70.10	
Legal	608.33	
General Maintenance	129.23	
Per Diem	260.00	
South Lafourche Regional Planning Comm.	150.00	
Engineering	24,260.47	
Construction - New Office	25,794.84	
Levee	<u>7,650.00</u>	
Total Disbursements		<u>65,053.01</u>
Balance		<u>101,044.45</u>
State Bank & Trust Co.	99,091.32	
Raceland Bank & Trust Co.	2,297.23	
Petty Cash	<u>400.00</u>	
Total Cash on Hand		101,788.55
Less:		
Federal Payroll Taxes Withheld	268.80	
State Payroll Taxes Withheld	138.92	
State Retirement Withheld	247.45	
Hospitalization Insurance Withheld	<u>88.93</u>	
Total Withheld		<u>744.10</u>
Balance		<u>101,044.45</u>

It was moved by Tomey Doucet, seconded by Harrison Cheramie, Jr., and unanimously adopted that the financial statement be accepted as read.

It was moved by Anson Toups, seconded by Adam Gisclair, Jr., and unanimously adopted that the Board accept a \$730.00 credit from Halmar, Inc. on the new Commission Office Building, as specified in "Change Order # 2" to delete the plywood backing from certain walls in the new office building.

Upon motion by Anson Toups, second by Adam Gisclair, Jr., the following resolution was accepted by the following vote:

<u>6</u>	Yeas
<u>0</u>	Nays
<u>2</u>	Absent

RESOLUTION

BE IT RESOLVED: That upon recommendation of the Port Inspecting Engineer and the Port Building Committee, the Greater Lafourche Port Commission does hereby accept the new Port Office Building located along Highway 308 in Tarpon Heights Subdivision in Galliano, La., constructed for the Commission by Halmar, Inc.

BE IT FURTHER RESOLVED: That the Recording Secretary be and she is hereby directed to file the necessary documents with the Lafourche Parish Clerk of Court to establish and commence the required 45 day lien period.

Upon motion by Irvin Melancon, Jr., second by Harrison Chreramie, Jr., the following applications for "Letters of No Objection" be approved:

Ernest Eymard  
EXXON Company U.S.A.  
Farmland Industries, Inc.  
Chester Lee  
Earl Legendre  
Texas Gas Exploration Corp.  
Quintana Production Co.  
Sky Towers, Inc.  
Welch Rentals, Inc.

The following resolution was moved by Tomey Doucet, seconded by Adam Gisclair, Jr., and unanimously adopted:

RESOLVED: The Greater Lafourche Port Commission hereby directs the Recording Secretary to do research work on various types of elections, such as single member districts, designated seats with all candidates running at large, open seats with all candidates running at large, and etc., and to report all findings to the board at the next Commission monthly meeting.

It was moved by Adam Gisclair, Jr., second by Anson Toups, and unanimously adotped that Ordinance No. 2, adopted by the Commisison at its meeting held on October 25, 1961, is hereby repealed and declared null and void.

The following ordinance was presented by Harrison Cheramie, Jr., who moved its adoption, and was seconded by Irvin Melancon, Jr.

ORDINANCE NO. 2

AN ORDINANCE ESTABLISHING THE RULES AND REGULATIONS TO BE FOLLOWED BY ANY INDIVIDUAL, PARTNERSHIP, AGENCY, FIRM OR CORPORATION FOR THE CONSTRUCTION OF ANY STRUCTURE, PERMANENT OR TEMPORARY, OR THE PERFORMANCE OF ANY WORK EFFECTING THE DITCHES, CANALS, BAYOUS, LAKES, STREAMS, RIVERS, AND ALL OTHER BODIES OF WATER WHICH ARE EFFECTED BY THE EBB AND FLOW OF TIDE SITUATED IN THE TENTH WARD OF LAFOURCHE PARISH, LOUISIANA

BE IT ORDAINED, by the Board of Commissioners of the Greater Lafourche Port Commission:

Section 1. That it shall be unlawful for any individual, partnership, agency, firm or corporation to construct any type of structure, above or below water level, within the canals, bayous, lakes, streams, rivers and all other bodies of water which are effected by the ebb and flow of tide situated in the Tenth Ward of Lafourche Parish, Louisiana, without first securing a "Letter of No Objection" from the Greater Lafourche Port Commission.

Section 2. That it shall be unlawful for any indivisual, partnership, agency, firm or corporation to conduct seismic operations, geophysical explorations of any kind or character, or logging operations of any kind or character, within the canals, bayous, lakes, streams, rivers and all other bodies of water which are effected by the ebb and flow of tide situated in the Tenth Ward of Lafourche Parish, Louisiana, without first securing a "Letter of No Objection" from the Greater Lafourche Port Commission.

Section 3. An applicant for a "Letter of No Objection" must make application in writing to the Commission office. The application must state the name and address of applicant, his status, and detailed plans or plats, along with specifications of the work proposed to be done. After review by the Board of Commissioners the applicant shall be given written notice of the acceptance or rejection of his request.

Section 4. The work shall be performed strictly in accordance with the plans and specifications submitted.

Section 5. The applicant shall erect suitable barricades and place suitable lights and warning devices around and in front of this work, whenever it is necessary to protect the traveling public or navigation.

Section 6. That if the display of lights and signals on any work hereby authorized is not otherwise provided for by law, such lights and signals as may be prescribed by the Greater Lafourche Port Commission shall be installed and maintained by and at the expense of the owner.

Section 7. If, in the judgement of the Greater Lafourche Port Commission, the said permittee does not at all times exercise due caution in the handling of oil, gas or other pollutive, noxious, or lethal substances to prevent conditions deleterious to health or sea food, or hazardous to navigation, or dangerous to persons or property engaged in commerce or otherwise on said waters, or fails on demand to remove promptly any structure or structures or parts thereof, no longer used for the purpose for which they are constructed, this "Letter of No Objection" may be revoked and all operations authorized by it may be terminated.

Section 8. That all crossings in all water bottoms are properly back-filled and the fill leveled off and finished to the grade that existed prior to the pipeline construction.

Section 9. Upon completion of the structure, the applicant shall remove from the premises all material left from the construction, all scaffolding, forms, extra excavation, etc., and is to thoroughly clean up and leave the premises in good condition as determined by the Board of Commissioners.

Section 10. That should it become necessary in the future to alter the dimensions or alinements or to construct and deepen, relocate and/or widen the bayous, streams, waters, and existing or proposed channels obstructed by the improvements or permanent fixtures of the applicant, then the applicant, heirs and/or assigns, shall promptly make such changes on request of this Commission and shall bear the entire cost of whatever alterations may be necessary for any future improvements for commerce and navigation in the entire port area.

Section 11. This authorization is wholly unconnected and unconcerned with the ownership of or rights in the underlying soil and creates no property rights.

Section 12. Under no condition will the Greater Lafourche Port Commission be responsible for any trespass upon adjacent, or any other property, or any injury thereto, and the applicant shall indemnify the Greater Lafourche Port Commission for any claim for damages made against the Commission arising through the applicant's operations.

Section 13. That if any clause, sentence or paragraph or portion of this ordinance shall for any reason, be declared illegal or unconstitutional, such declaration shall no effect the validity of any other section, sentence, paragraph or portion of this ordinance, which shall remain in full force and effect.

Section 14. That all ordinances, or parts or ordinances in conflict or inconsistant herewith be, and the same are hereby repealed.

This ordinance having been submitted in writing, having been read and adopted by sections at a public meeting of said Commission was then submitted to an official vote as a whole, the vote thereon being as follows:

Yeas: Nolty Theriot, Tomey Doucet, Irvin Melancon, Jr., Harrison Cheramie, Jr.,

Adam Gisclair, Jr., and Anson Toups

Nays: None

Absent: Andrew Martin and Loyman Terrebonne


Vacant: One

The President then asked if there were any questions or business from the audience. There being none, the President then entertained a motion for adjournment.

It was moved by Adam Gisclair, Jr., seconded by Ansont Toups and duly passed that the meeting be adjourned.

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Nolty Theriot, President



Tomey Doucet, Treasurer &  
Acting Secretary