

AGENDA
August 11, 2010 at 10:30 AM
(Revised 8/10/10 at 9:30 AM)

- I. Call to Order
- II. Pledge of Allegiance
- III. Roll Call
- IV. Consider approval of minutes for July 14, 2010 regular meeting
- V. Executive Director's Report
 - A. **Northern Expansion**
 - 1) Slip B East Bulkhead, Phase #4, Part II (Angelette-Picciola)
 - 2) Slip B Dredging Phase 4, Part IV (Angelette-Picciola)
 - B. **Airport Projects**
 - 1) Pump Station Upgrade
 - 2) Perimeter Fencing
 - 3) Taxiway Connector
 - C. **FEMA Projects**
 - 1) Bathhouse
 - 2) Beach Stabilization
 - D. **Port Security and Grant Projects**
 - 1) 400' Communications Tower and Foundation
 - 2) Phase II MDA – Camera networking improvements
 - 3) Multi-Agency Security Response Center
 - E. **Other Port Projects**
 - 1) Martin Terminal Slip #1 Repairs
 - 2) L&L Dock#15 Bulkhead Repairs
 - F. **LA 1 Highway Improvements**
 - G. **Coastal Issues**
 - H. **Gulf of Mexico Oil Spill**
- VI. Committee Reports
 - A. Executive Committee
 - 1) Consider approving Harbor Police carrying tazers
 - 2) Consider approving the request from Gulf Fleet Holdings to assign GLF197 to Baker Marine Solutions
 - 3) Consider approving the request from Offshore Cleaning Systems, LLC to assign to OCS Holdings, LLC
 - 4) Consider the request from Allport Services regarding deferral of improvement rent
 - B. Permits & Waterways Committee
 - 1) Review permit applications from Apache Corporation and Chevron USA
 - C. Construction & Development Committee
 - 1) Consider approving the Change Order from Adesta for the Tower project
 - 2) Consider accepting the Substantial Completion Certificate from Dolphin Services for the Pump Station Upgrade project
 - 3) Consider accepting the Clear Lien Certificate from Priority 5 Holdings for the Command and Control C4 System - Phase I
 - 4) Consider accepting the Clear Lien Certificate from Vaisala for the Localizer project
 - 5) Consider accepting the Clear Lien Certificate from Vaisala for the Distance Measuring Equipment (DME) project
 - D. Finance Committee
 - 1) Consider payment of July invoices and recognize expenditures over \$10,000
 - 2) Consider approving July Financial Statement
- VII. Any other business
- VIII. Public Comment
- IX. Adjournment
- X. Possible Executive Session
 - A. Discuss pending litigation defined as "*Anthony Mahler vs. Guidry Brothers Towing Company, et al, Suit No.08-5171 E.D., La*"
- XI. Public Comment
- XII. Adjournment

Attachment

- A. The pending litigation more specifically defined as "Anthony Mahler vs. Guidry Brothers Towing Company, et al, Suit No.08-5171 E.D., La" may be discussed in an executive session.

OFFICIAL PROCEEDINGS OF THE GREATER LAFOURCHE PORT COMMISSION
August 11, 2010

The Board of Commissioners of the Greater Lafourche Port Commission met in regular session on Wednesday, August 11, 2010 at 10:30AM.

President Griffin called the meeting to order and Secretary Collins called roll.

ATTENDED: Chuckie Cheramie, Perry Gisclair, Jimmy Lafont, Donald Vizier, Wilbert Collins, John Melancon, Larry Griffin, and Jimmy Guidry

ABSENT: Ervin Bruce

Upon motion by Perry Gisclair and second by Jimmy Guidry, the board unanimously approved the minutes for July 14, 2010 regular meeting.

Executive Director's Report

Northern Expansion – Engineer Larry Picciola stated that the contractor for Slip B 1100' Bulkhead is running behind schedule. They have increased the workers on the project to catch up. The remaining items left is to install tie rods, paint approximately 200' of the bulkhead, put in wood caps, lightweight aggregate, and limestone. The contractor has requested 87 days due to weather delays and the past threatening storms in the area. He has reviewed the request and will recommend granting these days at the end of the project. The dock cannot be used until the dredging is complete.

Engineer Picciola reported that the Slip B 1100' Dredging project is out for bid with the bid opening scheduled for September 1st at 2:00 PM. The bid form is separated into two phases which is the base bid for the 1100' area and the alternate bid is dredging Flotation Canal to fill the mitigation areas mainly the Caillouet triangle and Mitigation Part C. Director Chiasson stated that we have had some discussions regarding a contractor leaving the job site and possibly adding a provision in the contract that states the contractor must have approval from the engineer to leave the site. The board can also increase the liquidated damages if the contractor leaves an unfinished project which may result in higher bid cost. Mr. Autin stated that we already have in the contract that before they leave the unfinished project they need approval from the engineer who would confer with the Port. The board can decide to increase the overall liquidated damages which currently is at \$600 a day which may increase the bid cost.

Cheramie stated that he is not concerned of the increased bid cost. He believes it cost us more money from the last dredging project when the contractor left the site. He agrees with putting a provision in the contract that if the contractor leaves an unfinished project there will be an increase in damages. Lafont stated that it should be good enough if we keep it that the contractor has to check with the engineer before leaving the site. If the engineer says no and the contractor still leaves we have bigger problems. Director Chiasson replied yes the contract would be void with possible lawsuit to follow. Mr. Autin stated that the main concern is that we don't want them to drag their feet and if they leave the procedure we would have to follow will take more time.

Engineer Picciola stated that this project is different from the last project with all the dredging in front of bulkheads where rent was tied into finishing the project. He stated that with this project only the 1100' section is tied into lease rentals with only about 100,000 cubic yards of material. He stated that the larger phase of this project is dredging Flotation Canal with approximately 1.2 million cubic yards of material. He does have in the specs to complete Slip B area first before dredging in Flotation Canal. He has discussed this with Mr. Autin and recommends that if the contractor leaves the bulkhead project we increase the penalty to \$2,000 per day regardless if he finishes on time which should not increase the contract cost because the contractor has control of it. Vizier asked what the penalty was on the last dredging project, which Mr. Breaux replied \$600 per day. Vizier agrees with Cheramie that we need to have a bigger penalty to prevent the contractor from leaving even up to \$10,000 a day to make sure they don't leave. Engineer Picciola recommended we state that the contractor cannot leave for the portion of

Slip B 1100' bulkhead and if so there is a big penalty. If the contractor moves to Flotation Canal and needs to leave there should be no increased consequences since no one is waiting for that area. Director Chiasson reiterated that this does not mean the contractor will leave we are just trying to protect the Port from past experiences. Vizier questioned why this would cost the Port more money if we add this to the contract, which Engineer Picciola replied that there is a risk that the contractor will include in their bid some additional cost to cover them. Vizier questioned what should we recommend for penalty, which Mr. Autin replied that in the past we went as high as \$2,000 per day but wouldn't recommend going higher than what we would expect to get from rent. Vizier recommended that we break it down that if the contractor leaves for normal reasons such as storms or breakdowns it is a certain price than if they intentionally leave for other work the price would be much higher. Mr. Autin stated that the question is how much to put for liquidated damages. Gisclair stated that even from the engineer's first suggestion is better than what we had in the last dredging project because no one knew why the dredge was leaving the Port. He agrees with the high penalty for the bulkhead area with no increased penalty for the work in Flotation Canal and recommended penalty of \$5,000 a day if leaves the bulkhead area for no reason Melancon stated that the increased penalty may make the contractors bid high to cover their tracks, but also keep in mind it may be our fault for a delay in the project. We need to look at both sides. Gisclair stated that this increased penalty will be only if he moves off the project site voluntarily to do another job and not for any normal breakdown. Vizier agreed on setting two separate penalties one for normal operations and the other high penalty for leaving the site for no reason. Director Chiasson agreed that the current liquidated damages are set at \$600 a day and if the contractor leaves the site to pursue other work the increased penalty would be \$5,000 a day. Engineer Picciola stated that he will do an addendum after the pre-bid meeting and include this language.

Airport Projects – Mr. Duet reported that the Pump Station Upgrade project is complete with the substantial completion certificate on the agenda for approval. The contractor has installed a new 36" pump and a 1,000 gallon fuel tank. The Perimeter Fencing project is being advertised with the bid opening scheduled for August 30th. This is being funded by FAA and DOTD and will enclose the entire air field half with a security fence and the other half with a game fence. The Taxiway Connector project is also being advertised with bid opening scheduled for August 30th. This will construct a short taxiway to access the hangar development area which currently we have one tenant there being Tram Aviation.

FEMA Projects – Director Chiasson reported that we did receive the new project worksheet ("PW") to construct the elevated Bathhouse. We are not advertising just yet, still waiting on approval from FEMA to relocate the structure to another location at the public boat launch. He then stated that two weeks ago we did receive the PW for the Beach Stabilization project. The engineer did review the scope of work with the new PW amount of \$3.4 million to do repairs for a 1 mile section of beach. This will take time with the oil spill but we finally after 2 years have a good PW to do this project.

Port Security and Grant Projects – Ms. Swanson reported that the contractor is making progress on the foundation of the 400' Communications Tower. The contractor has completed one pier, almost finished with the second pier and will then start on the third pier. They are almost finished driving the H-piles. There is a change order on the agenda recommended for approval for an extension of 57 days which include 14 days to correct the drawings, 29 days to change the pile testing procedure, and 14 days to order the H-piles. Ms. Danos reported that she is reviewing the RFP plans for Phase II MDA – Camera networking improvements. She expects to bid out mid-September. She reported that the engineer/architect contract with ADG is being negotiated for the Multi-Agency Security Response Center.

Other Port Projects – Director Chiasson stated that the engineer is working on the updated design phase for Martin Terminal Slip #1 Repairs. He did meet with the engineer to update the design to present to the Martin organization to get the project completed at a good cost. The project appears to be more expensive than what we thought and we are hoping the cost will be around \$3 million and not higher. Mr. Breaux reported that all sheet piles have been driven for the L&L Dock#15 Bulkhead Repairs. He reported that L&L is also nearing completion on repairs at their Dock #16 changing out 380 ft. section of top sheets.

LA 1 Highway Improvements – The percentage of completion of Phase 1A of the LA 1 Project as of July 31st was 67%, with 69% of time elapsed. Concerning legislation going into effect this coming Sunday night at midnight to grant free passage for residents living south of the bridge, residents who want to qualify must have a resident tag. If they don't and they want to qualify for one, they need to go to the Customer Service Center during open hours at 1821 Alex Plaisance Drive, Golden Meadow and acquire such a tag by proving their residence with two required documents as follows: The vehicle registration which shows it is registered at a Grand Isle or south-of-bridge address and also a drivers license that shows the owner is a Grand Isle or south-of-bridge address. For residents who already have a tag and an account, the state will send them electronically a credit from their account to their credit card or home address any funds left in their account after midnight on the August 15th. It may take a few days for the credits to be issued, because this has to be done on 700 accounts. Finally, for residents who have this residential account and bought a movable velcro tag, the state will be contacting them eventually to replace the tag with a permanent sticker tag. This is being done to make sure such movable Velcro stickers cannot be moved to other vehicles that do not qualify for the free rate. The state has not made a decision on if they will charge people \$12.50 to change to the permanent sticker. Current hours at the Customer Service Center remain Mon.-Thurs. 5am-5pm, Fri. 5am-7pm, Sat.7am-3pm. After Labor Day, the summer schedule ends and the regular schedule of 5am-5pm Mon.-Fri. resumes. Moving on to Phase 2: Updating you on Right-of-Way (R/O/W) acquisition work, DOTD informed me that out of 21 R/O/W ownerships within the Phase II project area, 12 have now been acquired, 2 are in closing, 5 are being negotiated, 2 are on hold pending R/O/W map revisions necessitated by changes on the re-located Bollinger Canal, and one is pending in a court. Concerning the contract to modify R/O/W maps at the southern end of Phase II necessitated by adjusting the relocation of the Bollinger Canal, more work for permits related to the removal of the old bridge pier had to be added to this contract, and DOTD expects to receive FHWA authorization on this contract with Wilbur Smith Engineers this week, and then secure the Secretary and Chief Engineer's signatures to proceed. That contract time is 270 days. Concerning securing construction funding for Phase II, the Coalition is proceeding with submitting a \$100 million request to the National Infrastructure Investments Grant program, commonly known as the TIGER II grant program by the 23rd of this month. This will be a very competitive process and the fact that the state does not currently have funding to match the federal request does not lend exactly good support to the application, but we are indicating that we will seek a match from the state after the federal government has come forward first with their share to complete this important phase. Finally DOTD has taken some recent bids around the state on bridges and the bids came in substantially under estimates however they are not willing to re-do the estimate for this Phase 2 section just yet.

Gisclair stated that the kiosk machine was taken out of Sureway at the request of the owner, which Mr. Boulet stated that there have been some complaints of problems with the kiosk system. The company that designed the hardware ETC in Texas walked off the job and is now in court litigation. They are not coming back anytime soon, in the meantime one gentlemen working for ETC will now work for the state as a consultant to fix the software. The problem occurring is that people are putting different credit cards in the kiosk that the system does not accept such as American Express or a Diners Club card. This throws the whole system off line. With the consultant just being approved from DOTD, we are now pushing for that unit in Grand Isle to be replaced. Gisclair stated Griffin's in Leeville had the same problem with customers using different cards. Griffin questioned the target date for completion of Fourchon to Leeville, which Mr. Boulet replied November 11, 2011.

Coastal Issues – Simone Maloz from Restore or Retreat (ROR) gave her presentation. She stated that with the oil spill some of the restoration projects have fallen off the map and since ROR's expertise is not with the oil spill they have continued to make sure that the restoration projects are staying on line. Some project updates: 1) Caminada project which is part of the Barataria Basin Barrier Shoreline project. This is a WRDA approved project by the Corps. The state has highlighted the Caminada project as a project of importance and has fast forwarded funds to the project with \$70 million committed. Picciola and Associates is a subcontractor of this project with Taylor Engineering. They will be approximately 30% complete in February 2011 and should begin the project later in 2011. None of the oil spill has affected the project too much. Survey crews are doing land surveys and geotechnical work.

2) Long distance sediment pipeline project. This comes across the basin to provide a necessary friction barrier to help with the fluctuating salinities in the basin. 3) Bayou Lafourche project is an emergency capacity project of \$20 million. The work began in Donaldsonville to dredge the first 6.2 miles of the bayou to provide freshwater to the residence. 4) Davis Pond was up to full utilization before the oil spill and since the spill they have opened it up to maximum capacity. The state did utilize all freshwater diversions and they are monitoring and tracking the impacts. She stated that Mr. Feinberg stated that the \$20 billion fund is where the oystermen or the state would go for some of these natural resources claims specifically to oysters. The state is working on a master plan update in 2012 which is what the state will use to go to BP with a list of projects for possible reimbursement for the oil spill activities. She stated that ROR is going to organizations for grant matches for small restoration projects such as a small dredge program. This program would be shared between the Lafourche Levee District and Terrebonne Levee District for a project of \$1 million to \$3 million that we can do better locally.

Ms. Maloz then presented a slide presentation: 1) Chandelier Islands new sand berm used as a first line of defense which cost \$150 million with the finished project expected to cost \$300 million. 2) Rigid pipe boom system which funnels oil to barges and vacuums the oil from an area. During their flyover, they saw lots of misplaced boom however BP has developed a tactic to remove the boom in the marsh by scoping it up with a hook type device by helicopter. 3) Aerial photo of the National Guard work completed to close the breach near Bayou Thunder. 4) Bayou Lafourche project that just began photo of loaded sediment in barges which will then be trucked off. The before photo showed how much the bayou was silted with overgrowth and now you can see how wide the bayou actually is which will in the end benefit the water flow.

Collins questioned how long Davis Pond will be left open, which Ms. Maloz replied that the state is reviewing all the data and they will probably scale back very soon. Some of the recommendations from the LA Oyster Task Force to the Governor were to begin rehabilitation right away in 2 steps which is to scale back the project now and the second is to possibly utilize the boats in VOO program to till the beds to help rehabilitation for the fall spawning period. We should see some action on this soon. Lafont stated that the old photo of Bayou Lafourche showed no water flow, which Ms. Maloz agreed. She stated that the pump station near Donaldsonville runs at only 150 cubic feet per second (cfs) and is only capable of running at maximum of 300 cfs. The larger scale project for Bayou Lafourche is approximately \$130 million which would build a new pump station and increase the water flow to 1,000 cfs. Lafont stated they haven't changed the pump station, which Ms. Maloz replied no. Melancon questioned how much needs to be dredged in the bayou and how much has already been done, which Ms. Maloz replied that the work has just began. This was an emergency project after Gustav with allocated funds of \$20 million. There were that many hurdles that this is just beginning. It is just for the first 6.2 miles of the bayou from Donaldsonville and should take 2 years to complete.

Collins questioned who will check with the oyster fishermen to claim their loss, which Ms. Maloz replied that she was unsure of if the state would apply for a loss and pay the oyster leaseholder or if each individual oyster leaseholder would apply for their loss. Collins replied that the state has private leases that they control. She replied that she understands that an oyster lease claim would fall under natural resources and will be covered by the \$20 billion account. Mr. Feinberg is supposed to be in the Houma area next week and this can be a question to get answered from him. She mentioned that they are considering changing the Davis Pond project and there are other projects out there that oysters are a huge issue and how to deal with that in the long term. Guidry questioned if these sand berms may continue in the future to build up our coastline, which Ms. Maloz replied that this did prove that if you had the money, proper authorization, and the will you can build things like this with a quick turnaround. Some of the controversy that took place was where they took the material from if that would impact us in the future to build that new land basically this short term decision may impact us later, and how much money it cost \$300 million is significant. Some people think it is a temporary fix. These berms did go through Hurricane Bonnie and Alex and there was some erosion however it was deposited in other places. Another concern was how long this will last spending \$300 million and it may not be here in November or will this last years. Time will tell on the berm longevity and if it is successful it may change how we look at other projects in the future.

Mr. Al Danos stated that because of the condition of the beach the South Lafourche Beachfront Development District (SLBDD) has not focused too much on the short term aspect but has spent time on the long term keeping up with the landowners and Chief Callais keeping us updated on what is going on. There is a SLBDD meeting tonight and invited the board to attend. There are several important items on the agenda with a representative from NOAA to discuss the West Belle Pass Headland Restoration project, finalizing their strategic plan, and discuss possible BP claims for restoration of the beach.

Gulf of Mexico Oil Spill – Director Chiasson stated that with Tropical Depression No. 5 in the Gulf, BP contractors and USCG has ordered non-essential personnel out of Fourchon. The Port is also taking a few minor precautions of putting equipment on trailers for possible high tides. We had a conference call with other organizations this morning to discuss the tropical system. It is not well organized but projected to become a tropical storm with center heading to the east of us. Moving on to the oil spill: The BP well has been capped there is no more oil leaking into the Gulf which is a positive step. The NOAA trajectories show no visible surface oil since last Friday unfortunately on Saturday we did see some oil on the beach. This may be sub-surfaced oil coming up. There are 24/7 operations on the beach with 300 or more people cleaning up during the day and 100 people working at night. BP has put in a request to the USCG and others to get 24 hr. operations to decon vessels. Vessels are beginning to come in with the relief well coming to an end. This will allow them to clean the vessels in a timely manner. The HESCO baskets that the National Guard installed on the beach continue to work. Director Chiasson presented some slides from his flyover last week. The Vessels of Opportunity program (VOO) working on containment and absorbent booms, booms in the marsh and on the sand that they are removing, Harbor Buster skimmers stationed in Belle Pass, West Belle Pass area workers cleaning the marsh, East Timbalier Island, Pelican Island, Calumet Island, and Casse Tete Island did see some areas of oil in the marsh along with some new growth. The last few slides are of the breaches that were closed. The Port has received the BP reimbursement of \$115,000 last week and we have since sent two other request of \$77,000.00 which we should receive in the next two weeks.

Director Chiasson stated there is not much movement on the Moratorium. Chevron, Shell, ExxonMobil and ConocoPhillips have come together and put up \$1 billion to do construction of containment improvement assets and want to construct new vessels to assist if a spill of this magnitude ever happens again. Administration officials are saying in the media that the moratorium may be lifted sooner rather than later but we haven't seen them act quickly on this. The next meeting of the National Commission of Oil spill will be in two weeks. Also if you recall, we sent out a port tenant survey right after the moratorium to see what tenants thought the impacts may be and Monday we sent out a new tenant survey to review the actual affects of the moratorium.

Director Chiasson then showed the interview with WWL Bill Capo that was done 4 days before the oil spill which shows what we were planning to do, what our expansion plans were, and how positive everything was. It really hits home. *“President Obama’s plan to expand drilling operations in the Gulf of Mexico has already led to new competition but not between oil companies. The City of Mobile is campaigning to become an oil industry service hub, but the key center for the Gulf of Mexico oil industry supply is currently located in Port Fourchon off the coast of Louisiana near Grand Isle. Bill Capo talked to Port Leaders to hear what they have to say.”* After some technical difficulty the remaining portion of the segment could not be played. Director Chaisson will supply the video to Vision Communications to play during the meeting on TV.

President Griffin veered from the agenda to recognize 3rd Congressional District Candidate Mr. Hunt Downer. Mr. Downer complimented the board for having electronic visual photos as the projects are discussed in the meeting it shows you what it looks like without actually visiting the site. He thanked the board for being progressive and giving this visual to the public. He then reminded the board and public of the upcoming election. He stated that this Saturday early voting starts and the general election is on the 28th. He shares the concerns of the board with the moratorium it is hurting our everyday life and our economy and wants it lifted so that we can get back to work. Senator Norby Chabert addressed the board and stated that it seems like we moved from oil spill response to what to do about the moratorium. While he was in Washington, he tried to get them to understand the impacts of this moratorium to this area and

Port Fourchon. We need to make things work for this region and state. It was a tough session and is available to answer any questions of legislation that was passed just let him know.

Committee Reports

Executive Committee - Chairman Griffin reported that the committee met on July 28, 2010 at the Administration Building in Galliano. Present was Larry Griffin, John Melancon, Wilbert Collins, and Jimmy Lafont. The commission also met on August 9, 2010 at the Administration Building in Galliano. All members were present. The Commission then discussed items that were discussed at the committee meetings.

President Griffin presented for the board's consideration the Harbor Police carrying tasers. Chief Callais presented a packet of information to the board. A few statistics from other police departments from around the country after tasers were issued: officer injuries down 80%, suspect injuries down 67%, citizen complaints down 50%, lethal force down 78%, baton strikes down 96, the liability savings from a large police department in California were \$2.5 million. He then showed the board a short video showing the use of a taser during a traffic stop which an officer can run across any day. Harbor Police officers do patrol alone. Vizier questioned when the taser shoots you can pull the trigger again, which Chief Callais replied you can hold it and keep it charged but it will run out eventually. Melancon questioned how many we plan to purchase, which Callais replied one for each officer total of fifteen. Melancon questioned if there is any maintenance cost, which Callais replied the only maintenance is the replacement of the cartridge after discharged which is approximately \$30.00. Vizier stated that you will apply for a grant, which Callais replied yes. Griffin questioned how long they last if you don't use them, which Callais answered a long time there is no expiration date. Gisclair questioned if the training would be the same as the Sheriff office, which Callais replied that the requirement for training is 8 hours per officer every year. Vizier questioned during training does every officer get tased, which Callais replied it is not a requirement but we can put it in our policy. Griffin stated that he is a firm believer that law officers are in danger at all times especially at night and they should have all the protection they need and if a taser can help they should have it. Upon motion by Jimmy Guidry and second by Donald Vizier, the board unanimously approved the Harbor Police officers carrying tasers.

Upon motion by Jimmy Guidry and second by Donald Vizier, the board unanimously approved the request from Gulf Fleet Holdings to assign GLF197 to Baker Marine Solutions. Director Chiasson stated that a representative from Baker was here Monday who stated that they plan to elevate the trailer to code and develop the site. Mr. Autin stated that Gulf Fleet is in bankruptcy proceeding now so the transfer would depend on their creditors.

Upon motion by Perry Gisclair and second by Jimmy Guidry, the board unanimously approved the request from Offshore Cleaning Systems, LLC to assign to OCS Holdings, LLC. Mr. Autin confirmed that the principal owners of both companies are the same.

Upon motion by Larry Griffin and second by John Melancon, the board unanimously approved to take no action on the request from Allport Services regarding deferral of improvement rent and schedule a special meeting at a later date.

Vizier questioned the use of force policy, which Chief Callais replied we have a policy now that will need to be updated. Vizier stated that if the officers are doing their training at the Sheriff's academy they will have to be tased, which Callais replied that is a policy of the Sheriff's office. He stated that if we put it in our policy then they will have to do it to carry one. Vizier motioned to put in our use of force policy that officers be tased. No second. Mr. Autin stated that the use of force policy will need to be approved by the board at a later date. Collins exited the meeting.

Permits & Waterways Committee – Chairman Cheramie reported that the committee met on July 28, 2010 at the Administration Building in Galliano. Present were Larry Griffin, Perry Gisclair, Chuckie Cheramie, and Jimmy Lafont. The committee also met on August 9, 2010 at the Administration Building in Galliano. All members were present. The Commission then discussed items that were discussed at the committee meetings.

Chairman Cheramie presented for the board's review the permit applications from Apache Corporation and Chevron USA.

Construction & Development Committee – Melancon reported that the committee met on July 28, 2010 at the Administration Building in Galliano. Present were Ervin Bruce, Larry Griffin, John Melancon, and Donald Vizier. The committee also met on August 9, 2010 at the Administration Building in Galliano. Bruce was absent. Commission then discussed items that were discussed at the committee meetings.

Upon motion by Perry Gisclair and second by Jimmy Guidry, the board unanimously approved Change Order No. 2 from Adesta, LLC for 57 additional days which extends the contract completion date to October 8, 2010 for the 400' Tower and Foundation project.

Upon motion by Jimmy Lafont and second by Jimmy Guidry, the board unanimously accepted the Substantial Completion Certificate dated July 20, 2010 from Dolphin Services for the Pump Station Upgrade project.

Upon motion by Perry Gisclair and second by Chuckie Cheramie, the board unanimously accepted the Clear Lien Certificate from Priority 5 Holdings for the Command and Control C4 System – Phase I.

Upon motion by Chuckie Cheramie and second by Jimmy Guidry, the board unanimously accepted the Clear Lien Certificate from Vaisala for the Localizer project.

Upon motion by Perry Gisclair and second by Chuckie Cheramie, the board unanimously accepted the Clear Lien Certificate from Vaisala for the Distance Measuring Equipment (DME) project.

Finance Committee – Chairman Melancon reported that the committee met on July 28, 2010 at the Administration Building in Galliano. Present was John Melancon, Larry Griffin, and Wilbert Collins. Jimmy Guidry was absent. The committee also met on August 9, 2010 at the Administration Building in Galliano. All members were present. The Commission then discussed items that were discussed at the committee meetings.

Upon motion by John Melancon and second by Jimmy Lafont, the board unanimously approved the payment of July invoices and recognized expenditures over \$10,000.

Upon motion by John Melancon and second by Perry Gisclair, the board unanimously approved the July Financial Statement.

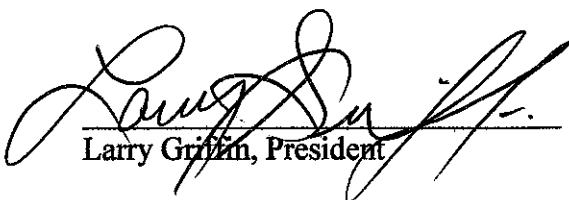
President Griffin opened the floor for any other business. Mr. Breaux reported that the Harbor Police have contacted the drilling rig south of the Leon Theriot Floodgate to put a manned vessel on that rig with the upcoming weather conditions. He also stated that Director Chiasson spoke to a BP representative that if they expect to leave the flotels in Port during these storms they need to also have a manned vessel there. Melancon stated that there are no delinquent rental accounts at this time.

President Griffin presented to the board the possible Executive Session. Mr. Autin recommended the executive session to update the board on the litigation defined as "Anthony Mahler vs. Guidry Brothers Towing Company, et al. Suit No.08-5171 E.D., La". Upon motion by Jimmy Lafont and second by Chuckie Cheramie, a two-thirds roll call vote was taken which resulted in 7 yeas by Cheramie, Gisclair, Lafont, Vizier, Melancon, Griffin, Guidry, and 2 absent by Collins and Bruce. The board then returned from the session. Upon motion by Jimmy Lafont and second by Perry Gisclair, the board hereby authorizes Executive Director Chett Chiasson to negotiate a settlement of the following lawsuit for an amount not to exceed the Port's applicable insurance deductible. "Anthony Mahler vs. Guidry Brothers Towing Company, et al. Suit No.08-5171 E.D., La". The board vote resulted in 7 yeas and 2 absent.

President Griffin opened the floor for public comment. He stated that the next time we have a video to show at a public meeting it be reviewed before shown.

Upon motion by Jimmy Lafont and second by John Melancon, the board adjourned the regular meeting.

ATTEST:


Larry Griffin, President


Wilbert Collins, Secretary