

AGENDA  
December 13, 2006

- I. Call to Order
- II. Pledge of Allegiance
- III. Roll Call
- IV. Consider November 15, 2006 Regular Meeting Minutes for approval
- V. Consider November 30, 2006 Special Meeting Minutes for approval
- VI. Executive Director's Report
  - A. Northern Expansion Update**
    - 1) Construction Status:
      - a. Slip B, West Bulkhead, Project #1 – Joe Picciola
      - b. Slip B, Northern Expansion Dredging – Joe Picciola
      - c. Slip B, West Bulkhead, Project #2 – Larry Picciola
      - d. Slip B, West Bulkhead, Project #3 – John Plaisance
  - B. Airport Update**
    - 1) Project Status
  - C. FEMA Update**
    - 1) Wave Protection/Debris Fence Repairs
    - 2) Katrina FEMA Claims
  - D. Highway Improvements Update**
- VII. Committee Reports
  - A. Executive Committee
    - 1) Consider the request from VIH/Cougar to extend their right of first refusal for another year
    - 2) Consider the request from Pointe Fourchon Homeowner's Association for security surveillance
    - 3) Consider the request from Rotorcraft to extend their lease near hangar
    - 4) Consider the proposal from Hornbeck Offshore for 9 mooring dolphins in Flotation Canal
    - 5) Consider the 49% subleasing policy
  - B. Permits & Waterways Committee
    - 1) Permits:
  - C. Construction & Development Committee
    - 1) Consider approving the Agreement with SeaLevel Construction for completion of the Debris Fence
    - 2) Consider approving Clear Lien Certificate from Interstate Electronics for the Security Cameras
    - 3) Consider approving Clear Lien Certificate from Bertucci for the Breakwater Repairs
    - 4) Consider approving Clear Lien Certificate from Weeks Marine for the Leeville Hydraulic Dredge
    - 5) Consider approving Change Order No. 1 from Phylway for Phase II-Runway Extension
    - 6) Consider approving Change Order No. 2 from Phylway for Phase II-Runway Extension
  - D. Finance Committee
    - 1) Consider payment of invoices and recognize expenditures over \$10,000
    - 2) Consider approving the financial reports for November 2006
    - 3) Consider approving the 2007 Budget
- VIII. Any other business
- IX. Public Comment
- X. Adjournment

Attachment

The pending litigation more specifically defined as "David Dardar, et al vs. Greater Lafourche Port Commission, Suit No. 102,795-17<sup>th</sup> JDC-Parish of Lafourche" may be discussed in an executive session.

OFFICIAL PROCEEDINGS OF THE GREATER LAFOURCHE PORT COMMISSION  
DECEMBER 13, 2006

The Board of Commissioners of the Greater Lafourche Port Commission met in regular session on Wednesday, December 13, 2006 at 10:30 AM.

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

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

ABSENT: None

Upon motion by Wilbert Collins and second by Ervin Bruce, the board unanimously approved the November 15, 2006 Regular Meeting Minutes.

Upon motion by John Melancon and second by Wilbert Collins, the board unanimously approved the November 30, 2006 Special Meeting Minutes.

**Executive Director's Report**

Northern Expansion Update – Engineer Joe Picciola reported that the contractor is complete and in the lien period for Slip B, West Bulkhead, Project #1. He reported that there are several claims reported by the contractor to which the engineer has responded.

Engineer Joe Picciola reported that Weeks Marine was the low bidder for Slip B, Northern Expansion Dredging project. He stated that DOTD's approval was received yesterday and he will forward the Notice of Award and Contract to the contractor for execution. President Vizier questioned the bid amount, which Mr. Picciola reported that the prices were in line except the mobilization cost was higher.

Engineer Larry Picciola reported that Shavers Whittle is hauling in lightweight aggregate for Slip B, West Bulkhead, Project #2. The contractor has resolved the problem of re-screening the aggregate to bring up to spec. The contractor will be working 7 days a week to screen and haul aggregate on site. There is 800 ft left to excavate to bring in material and install the tie rods. Shavers Whittle has sent a letter requesting additional time to complete the aggregate and levee breach which will be discussed at a meeting scheduled for next week.

Engineer John Plaisance reported that he is working on getting the geotechnical engineers on site this month for the soil borings of Slip B, West Bulkhead, Project #3. He stated that once the soil borings are received he will begin designing the bulkhead project. He anticipates going out for bid in February 2007 with approximately one year for bulkhead construction.

Airport Update/Project Status – Mr. Breaux reported that Phase II-Runway Extension to 6,500' is substantially complete and there are 2 change orders on the agenda to adjust final quantities. The Runway Lighting and Electrical project is moving along with most of the dredging and the electrical lines buried. He presented to the board the proposed future hangar locations to lease at the Airport for the 2 companies that are interested in hangar space. The plans and cost estimates will be forwarded to the interested parties. The Port would construct the access taxiway from the existing tarmac to both hangars and the company would build the parking area. Director Falgout stated that we are looking at applying a portion of the EDA funding to this project. The original project to overlay the road going toward the LOOP Tank Farm would change to allow access to these sites that are ready to be leased which is a much better utilization of the EDA funding.

FEMA Update – Mr. Chiasson reported that the Wave Protection project is on hold until the right of way issues with the Parish and Landowner are resolved. He stated that Sealevel Construction has agreed to repair the debris fence and the agreement is on the agenda for approval. He attended a meeting with Providence Engineering and Chevron last week to discuss the design and location of the Beach Debris/Dune Restoration project. DNR is heading this project and we hope to see progress in the next few months. Port maintenance is piling up the debris on the Maritime Forest Ridge which will be removed by barge at a later date. They have spread out the marsh grass which will help fertilize the ridge. Engineer John Plaisance reported that the Wharf Repair project is complete and there is a change order for the board's approval. He stated that the subcontractor for the Front Bulkhead Repair project will be starting on Monday driving pilings.

President Vizier requested an update on the Wave Protection project. Director Falgout stated that this Commission had decided to remove any impediments in accessing the beach which is the cement bags along the Gulf. The administration wrote a letter to the Parish requesting the authority for the Port to remove the cement bags and debris where it crosses the Parish right of way. Since then we have not received approval from the Parish to deal with this issue on their right of way, therefore, the public still does not have access to the beach. This is not a result of this commission's actions. There is an alternative access to the beach being discussed by the Parish and Wisner which may materialize but we are not an active party in the negotiations.

Director Falgout then reported on the history of negotiations with the Parish and the landowner. The road access to the beach is the 1971 Parish right of way to the Gulf which goes west all the way to the apparent end of old Pass Fourchon. The cement bags cross the right of way. The Parish has the road access blocked with huge logs to prevent access to the beach while the bridge was being repaired and there was debris on the beach. The bridge is now ready and we asked the Parish to give us approval to clear the roadway, remove the logs, and clear the access to the beach. Mr. Autin reported that the letter was sent to the Parish 2-3 weeks ago and we recently resent the letter at their request. The situation near the bags is not safe and already caused us a problem in the past and we need to clear that up before the public has access. Director Falgout stated that access to the beach through Wisner property is an alternate route to the beach but that too is blocked off at the request of Wisner. There is no access to the beach because both were blocked off after the storms.

The notion that the Port has been negotiating with the landowners for years is somewhat correct. The Port felt that this piece of property did not provide the Parish the greatest opportunity for a recreational fishing pier to be constructed. We entertained the idea with the landowners of a swap of the Parish right of way for an access across the far end of the property on the west which would give us the opportunity to build a pier. The instrument submitted by the landowner for this swap was very lengthy with many restraints, restrictions, and notifications that could have failed and the landowners would get the right of way back. The Port did not feel it was a good swap which was recommended to the Parish to not execute that agreement. The Port has now walked away from this concept and left it to the Parish to possibly negotiate with the landowner. If they would come up with a good deal, the Port would assist the Parish to supply access on the far end track. President Vizier questioned how much has the Port spent on the repairs to the bridge, which Director Falgout stated that we have spent large sums of money over the years along with grants from FEMA, Chevron, EDA, and the State. President Vizier stated that the Port continuously has repaired the bridge and we want to open the beach because the public should have the right to go on the beach but there is one company stopping the whole process. He feels that the Parish Council has the power to do something about it and it is in their hands. Director Falgout stated that the Parish is the proper government entity to do what needs to be done because they have the right of way. President Vizier recommended to the public to call their councilmen to express their concerns about accessing the beach.

Commissioner Lafont stated that for seven years we have been playing with this issue and we can't negotiate with the Caillouets. The Parish has the right of way but if the Parish doesn't give us a

letter of approval to do what needs to be done there is nothing that the Port can do. He stated that it is being said by most of the councilmen that we are holding up the access to the beach. Director Falgout stated that the Port does not have the right of way with the Caillouets or a right of way with Wisner to access the beach. President Vizier stated that Councilman Callais addressed the board a few months ago about the Beach Development District and questioned if anything has come of it. Director Falgout stated that only the Parish has the authority to create a beach development district. The Commission already tried to get legislation passed to give the Port authority to develop that district but it was opposed by the landowners and failed in legislature. Councilman Callais tried to create this district but has not gained the votes for it to pass. The landowners are cautious about what will happen on private lands. Commissioner Melancon stated that the landowners are good lobbyist and with the LA Landowner Association it is hard to pass a bill.

Highway Improvements Update – Director Falgout reported that the bids for Phase 1A were opened this month and the apparent low bidder is James Construction in the amount of \$137,479,548.15. He stated that the estimated cost for this project was \$120–\$130 million. We may need a few million from the special session and may have the opportunity to increase the funding from the Governor’s bill. There is currently \$55 million allocated for LA 1 in the Governor’s proposal. He stated that for the first time Congress has passed the Offshore Revenue Sharing Bill. The President indicated that he will sign it which means a considerable amount of money for Louisiana out into the future. He stated that after 2016 it should be over a half a billion dollars a year for Louisiana. The state had passed a Constitutional Amendment that states that any revenues from the Offshore Revenue Sharing Bill will be spent on coastal restoration and critical infrastructure such as levees and highway projects. We will see a huge amount of funds going to these projects. He believes that this Commission should be proud of its efforts in getting this bill passed. The Commission led the effort to bring a group of 100 people to the MMS public hearing and told the Federal Government of the impacts happening to Coastal LA and specifically in Lafourche Parish that they were not being accounted for in their impact statements. They heard us and by the time we were through the Port, LA 1 and the Parish were mentioned in just about every page of the EIS study. This began a clear relationship on the impacts of the oil and gas industry in the Gulf was having to the local community. The LA 1 Coalition funded efforts in lobbying that hinged around revenue sharing and many other organizations came together after that to get this done. Again, he stated that this Commission needs to recognize its role in this accomplishment.

Additionally, he stated that another item in the works is funding of regional infrastructure projects through the Louisiana Recovery Authority for a share of \$50 million. The LA 1 project is the only project mentioned in every plan in this region as highest priority. He stated that in January the public will have a chance to review the 3 plans proposed by LRA for the entire region. The public will have the opportunity to vote on the plan that is favorable for their area. It will be very important for the public to respond and get involved. There will be a public hearing scheduled in Lafourche Parish at the Larose Civic Center on January 18<sup>th</sup> which will be sponsored by LA 1 Coalition and the Chamber of Commerce.

Director Falgout stated that we will be submitting for hazard mitigation funds through FEMA which would give us the opportunity for up to \$165 million. This would fund Phase II from Leeville to Golden Meadow but there are no guarantees. MMS is still receiving comments on Central and Western Planning Area Sales for the next 5 year study. It appears that through our efforts of getting people to attend public hearings, the CPRA hearing had over 300 people commenting on the State’s plan on coastal restoration. We need to have more protection and move to a Category 5 protection levee system to protect our community. Our office has copies of the CPRA plans and comment forms if someone needs one.

## **Committee Reports**

Executive Committee - Chairman Donald Vizier reported that the committee met on December 11, 2006 at the Administration Building in Galliano. Present were Donald Vizier, Jimmy Lafont, John Melancon, and Harry Cheramie. The Commission then discussed items that were discussed at the committee meeting.

Upon motion by Chuckie Cheramie and second by Wilbert Collins, the board unanimously approved the request from VIH Helicopters to extend their right of first refusal for another year for 15 acres at the airport. President Vizier was authorized to execute the right of first refusal.

Upon motion by Ervin Bruce and second by Harry Cheramie, the board unanimously approved to enter into an agreement with Pointe Fourchon Homeowner's Association to oversee and monitor a security surveillance system of their property.

Upon motion by Jimmy Lafont and second by Wilbert Collins, the board unanimously approved the request from Rotorcraft to extend their lease near the hangar on a month to month basis until they can move their equipment to Venice. President Vizier was authorized to execute said amendment.

Upon motion by Chuckie Cheramie and second by Beau Martin, the board unanimously approved the proposal from Hornbeck Offshore for a 1 year right of first refusal for 9 mooring dolphins in Flotation Canal.

Upon motion by Jimmy Lafont and second by John Melancon, the board approved to remove the 49% subleasing provision from the leases. The vote resulted in 8 yeas and 1 nay by Beau Martin. Director Falgout stated that as the Port became more productive the board added restrictions to subleasing that a company could not sublease more than 49% to anyone else. The Commission will still have the authority to review all subleasing request. With the passing of this motion, the Port would reinforce the proposal process that a company will have to state their investment plan and the proposal would be incorporated as part of their lease to perform by the intended purpose.

Permits & Waterways Committee - Chairman Chuckie Cheramie reported that the committee met on December 11, 2006 at the Administration Building in Galliano. Present were Chuckie Cheramie, Jimmy Lafont, Donald Vizier, and Beau Martin. The Commission then discussed items that were discussed at the committee meeting.

Director Falgout requested an update on the removal of the Debris Field in Belle Pass channel. Mr. Jon Callais stated that the USCG is letting out the bids and there are several contractors interested in this project.

Construction & Development Committee - Chairman Bruce reported that the committee met on December 11, 2006 at the Administration Building in Galliano. Present were Ervin Bruce, Larry Griffin, Wilbert Collins, and Donald Vizier. The Commission then discussed items that were discussed at the committee meeting.

Upon motion by John Melancon and second by Larry Griffin, the board unanimously approved the agreement with Sealevel Construction, Inc. to repair the Debris Fence along LA 3090.

Upon motion by Chuckie Cheramie and second by John Melancon, the board unanimously approved the Clear Lien Certificate from Interstate Electronics Systems, Inc. for the Port Security Cameras.

Upon motion by Jimmy Lafont and second by Wilbert Collins, the board unanimously approved the Clear Lien Certificate from Bertucci for the Breakwater Repairs project.

Upon motion by Beau Martin and second by Chuckie Cheramie, the board unanimously approved the Clear Lien Certificate from Weeks Marine for the Leeville Hydraulic Dredge & Mitigation project.

Upon motion by John Melancon and second by Wilbert Collins, the board unanimously approved Change Order No. 1 from Phylway Construction which decreases the cost by \$8,285.00 and Change Order No. 2 which increases the cost by \$85,784.98 to adjust final quantities to the runway extension. Director Falgout was authorized to execute said change orders.

Upon motion by John Melancon and second by Jimmy Lafont, a two thirds vote was taken to add to the agenda Change Order No. 1 from Greater Gulf Construction and the DOTD resolution to advertise for the Northern Expansion Dudley Bernard Road and Utilities project.

Upon motion by Jimmy Lafont and second by John Melancon, the board unanimously approved Change Order No. 1 from Greater Gulf Construction for the increased amount of \$47,219.72 for the Wharf Repair project, as well as, payment of Invoice No. 5 in the amount of \$44,090.23. Director Falgout was authorized to execute said change order.

Upon motion by Wilbert Collins and second by Ervin Bruce, the board unanimously approved the DOTD resolution to advertise for the Northern Expansion Phase I, Part C Roads and Utilities Contract III for the Dudley Bernard Road.

Finance Committee - Chairman John Melancon reported that the committee met on December 11, 2006 Administration Building in Galliano. Present were John Melancon, Larry Griffin, Wilbert Collins, and Donald Vizier. The Commission then discussed items that were discussed at the committee meeting.

Chairman Melancon questioned the Rotorcraft payment of \$1,550,000.00, which Mr. Rome stated that this check will be held until we receive a signed lease amendment and agreement of purchase from Rotorcraft for their hangar building which was approved at the last meeting. Chairman Melancon also questioned the payment to the Lafourche Parish Clerk of Court of \$425,918.48, which Mr. Rome replied that this is the James Construction retainage on the bulkhead project which is required by the Clerk's office because of the liens against the project which will be dispersed as they see fit.

Upon motion by John Melancon and second by Wilbert Collins, the board approved the November invoices and the expenditures over \$10,000.00. The vote resulted in 8 yeas and 1 abstained by Chuckie Cheramie.

Upon motion by John Melancon and second by Larry Griffin, the board unanimously approved the financial reports for November 2006.

Upon motion by John Melancon and second by Larry Griffin, the board unanimously approved the 2007 Budget.

President Vizier opened the floor for any other business. Director Falgout stated that tonight the Port will be receiving the Gulf Guardian Award from the Gulf of Mexico Environmental Protection agency. They give awards for environmental projects that go beyond the call of duty. He stated that Davie and Paula will receive the award tonight in New Orleans. Mr. Autin recommended adding to the agenda the consideration of Kajun Truck Plaza rental default status. Upon motion by John Melancon and second by Larry Griffin, a two thirds vote was taken to add Kajun Truck Plaza rental default status to the agenda. Mr. Autin reported that they have been in default of their August rental payment. The notice of default was mailed to them on October 9<sup>th</sup> and again November 14<sup>th</sup>. Mr. Rome has been in contact with Kajun Truck Plaza and Community Bank who holds a lien on their lease property. Mr. Rome stated that according to their lease the board has the right to take action on Friday, December 15<sup>th</sup> for their default status of August, September, and October rental. We have been in touch with Community Bank who has in the past paid their rental directly and they gave us a verbal response that they will mail a check to us by Friday. If we do not get payment by Friday, we may need to schedule a special meeting to deal with this issue. The total rental for all three months is \$15,000. President Vizier suggested that by Friday if we do not receive payment we can plan to schedule a meeting next week. Commissioner Melancon suggested that we give them a couple of weeks to pay. President Vizier requested that the administration let the commissioners know Friday if they paid or not.

President Vizier opened the floor for any public comment. Commissioner C. Cheramie thanked Commissioner Beau Martin and Harry Cheramie for serving 6 years with the Port. President Vizier agreed and thanked Mr. Martin for his time and educated opinions and wished Mr. H. Cheramie success with his new business. Mr. Roland Guidry addressed the board. He congratulated the candidates in the

election and stated that the board has done a great job for the Port. He reported that the numerous oil spills that were reported at the last meeting have lessened in the Port. He also congratulated Director Falgout and all the board for working together to achieve a successful Port.

Upon motion by Larry Griffin and second by Wilbert Collins, the board unanimously adjourned the Regular Meeting.

ATTEST:

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Donald Vizier, President

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Jimmy Lafont, Vice President