

A G E N D A

JANUARY 31, 1989

1. Call to order
2. Roll Call
3. President's Report:
  - A. Purpose of Meeting - to appoint a member to the Board of Commissioners to replace the late W. J. "Black" Anselmi
4. Adjournment

OFFICIAL PROCEEDINGS OF THE GREATER LAFOURCHE PORT COMMISSION  
JANUARY 31, 1989

The Board of Commissioners of the Greater Lafourche Port Commission met in special session in the Conference Room of the Commission Administration Building in Galliano, Louisiana, on Tuesday, January 31, 1989, at 11:00 AM pursuant to the provision of due notice to each and every member thereof and duly posted in the manner provided by law.

President Tomey J. Doucet called the meeting to order and requested Harrison Cheramie, Jr. to call the roll.

There were present: Harrison J. Cheramie, Jr., Rodney "PT" Terrebonne, Brent A. Duet, Tomey J. Doucet, Robert M. Champagne, Donald J. Vizier and Dudley Bernard

There were absent: Roland J. Guidry and W. J. "Black" Anselmi

Also present were Ted M. Falgout, Executive Director; Louverda A. Duet, Port Secretary; members of the audience and the press.

President Doucet announced the purpose of the meeting being to appoint a new board member to replace the late W. J. "Black" Anselmi. He further stated that public law states that the Commission has ten days within which to replace a board member. Those gentlemen who expressed an interest in being appointed were invited to attend the meeting. The Board requested that the person appointed not run in the election scheduled for October.

President Doucet then asked the gentlemen to introduce themselves and give a brief resume of their qualifications. Mr. Allen Danos of Danos & Curole Marine Contractors, Mr. E. J. Gremillion of G. & A. Oil, Mr. C. J. Griffin, retired, and Mr. Tommie Vizier of Vizier Offshore presented their qualifications to the Board.

President Doucet thanked the gentlemen and called for discussion from the Board. Board Member Dudley Bernard asked the gentlemen if they had any opposition to not running in October if they were appointed. The candidates stated that if it is the wish of the Board that they do not run in October if appointed, they will honor that wish.

Board Member Brent A. Duet presented a motion that the Board go into executive session to discuss the qualifications of the candidates. It was seconded by Harrison J. Cheramie, Jr. Willis Ray of the Daily Comet raised objection to the motion because he felt it was not legal that the Board go into executive session to discuss the candidates. Director Falgout stated that the public law stated that a board can go into executive session for negotiations with respect to discussing the character and professional character. Mr. Ray felt that it makes specific exclusion for someone being appointed to the board. Board Member Brent Duet stated that in general discussion with a legal advisor, the Board can do this. Director Falgout stated that the open meeting law states that a board cannot conduct an executive session for the purpose of discussing the appointment of a person to a public body. He further read "discussion of the character, professional confidence, physical or mental health of a person providing that

such person may require that such discussion be held at an open meeting and providing that nothing in this sub-section shall permit an executive session for discussion of appointment of a person to a public body." Therefore Director Falgout feels that Mr. Duet's motion is to discuss qualifications and not appointment. Discussion followed in connection with whether or not the Board can go into Executive Session.

Board Member Donald J. Vizier stated that he feels all the candidates are qualified to serve on the Board and presented a motion to put all the names in a hat and draw a name. It was seconded by Rodney "PT" Terrebonne.

Board Member Harrison J. Cheramie, Jr. stated that he did not know about these laws. Director Falgout inquired of Mr. Ray if he still interpreted the Board going into executive session as illegal. Mr. Ray stated that as long as the Board was discussing the appointment, it was illegal; the reason being to let everyone know the qualifications of the candidates who are being considered for the seat.

Mr. Duet then amended his motion by asking for a ten minute recess to clarify the open meeting law. It was seconded by Harrison Cheramie Jr. Board Member Dudley Bernard questioned Mr. Duet's motion. Mr. Duet stated that he was amending his previous motion by asking for a ten minute recess. Mr. Cheramie asked if the recess was to call the attorney. Mr. Duet said no. Mr. Cheramie then stated that if his motion was not to call the attorney, he would like to withdraw his second.

Mr. Cheramie then presented a motion to have a secret ballot. He was informed that this is illegal, and also that there is a motion on the floor. Mr. Vizier again presented his motion to draw the name from a hat. It was seconded by Rodney "PT" Terrebonne. Since the vote was unclear, President Doucet called for a roll call vote. The vote was as follows:

AYES - Dudley Bernard, Donald J. Vizier, Rodney "PT" Terrebonne

NAYS - Robert M. Champagne, Tomey J. Doucet, Brent A. Duet,  
Harrison J. Cheramie, Jr.

Mr. Duet then asked the Board's feelings on making an appointment on a short term notice. Discussion followed.

President Doucet then called for nominations.

Robert M. Champagne nominated Allen Danos. It was seconded by Brent A. Duet. President Doucet then called for any other nominations.

Rodney "PT" Terrebonne nominated Tommie Vizier. It was seconded by Donald J. Vizier. President Doucet then called for any other nominations.

Dudley Bernard nominated C. J. Griffin. It was seconded by Rodney "PT" Terrebonne. President Doucet then called for any other nominations.

Donald J. Vizier nominated E. J. Gremillion. It was seconded by Harrison J. Cheramie, Jr. President Doucet called for any other nominations. There being none, he announced the nominations were closed. He then called for a roll call

vote on each candidate. The vote was as follows:

ALLEN DANOS - Ayes: Robert Champagne, Brent Duet  
Nays: Dudley Bernard, Donald J. Vizier, Rodney Terrebonne  
Abstain: Harrison J. Cheramie, Jr.

TOMMIE VIZIER - Ayes: Dudley Bernard, Donald Vizier, Rodney Terrebonne  
Nays: Robert M. Champagne, Brent Duet  
Abstain: Harrison J. Cheramie, Jr.

C. J. GRIFFIN - Ayes: Dudley Bernard  
Nays: Donald Vizier, Robert Champagne, Brent Duet

Voting was stopped because a question arose concerning whether or not a yes vote could be cast for two different candidates. Mr. Bernard felt this was different motions. President Doucet questioned whether a member could make a motion and second another motion. Discussion followed concerning the legality of these matters. Director Falgout stated that since the Port Attorney was not present, he recommended that the Commission make a decision on how the Board should vote and then cast the vote; that is, agree that a member will not vote for more than one person or agree that each motion is separate and vote yes or no on each motion. Discussion followed.

Mr. Duet presented a motion that the Board take a ten minute recess. He then inquired about the President's position on voting under the Commission By-Laws. Director Falgout informed the Board that the By-Laws stated that the President can vote once on every issue; however, the state statute pertaining to appointments states that the presiding officer of that body shall vote only in a tie-breaker. The Board Members felt that the state statutes should take precedence.

Mr. Cheramie presented a motion for a recess to call the Port Attorney for clarification. It was seconded by Brent Duet and unanimously passed.

Upon returning from recess, Mr. Duet stated that in view of the previous discussions, he presented a motion to table the election for appointment to the seat of the late W. J. Anselmi until Director Falgout can obtain the necessary information to continue with the election. It was seconded by Harrison Cheramie, Jr. President Doucet then called for discussion. Director Falgout requested that he be allowed time to get an opinion from the Port Attorney before continuing. Mr. Duet then amended his motion to add that the deadline is 12:35 PM Friday. President Doucet stated that a motion had been presented and called for a roll call vote:

AYES: Harrison Cheramie, Jr., Brent A. Duet, Robert Champagne

NAYS: Dudley Bernard, Donald Vizier, Rodney Terrebonne

Since there was a tie, President Doucet voted yes. The motion was passed. Director Falgout stated that the Board meet Thursday or Friday, by which time he will have the information necessary. President Doucet called the meeting for 10:30 AM Friday, February 3, 1989.

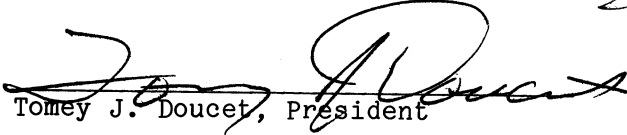
Mr. Duet stated that he feels that the Board members have many facts to consider

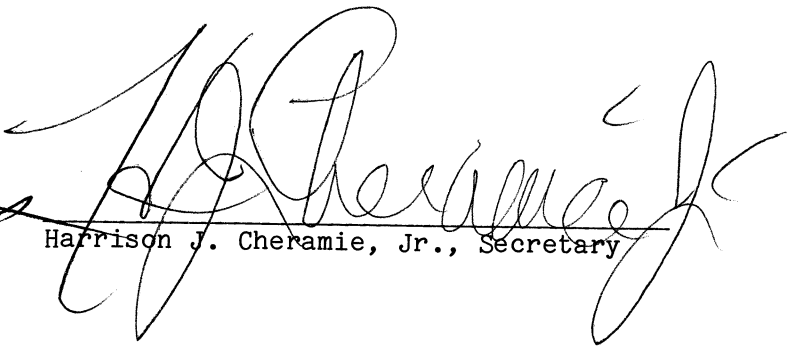
in making this appointment, and they need more time to discuss and consider this appointment. Messrs Vizier and Bernard are still in favor of pulling a name from the hat. Further discussion followed in connection with the Board's conformity to the open meeting laws.

Mr. Allen Danos stated that he has a previous commitment for Friday and will be unable to attend the meeting; however, he still wants to be considered if the Board Members vote. However, he does not want to be considered if a name is pulled out of a hat. The other three candidates will be present at the meeting.

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

ATTEST:

  
Tomey J. Doucet, President

  
Harrison J. Cheramie, Jr., Secretary