

AGENDA
October 13, 2004

- I. Call to Order
- II. Pledge of Allegiance
- III. Roll Call
- IV. Consider September 8, 2004 Regular Meeting Minutes for approval
- V. Executive Director's Report
 - A. **Northern Expansion Update**
 - a. Construction status:
 - i. Slip A, Bulkhead – John Plaisance
 - ii. Bernard Street Waterline Extension – John Plaisance
 - iii. Slip B, Dredging – Larry Picciola
 - iv. Slip B, West Bulkhead – Joe Picciola
 - B. **Airport Update**
 - a. Project status:
 - i. Environmental Assessment
 - C. **FEMA Update**
 - a. Emergency Boat Launch
 - D. **Port Security**
 - a. Security Camera System
 - b. Boat Lift
 - E. **Highway Improvements**
- VI. Committee Reports
 - A. **Executive Committee**
 - a. Consider adopting Strategic Plan
 - b. Rowan Bulkhead Repair – *Possible Executive Session*
Prospective litigation for which formal written demand has been made.
 - B. **Permits & Waterways Committee**
 - a. Public Notices:
 - 1. James A. Whitson, Jr.
 - 2. Carrizo Oil & Gas
 - 3. Carl Guidry
 - 4. Greater Lafourche Port Commission
 - 5. James A. Whitson, Jr.
 - 6. Joseph Leonard
 - 7. Wayne Estay
 - C. **Construction and Development Committee**
 - a. Consider adopting a resolution requesting CIP funding from DOTD Aviation
 - b. Consider adopting a resolution Accepting the Work for SPN 578-29-0016(322) Mike Hooks Dredge
 - c. Consider adopting a resolution Accepting the Work for SPN 578-29-0014(325) Barriere Asphaltting and Waterline
 - d. Consider approving Clear Lien Certificate for SPN 578-29-0014(325) Asphaltting of N. Doucet Drive and Waterline
 - e. Consider approving Change Order No. 2 for the Camera System
 - D. **Finance Committee**
 - a. Consider payment of invoices and recognize Expenditures over \$10,000
 - b. Consider approval of September 2004 Financial Statements
 - c. Adopt 2004 Property Tax Millage
 - d. Consider approving updated travel policy for Out-of-State travel
 - e. Sale of Surplus Equipment
- VII. Public Comment
- VIII. Any other business
- IX. Adjournment

Attached to the Agenda

Pending litigation to be considered at the meeting:

Claim by Rowan Marine Services, Inc. in relation to bulkhead involving Rowan Marine Services, Inc., J. Wayne Plaisance, Inc., and the Greater Lafourche Port Commission.

OFFICIAL PROCEEDINGS OF THE GREATER LAFOURCHE PORT COMMISSION
October 13, 2004

The Board of Commissioners of the Greater Lafourche Port Commission met in regular session on Wednesday, October 13, 2004 at 10:30 AM.

President Vizier called the meeting to order, and Secretary Cheramie called the roll.

PRESENT: Donald Vizier, Jimmy Lafont, Harry Cheramie, John Melancon, Larry Griffin, Wilbert Collins, Ervin Bruce, and Jimmy Lafont

ABSENT: Chuckie Cheramie

Upon motion by Larry Griffin and second by Wilbert Collins, the minutes of the September 8, 2004, regular meeting were unanimously approved.

Executive Director's Report

Shoaling of Belle Pass – Executive Director Falgout reported that Hurricane Ivan caused some shoaling of the channel in Belle Pass, which will cause the Corps of Engineers to do emergency dredging. We notified the Corps, Congressional Delegation, and the lessees of the Port of the 21-foot channel depth. Upon the urgency of our Congressional Delegation, the Corps visited the option of using existing FY05 money in advance and once supplemental appropriation gets approved it will repay the FY05 money. The project is moving forward with plans and specs being prepared for the dredge to be in the Port within the next month. We have contacted dredging companies within the area that will be available for this emergency job. We also have been successful in getting the Governor's participation by her sending a letter to the Colonel of the Corps, which specifies the significance of this emergency project to our Port. If everything goes as planned, the project can be completed within 45 days. The deepwater companies in the Port have been greatly impacted by the shoaling in the Pass, which is the reason for getting the dredge in as soon as possible. Correspondence will be sent to the lessees updating them on our efforts to dredge the channel.

Northern Expansion – Engineer John Plaisance reported that a series of design plans have been developed for the upgrade of the bulkhead on Slip A. He is waiting on approval to proceed. He also stated that additional pile testing will be done with the Port's approval. Engineer Plaisance reported that the waterline on Bernard Road is straight and complete and the Water District has taken ownership of the line. Engineer Larry Picciola reported that dredging of Slip B is complete and in the lien period. He stated that he is working on the as-built drawings for the mitigation area. Engineer Picciola reported that he is investigating different options for the deadmen for the bulkhead on Slip B. He stated that the plans and specs will be completed within the next two weeks and will be sent to DOTD for approval. He reported that bids will be received on November 8, 2004 for the Pontoon Excavator. Discussion followed regarding the different options of strengthening the design of the bulkhead. Engineer Joe Picciola reported that the revised plans and specs for Slip B West Bulkhead are complete and have been submitted to DOTD and waiting approval. Commissioner Martin recommended to further review the bulkhead design and requested cost estimates of a design at 250 lbs. per sq. ft. surcharge be presented to the board. Further discussion followed regarding the different strengths in bulkhead design.

Airport – Director Falgout reported that the Environmental Assessment comment period is over, and we are waiting on FAA approval to move forward.

FEMA – Mr. Davie Breaux reported that we are waiting for written approval from FEMA to proceed with the boat launch project. He also reported that the bid opening for the Debris Fence along Flotation Canal is scheduled for today.

Port Security - Mr. Jon Callais updated the board on the funding status of the TSA \$1.25 million for the Security Camera System. He stated that to date the total of \$844,141.00 has been used leaving a remaining balance of \$405,859.00, which will be used for enhancements to the camera system. He reported that 13 of the 16 cameras are operating at Fourchon and 2 of the remaining 3 cameras are in Belle Pass. He reported that the range light platform in Belle Pass will be reconstructed and solar panels will be added. The Microwave System along with the remaining 3 cameras should be completed and operational by mid-November. Commissioner Melancon stated that he was impressed with the camera system thus far and looks forward to a fully operational camera and viewing system. Mr. Callais reported that once the camera system is complete there will be a demonstration for the Board. Commissioner Harry Cheramie questioned if there was a Security Camera system agreement with LOOP at the Airport and Mr. Callais responded that there was none. Mr. Breaux reported that the piles are driven and the contractor is on site constructing the roof and decking for the Boat Lift. He estimates completion by the end of the month.

Highway Improvements – Director Falgout stated that our LA 1 highway system has been ~~underwater twice since the last meeting and this weekend at one time or another the entire system from Golden Meadow to Fourchon was underwater because of high tides, which caused additional stresses on the road.~~ Mr. Roy Francis reported that the plans for the first two phases of the Elevated Highway Project from Leeville to Fourchon will be completed this week. There are meetings scheduled in late October with potential bidders. He stated that the pre-construction aspects of the project are on time. Mr. Francis reported that the DNR permit for construction has been received and the Corps permit should be received within the next few weeks. DOTD plans to let the first phase between Leeville and Fourchon in January and the second phase of the Leeville bridge section is planned to let in March. They are continuing to obtain land rights, utility, and right of ways for this project. There will be a project to remove and relocate pipelines before any dredging begins. Mr. Francis reported that the TIFIA loan process is the most important aspect of this project. The TIFIA team has concerns of the way the toll revenue studies have been conducted. He stated that the federal government wants access to the rate stabilization fund, which DOTD and their financial consultants oppose. He stated that they are also working with MMS and the rating agencies on Wall Street to project numbers for the oil and gas activity from 2015 – 2030. Mr. Francis stated that there is a Plan B and Plan C if the TIFIA loan does not go through. He also reported that for the first time in the state's history the state received the ASSHTO Award, which is an environmental award that was presented to DOTD for the LA 1 project. Commissioner Martin congratulated Mr. Francis on the progress of this project. He questioned what Plan B and Plan C consist of and Mr. Francis responded that Plan B would be to go to the private market and restructure the debt, and Plan C is for a private institution to cover a percentage of the debt. Discussion followed regarding the different options for financing this project.

Director Falgout reported that the Commission attended the annual AAPA conference in Long Beach, CA at the end of September which turned out to be successful and educational.

Director Falgout recommended to the Board to move the Executive Committee to the end of the agenda following the Finance Committee. Upon motion by Wilbert Collins and second by Ervin Bruce, a two-thirds vote was taken and the board unanimously approved to move the Executive Committee after the Finance Committee.

Committee Reports

Permits & Waterways – Commissioner Jimmy Lafont reported that the committee met on September 20, 2004 at the Operations Building in Port Fourchon. Present were Chuckie Cheramie, Jimmy Lafont, and Donald Vizier; Beau Martin was absent. They also met on October 11, 2004 at the Administration Building in Galliano. Present were Jimmy Lafont, Donald Vizier, and Beau Martin;

Chuckie Cheramie was absent. The Commission then discussed items that were discussed at the committee meetings.

Commissioner Lafont presented to the board the public notices received from James Whitson, Jr., Carrizo Oil & Gas, Carl Guidry, Greater Lafourche Port Commission, James Whitson, Jr., and Joseph Leonard. There were a few concerns of prop washing for the two permits by James Whitson, Jr. Mr. Richard Leonard with Fenstermaker & Associates explained the projects for these two permits. Mr. Leonard reported that the projects consist of a tug and barge operation accessing shallow draft areas to construct wells. He stated that the projects will last from 4-5 days on each site and there should be minimal disturbance of the water bottom. Discussion followed regarding the equipment and water depths. It was recommended that Director Falgout send a letter removing our concern provided that at low tide there will be no mobilization conducted.

Construction & Development – Chairman Ervin Bruce reported that the committee met on September 20, 2004 at the Operations Building in Fourchon. Present were Ervin Bruce, Larry Griffin, Donald Vizier, and Wilbert Collins; no member was absent. They also met on October 11, 2004 at the Administration Building in Galliano. All members were present. The Commission then discussed items that were discussed at the committee meetings.

Chairman Bruce presented for the board's consideration a resolution requesting CIP funding from DOTD Aviation for Airport projects. Upon motion by John Melancon and second by Harry Cheramie, the board unanimously adopted the resolution for CIP funding.

Chairman Bruce presented for the board's consideration a resolution accepting the work for Mike Hooks, Inc. SPN 578-29-0016(322). Upon motion by John Melancon and second by Wilbert Collins, the board unanimously adopted the resolution.

Chairman Bruce presented for the board's consideration a resolution accepting the work for Barriere Construction SPN 578-29-0014(325). Upon motion by Wilbert Collins and second by Harry Cheramie, the board unanimously adopted the resolution.

Chairman Bruce presented for approval Change Order No. 2 for Port Security Camera System. Mr. Callais reported that this includes the replacement of a screen monitor, installing solar power to Belle Pass site, and spare replacement parts. The total increase is \$22,443.54, which is covered by the Homeland Security Grant. Upon motion by Wilbert Collins and second by Larry Griffin, the board unanimously approved Change Order No. 2.

Chairman Bruce presented for approval the Clear Lien Certificate for Barriere Construction N. Doucet Asphaltting and Waterline and payment of retainage in the amount of \$43,278.94. Upon motion by John Melancon and second by Wilbert Collins, the Clear Lien Certificate was unanimously approved.

Finance – Chairman John Melancon reported that the committee met on September 20, 2004 at the Operations Building in Fourchon. Present were John Melancon, Larry Griffin, Wilbert Collins, Donald Vizier; no member was absent. They also met on October 11, 2004 at the Administration Building in Galliano. All members were present. The Commission then discussed items that were discussed at the committee meetings.

Chairman John Melancon made a motion to approve the invoices for the month of September 2004, which was seconded by Jimmy Lafont, and the floor was open for discussion. Commissioner Martin thanked Attorney Loulan Pitre for his work at the Port. Director Falgout stated that we have hired Bryce Autin as our In House Counsel, but Mr. Pitre's law firm will continue to work with Mr. Autin and will continue to represent us for certain issues into the future. Director Falgout updated the board of the charges from Liskow & Lewis and presented a status memo of litigation. Attorney Pitre advised the board that the status of litigation is confidential and designated as attorney client privilege material. The board unanimously approved the invoices for September.

Chairman John Melancon presented the September 2004 financial statement for approval. Upon motion by John Melancon and second by Larry Griffin, the financial statement was unanimously approved.

Chairman John Melancon presented for the board to adopt the 2004 Tax Millage. He reported that it was approved at the last meeting at 5.4 mills, but since then the wording on the agenda was corrected as requested by the Legislative Auditor. Upon motion by John Melancon and second by Ervin Bruce, the 2004 Tax Millage was unanimously approved at 5.4 mills.

Chairman John Melancon presented for the board the revised Travel Policy for Out-of-State Travel. Upon motion by John Melancon and second by Wilbert Collins, the floor was open for discussion. Commissioner Martin made a motion to table this item until the next meeting. The motion was seconded by Jimmy Lafont and unanimously tabled.

Chairman John Melancon presented the list of surplus equipment to be sold through public advertisement. He explained that the Commission will accept sealed bids until November 17, 2004 at 2:00PM for the purchase of the equipment. Upon motion by John Melancon and second by Jimmy Lafont, the board unanimously approved the list of surplus equipment to be sold.

President Vizier opened the floor for public comment. Dr. Kevin Chiasson, who is running for U.S. Representative 3rd Congressional District, introduced himself and asked to be considered on Election Day.

Executive – Chairman Donald Vizier reported that the committee met on September 20, 2004 at the Operations Building in Fourchon. Present were Donald Vizier, Jimmy Lafont, Harry Cheramie and John Melancon; no member was absent. They also met on October 11, 2004 at the Administration Building in Galliano. All members were present. The Commission then discussed items that were discussed at the committee meetings.

President Vizier presented for the board's consideration to adopt the Strategic Plan. Director Falgout reported that this Strategic Plan represents written documentation of the future growth of our Airport and Seaport. Upon motion by Donald Vizier and second by Wilbert Collins, the Strategic plan was unanimously approved.

Upon motion by Johnny Melancon and second by Wilbert Collins, the Commission voted to enter into Executive Session to discuss strategy in the prospective litigation regarding the Rowan Bulkhead Repairs. A roll call vote was taken to enter into Executive Session, which resulted in: 7 yeas, 1 absent, and 1 nay vote by Jimmy Lafont. At the end of the Executive Session, the Commission members unanimously voted to end the Executive Session and called the meeting back to order.

Commissioner Jimmy Lafont made a motion, which was seconded by Wilbert Collins, to add to the agenda to move forward with the Rowan Bulkhead repairs by bidding approximately 600 ft. of bulkhead for construction and evaluate a test pile program for ASCO and Rowan Marine facilities. The two-thirds vote was taken and all members present unanimously approved to add this to the agenda.

Commissioner Jimmy Lafont made a motion, which was seconded by John Melancon, to move forward with the Rowan Bulkhead repairs by bidding approximately 600 ft. of bulkhead construction assuming that the deadmen have no capacity and evaluate a test pile program for ASCO and Rowan Marine facilities. Director Falgout reported that this would involve less than half of the 3 major areas where the deadmen has failed. Commissioner Martin amended the motion by adding that we get an Alternate Bid for the complete fix of the entire Rowan Bulkhead, approximately 1100 ft., at a level assuming there is no capacity of the current bulkhead. The motion was second by Larry Griffin and unanimously approved.

Director Falgout recommended that we declare the Rowan Bulkhead Repair Project as an emergency and proceed to build this project under the Emergency Provision of the Public Bid Law. Upon motion by Wilbert Collins, second by John Melancon, the Rowan Bulkhead project was declared an emergency project and unanimously approved.

President Vizier recognized Mr. Breaux for any other business. Mr. Breaux reported that bids were opened for the Debris Fence for the Flotation Canal Road and three bids were received. Commissioner Martin made a motion to add to the agenda to approve the Debris Fence low bid. The motion was second by Jimmy Lafont and a two-thirds vote was taken and unanimously approved.

Upon motion by Harry Cheramie and second by Larry Griffin, the board unanimously approved the low bid and the alternate of \$32,182.00 from Picciola Construction Company for the Debris Fence along Flotation Canal, which is a FEMA funded project.

Upon motion by Larry Griffin, second by Wilbert Collins, and unanimous approval, the meeting was adjourned.

ATTEST:


Donald Vizier, President


Harry Cheramie, Secretary