

A G E N D A

GREATER LAFOURCHE PORT COMMISSION

OCTOBER 31, 1986

1. Call to order
2. Roll Call
3. Executive Director's Report:
  - A. Extension of Belle Pass Dry Docks, Inc. Option
  - B. Adopt resolution to receive \$125,000 from DOTD
4. Adjournment

OFFICIAL PROCEEDINGS OF THE GREATER LAFOURCHE PORT COMMISSION

OCTOBER 31, 1986

The Greater Lafourche Port Commission of the State of Louisiana met in special session in the Conference Room of the Commission Administration Building in Galliano, Louisiana, on Friday, October 31, 1986, at 10:00 AM 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.

PRESENT: Harrison J. Cheramie, Jr., Anthony Toups, W. J. Anselmi, Louis Chabert, Tomey J. Doucet, Dudley Bernard, Murphy J. Cheramie and Roland J. Guidry

ABSENT: Robert M. Champagne

President Doucet convened the meeting and announced the purpose thereof in accordance with the aforesaid written notice.

President Doucet called upon Mr. Don Harang, attorney for Belle Pass Dry Docks, Inc., who requested an extension to the option to lease. Upon motion by Dudley Bernard, seconded by W. J. Anselmi and unanimously passed, it was RESOLVED, that the Board of Commissioners of the Greater Lafourche Port Commission does hereby grant to Belle Pass Dry Docks, Inc. an extension to its Option to Lease; said extension being until December 31, 1986.

Upon motion by Roland J. Guidry, seconded by Louis Chabert and unanimously passed, the following resolution was adopted:

WHEREAS, the Greater Lafourche Port Commission, due to insufficient funds, is unable to complete or proceed with the construction of improvements at Port Fourchon; and

WHEREAS, Senator Leonard J. Chabert has secured a commitment from Governor Edwin W. Edwards, as set forth in the letter dated October 20, 1986, in the amount of \$125,000.00 to be funded to the Greater Lafourche Port Commission; and

WHEREAS, the Greater Lafourche Port Commission understands that adherence to all laws of the State of Louisiana is mandated as condition of this reimbursement, and further understands that it must conform its engineering activities so as to be consistent with standard, accepted engineering practices; and

WHEREAS, the Greater Lafourche Port Commission agrees and understands that should it fail to comply with all federal, state and local laws or should it fail to exercise the highest engineering practices to accomplish State Project No. 503, 29-69, that the Greater Lafourche Port Commission shall bear all costs associated with the failure to comply with said laws and engineering procedures, and hereby absolves the Department of Transportation and Development, Office of Public Works, of all responsibility for its failure to comply therewith, or the inadequacy thereof, and acknowledges that it may be subject to state audit.

NOW, THEREFORE, BE IT RESOLVED that the Greater Lafourche Port Commission, in special session assembled on October 31, 1986, does hereby declare that it is unable to complete or proceed with State Project No. 503-29-69 without the sum of \$125,000.00 committed by Governor Edwin W. Edwards by letter dated October 20, 1986, which letter more clearly sets forth the obligation of the public entity.

BE IT FURTHER RESOLVED that the Greater Lafourche Port Commission acknowledges that adherence to all laws of the State of Louisiana and the requirements set forth in the letter of October 20, 1986 from Governor Edwin W. Edwards are conditions to the commitment of the aforementioned funds and will and hereby does agree and commit itself to conform its engineering activities so as to be consistent with standard accepted engineering practices.


BE IT FURTHER RESOLVED that the Greater Lafourche Port Commission does hereby agree and commit itself to bear all costs associated with its failure to fully comply with all federal, state and local laws and engineering practices and procedures, and acknowledges it may be subject to state audit.

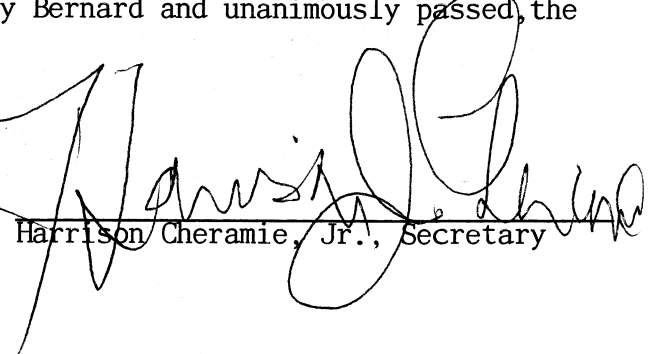
BE IT FURTHER RESOLVED that said Department of Transportation and Development, Office of Public Works, be and hereby is assured that all necessary servitudes, rights-of-way, rights of ingress and egress and the means thereof have been acquired by the Greater Lafourche Port Commission and the titles thereto are valid and indefeasible, and the Greater Lafourche Port Commission expressly agrees to defend any action for the failure of any servitude, right-of-way, or right of ingress or egress, and will and hereby does assume complete responsibility for the adequacy thereof and the maintenance and upkeep of the project upon completion.

BE IT FURTHER RESOLVED that the Greater Lafourche Port Commission does hereby save and hold the said Department of Transportation and Development, Office of Public Works, its officers, agents and employees, harmless from any and all liability or claim for damages arising out of the project including death or injuries to third parties, including but not limited to the adequacy of the project, liability or claim for damages arising out of the negligence of said Department, its officers, agents or employees, and completely absolves the Department of Transportation and Development, Office of Public Works, for the state and local laws and engineering practices and procedures, and agrees to defend any suit of any nature brought against the Department and to further pay any judgment which may result from said suit as it relates to this project or its inadequacy.

There being no further business to come before the Board, upon motion by Harrison J. Cheramie, Jr., seconded by Dudley Bernard and unanimously passed, the meeting adjourned.

ATTEST:

  
Tomey J. Doucet, President

  
Harrison Cheramie, Jr., Secretary