

AGENDA
October 12, 2011 at 10:30 AM
(Revised 10/11/11 at 9:30 AM)

- I. Call to Order
- II. Pledge of Allegiance
- III. Roll Call
- IV. Consider approval of minutes for September 21, 2011 regular meeting
- V. Executive Director's Report
 - A. Northern Expansion**
 - 1. Slip C Bucket Dredge (Angelette-Picciola)
 - 2. Slip B Adam "Ted" Gisclair Roadway, Phase II (Picciola & Associates)
 - 3. Slip B 1871 LF Bulkhead (Picciola & Associates)
 - 4. Slip B 1871 LF Dredge & Slip C (Picciola & Associates)
 - B. Airport Projects**
 - 1. Parallel Taxiway "A" South Paving
 - 2. PAPI System
 - 3. Hangar & Foundation
 - 4. Glide Slope
 - C. FEMA Projects**
 - 1. Flotation Canal Shoreline Protection
 - 2. Bathhouse
 - D. Port Security and Grant Projects**
 - 1. Telecommunication Infrastructure Project (2007)
 - 2. Camera Networking Improvements (2008)
 - 3. Multi-Agency Emergency Response/Operations Building (2009)
 - 4. Radar Video Surveillance (2009)
 - E. Other Port Projects**
 - 1. Martin Slip #1 Bulkhead Repairs
 - 2. Airport Maintenance Shop
 - 3. Nerby Collins Marina Bulkhead Repair
 - F. LA 1 Highway Improvements Report**
 - G. Gulf of Mexico Oil Spill**
 - H. Summary of Consent Judgment**
- VI. Committee Reports
 - A. Executive Committee
 - 1. Consider approving the request from Express Supply & Steel for an additional 5 year option term
 - 2. Consider adopting a resolution supporting South Central Planning & Development Commission and the State of Louisiana for funding through the Tiger III Grant Program for construction funds of Phase 2 Segment A of LA 1 Improvement Project
 - B. Permits & Waterways Committee
 - 1. Review permit applications from Charles Guidry and Louisiana Delta Oil Company, LLC
 - C. Construction & Development Committee
 - 1. Consider approving Change Order No. 1 from Berry Bros for the Slip C Bucket Dredge project
 - 2. Consider adopting the DOTD resolution Accepting the Work for the Slip C Bucket Dredging project
 - 3. Consider approving Change Order No. 1 from American Bridge for the Slip B 1871 LF Bulkhead
 - 4. Consider approving the Substantial Completion Certificate from American Bridge for the Slip B 1871 LF Bulkhead
 - 5. Consider awarding the lowest responsive bid for the Small Hangar & Foundation project at the Airport
 - 6. Consider adopting the DOTD resolution for the Aviation Priority Program for Capital Improvement
 - 7. Consider approving the DOTD Sponsorship Agreement to purchase and install a Glide Slope
 - 8. Consider approving the Clear Lien Certificate from Great Southern Dredge for the Flotation Canal Shoreline Protection project
 - 9. Consider approving the proposal for the Deployment of a Behavioral Recognition System
 - D. Finance Committee
 - 1. Consider payment of September invoices and recognize expenditures over \$10,000
 - 2. Consider approving September 2011 financial statements
- VII. Any other business
- VIII. Public Comment
- IX. Adjournment

OFFICIAL PROCEEDINGS OF THE GREATER LAFOURCHE PORT COMMISSION
October 12, 2011

The Board of Commissioners of the Greater Lafourche Port Commission met in regular session on Wednesday, October 12, 2011 at 10:30 AM.

Vice President Lafont called the meeting to order and Secretary Collins called roll.

ATTENDED: Chuckie Cheramie, Perry Gisclair, Jimmy Lafont, Donald Vizier, Wilbert Collins, John Melancon Jr., Jimmy Guidry, and Ervin Bruce

ABSENT: Larry Griffin

Vice President stated that he just spoke to President Larry Griffin who had surgery and he is in good spirits and doing much better and would like everyone to continue praying for his full recovery.

Upon motion by Perry Gisclair and second by Wilbert Collins, the board unanimously approved the minutes for September 21, 2011 regular meeting.

Vice President Lafont veered from the agenda to recognize candidates for the upcoming election. Councilman Daniel Lorraine addressed the board announcing his candidacy for Lafourche Parish Council District 9 and thanked the board for the good working relationship the Port has with the Lafourche Parish Council.

Executive Director's Report

Northern Expansion – Engineer Larry Picciola reported that the Slip C Bucket Dredge project is in its lien period and there is a deduct change order of (\$90,793.69) on the agenda for approval. Engineer Joe Picciola reported that contractor Phylway Construction is completing the drainage and sub-base work, and scheduled to begin paving the Adam “Ted” Gisclair Roadway early next week. Executive Director Chett Chiasson stated that this project is 80% funded by the Economic Development Administration (EDA). This EDA grant also paid for the previous project of aggregate roadway and waterline and it looks like we will have enough funding to pave the next section from GOL to ECO site. Engineer Joe Picciola reported that the contractor American Bridge has completed the Slip B 1871 LF Bulkhead project. The final walk thru was done last Thursday which resulted in a few punch list items which the contractor already completed. The final balancing change order and substantial completion certificate is up for approval today. Engineer Joe Picciola reported that plans and specs were submitted for DOTD's approval for Slip B 1871 LF Dredge & Slip C Dredge project. We received approval to advertise which will begin on October 14th with the bid opening scheduled on November 15th. Lafont questioned if he expects competitive bids like last time, which Picciola responded that he understands that the dredging companies are very interested in this project.

Airport Projects – Airport Manager, Joe Wheeler reported that the pre-construction meeting for the Parallel Taxiway “A” South Paving was conducted on October 4th and the contractor LA Contracting expects to begin work on October 17th. He reported that we received a DOTD Sponsorship Grant for the PAPI Lighting System Upgrade of \$30,000. The equipment has been ordered and is slowly coming in. Once we receive all the equipment, the installation should take a month. The Hangar & Foundation bid opening was October 6th with the lowest responsive bid being Picciola Construction in the amount of \$311,720.32 which is up for approval today. Wheeler reported that DOTD submitted a Sponsorship Grant for the Glide Slope of \$250,000.00 which is also up for approval today. Melancon requested an

explanation of the glide slope, which Wheeler replied that it is equipment that emits a radio signal to guide planes to the runway. The pilot has equipment in the plane that shows the horizontal guides thru our Localizer and the vertical guide is thru the glide slope antenna. Chiasson stated that this funding is relative to the FAA funding of \$4.3 million for the full parallel taxiway with DOTD's partnership. He stated that DOTD allocated funds for a full Instrument Landing System (ILS) once we have a full parallel taxiway which is in progress so that is why this is all coming together. Wheeler reported that the aircraft operations for September were 1,250 which we are maintaining an average of 1000 operations. Vizier questioned if that is only fixed wing, which Wheeler replied that is both fixed-wing and helicopter activity. Chiasson stated that he recently had discussions with the FBO regarding transportation work. There is another company Black Elk that is working out of the Airport which increased the operations. We are currently negotiating with them to possibly utilize the existing helicopter pads as they continue working for the oil and gas industry.

FEMA Projects – Chiasson reported that the clear lien certificate has been received and is on the agenda for approval for the Flotation Canal Shoreline Protection project. Engineer Joe Picciola reported that the Bathhouse plans and specs are completed and have been submitted to the fire marshal for approval. Once we receive it back we will go to the Parish Permitting office for approval and shortly afterward we will be ready to advertise for bid. Chiasson stated that we expect to advertise by the end of November for construction to end in April 2012 for the public to utilize the facility by summer.

Port Security and Grant Projects – Engineer Shawn Keller reported that the Telecommunication Infrastructure Project is close to completion. They are waiting the ice bridge equipment to be delivered and installed which should be complete in two weeks. The engineer plans to perform a final walk thru once this is installed. The final close out change order and substantial completion should be ready for next month's meeting. April Danos reported that regarding the tower project she recently met with the Dept. of Homeland Security for potential leases on the tower. We are working thru the procedures to move forward with our equipment and others to be installed on the tower within the next month. Regarding the Camera Networking Improvements, the contractor Prime Controls is expecting completion by November 10th with the possible exception of the Belle Pass camera. The Video Management project has been postponed for few weeks due to the delays with completion of the ice bridge and hardware. Proposals were received on September 28th for the Behavioral Recognition system which is video analytics that tie in with the cameras. The lowest responsive proposal received was from Crescent Guardian in the amount of \$168,920.50 for 51 licenses. In reviewing the project, 51 licenses are not necessary and we are negotiating with Crescent Guardian for only 25 licenses which will in turn bring the cost down to \$98,702.00. This is on the agenda for approval. Danos reported that there was a meeting with the Lafourche Ambulance District and the Fire District regarding the Multi-Agency Emergency Response/Operations Building plans. We are currently working out plans regarding the parking of emergency vehicles. A meeting is also being scheduled with the Parish Emergency Office to discuss the plans for this building. The kick off meeting for the Radar Video Surveillance is set for next week which will integrate all these technologies.

Other Port Projects – Engineer Larry Picciola reported that the contractor Lowland is ongoing for the Martin Slip #1 Bulkhead Repairs project. All sheet piles have been driven and all A-frame deadman have been installed along Bayou Lafourche. They plan to start with the concrete deadman on the other side of the building next week. Contractor plans to be complete in December. Davie Breaux reported that the plans and specs for the Airport Maintenance Shop have been approved by the fire marshal. We are now waiting on the approval from Lafourche Parish Public Works to be ready to advertise for bids. Engineer John Plaisance reported that the Nerby Collins Marina Bulkhead Repair project is still on hold since March. The lowest responsive bid Kostmayer has been working with the Port and extended their bid until November. The suit was won in district court and we finally have a date of November 3rd in the appellate court system which will determine if we can proceed with the project or not.

LA 1 Highway Improvements Report – Henri Boulet reported that Phase 1A, Port Fourchon to Leeville segment of the project was 98% complete as of September 31st. DOTD stated yesterday that a

revised completion date of this segment is now December 11th. Moving on to the LA 1 Project's Phase II update, the finalized right of way (ROW) maps have been transmitted to the DOTD's Real Estate Section to begin final acquisition of the last parcels in Phase 2. The advertisement package for engineering services for Segment 2A is anticipated to be forwarded to the Contracts Department for review by the end of next week. Concerning funding for construction of the Phase II - Segment A, Boulet continues to work on the federal \$15 million request to the TIGER III Grant Program which is due at the end of this month. Boulet thanked the commission for consideration of passing a resolution of support for this federal funding application. Last month Senator Landrieu hosted a Briefing with Homeland Security on the release of the study *Assessment of the National Consequences of Disruptions to LA-1*. The study estimates billions of dollars of lost gross domestic product should the nation suffer a loss of LA 1 in the Phase II area. The study is still designated FOUO, so its content is restricted. However, Homeland Security is working toward a full release of the study. Boulet has been advised by Senator Landrieu's office that he will be able to cite the full study's results in the upcoming TIGER Grant. On other highway projects in the area, the new Bayou Lafourche Lift-Span Bridge at Larose is progressing well. No new percentages of completion were available since last month's reported 58% completion. And finally, the Caminada Bay Bridge is now 82% complete, with 59% of its contract time elapsed.

Lafont questioned the opening of Phase 1A, which Boulet replied that the new date is December 11th which the contract end date is in December and the contractor wants to make that date to not penalized. There is still a lot of work to complete such as painting the side structure and grinding surface areas.

Gulf of Mexico Oil Spill – Chiasson reported that beach cleanup is still taking place on Fourchon Beach, East and West Timbalier Islands with approximately 75 workers. They did bring in a lot of equipment such as excavators, front-end loaders, and vessels. In regards to vessels, several commissioners were concerned last meeting regarding the vessel program. There was a meeting Monday night at the library but not sure of the outcome. We are working to schedule a meeting with BP and a few commissioners to discuss this matter. He stated that in the aftermath of the oil spill and the one year anniversary, the Lafourche Energy Council was created. They meet quarterly with the last meeting hosted here on October 4th which included people from the industry and Tim Allen from Apache Corporation was the speaker to discuss what they do, the property they have in the area, and coastal restoration projects that they participate in this area. There was also a presentation from Louisiana Oil and Gas Association (LOGA) regarding the state of the oil and gas industry as well as a presentation from Gulf Economic Survival Team (GEST) regarding the economic study. In attendance were representatives from Senator Vitter, Senator Landrieu, and Congressman Landry's office.

Chiasson reported that yesterday a meeting/phone conference was held here with GEST to take part as liaison with the businesses that do geophysical and seismic work for the oil and gas industry who are also having problems with getting permits. We are trying to work with them and get their side of what is happening. The concern is that if there is a major slow down or halt of permits for seismic activity in the Gulf the future for oil and gas is not going to be very good because the seismic work is the first step to work in the Gulf. We are going to start to work with those companies for GEST to add that to their agenda and try to get these permits issued.

Regarding the deepwater permits update, there have been 40 permits issued for unique new wells that require containment, however 17 of those already had permits prior to the moratorium, 5 were for existing well bores, and 5 were for batch sets only, therefore only 13 or actually now 14 deepwater permits issued for unique new wells for purposes of oil production. There is still a problem and that is why the fight needs to continue and we will play a part in that. Lafont questioned the seismic side which he understands that they stopped doing work in Bay Marshand due to dolphin mating season and one whale watcher thought he saw a manatee whale and shut it down. It will be tougher than what we realize. Chiasson stated that since the moratorium in March and April, the seismic industry has been completely shut down in Gulf because of the dolphin calving season which we are all good stewards of our environment and don't want to endanger species however the regulations we are seeing are a bit ridiculous.

Summary of Consent Judgment – Port Attorney Bryce Autin stated that from Monday night we discussed a resolution that the Parish passed requesting the Corps of Engineers and the State include in their projects the Caminada Headland Restoration project and the Barataria Basin Barrier Shoreline project public access or use of the property that will be built. The question was asked if the Greater Lafourche Port Commission (“GLPC”) could adopt a similar resolution. It is my opinion that by adopting a resolution to encourage another entity to acquire Caillouet Land Corporation (“CLC”) property would risk violating the 1997 Consent Judgment. The Consent Judgment was signed in 1997 when the new generation of the CLC family became involved and wanted to discuss all the ongoing issues that CLC had with the GLPC. The first issue that triggered this was the portions of 16th and 17th Streets that are on CLC property. We had that property under lease when the streets were built but arguably we did not have the servitude to build those roads. Whenever that discussion took place, the topic of expropriation was raised and whether or not we could expropriate servitudes for those streets. The CLC position at that time was that we could not expropriate any property because of the 1963 Donation to the GLPC which is the current property where C-Port 1, Halliburton, and Bollinger are located along with the property along Pass Fourchon of Martin Terminal to the Nerby Collins Marina. This disagreement led to a suit being filed by the GLPC against CLC for a judge to determine whether or not if the GLPC had the right to expropriate which ultimately led to this Consent Judgment. This is basically an agreement of everything involving the GLPC and the CLC. The basic framework was that the GLPC agreed that there was no more property owned by CLC necessary for port development. Of course, under our enabling legislation we have the authority to expropriate property for port facilities or a deep sea channel. In exchange for GLPC stating that no more CLC property was necessary for port development, we settled the land rights to certain key areas of the Port.

The first item settled was the property in the 1963 Donation which the GLPC owns the property with no conditions tied to it. The next section of property referred to as the federal servitude which covers some of Bayou Lafourche but also the reclaimed property when Martin Terminal facility was originally constructed which is also owned by GLPC. The next area is the entrance to Flotation Canal. He stated that before this agreement there was no written document that granted authority or a channel servitude to dig through this section of property owned by the CLC, however this Consent Judgment settled this issue granting the GLPC servitude to have this entrance. The next area is the extension to N. Doucet Drive this was before we started the Northern Expansion development. It is still a key access route to HOS Port and facilities along Slip A. The servitude for this road was created in the judgment. Lastly, a servitude was created in this judgment for the entrance of 16th and 17th Streets to exist whereas before the CLC questioned the GLPC layout of the roads.

Under the Consent Judgment, the GLPC stated that no more CLC property was necessary for public purposes, with that the necessity for a public purpose is something that you would have to prove to expropriate property, the GLPC agreed not to expropriate any property in the future. There is also a provision that states that whatever the GLPC and CLC agreed not to do, they can’t cause it to be done by someone else. Regarding adopting a resolution for the Caminada Headland Restoration project and the Corps Barataria Basin Barrier Shoreline project, he feels that by encouraging another entity to acquire public access to this property would be a big risk in violating that provision of the Consent Judgment. As you can see from the key areas of the Port that are settled by this Consent Judgment it would be a very significant risk for the Port to take. He stated that the Judgment is recorded and is public record and if the board wants a copy just let him know.

Vizier stated that in plain language if we pass this resolution we are putting the Port in jeopardy, which Autin replied you put those key areas of the Port in jeopardy. Vizier stated that those key areas are skeletons which are buried and he feels that we should just go with what was agreed. Gisclair stated that on Monday night he felt that this resolution was a slam dunk then he was educated regarding this Consent Judgment and at the same time he doesn’t want to put the Port in jeopardy, but at same time there is a consensus of the public that wants recreation and access to the beach. We have a South Lafourche Beachfront Development District (“SLBDD”), a resolution from the Parish Council, plus we have a half

billion dollar project that will be going on in that area. The Corps does not have a recreation component in the project and that was the point of this request was to have a servitude and put recreation in the project. This is why he asked Mr. Autin to make this presentation to enlighten the board and the public and explain why we didn't and can't support this resolution. It is not something he likes but our hands are tied. By doing something, it would be a detriment to the Port. Gisclair stated that this is not to say that we can't as an individual make our concerns known to state, federal or local officials which is what it will take for them to get involved. Chiasson stated that as a community organization as we are on the surface we can say we support public access but as a board we can't support it officially because of the Consent Judgment.

Vice President Lafont veered from the agenda to recognize another candidate for the upcoming election. Representative Jerry "Truck" Gisclair addressed the board to announce his candidacy for House of Representative District No. 54. Lafont then recognized Mr. Ricky Cheramie with the SLBDD. Ricky Cheramie stated that he understands the Port's position and thanked them for their cooperation. The CLC property is less than 10% of the beach and perhaps the GLPC could pass a resolution that would exclude the CLC property but include the other landowner and state property and by identifying the CLC property it would show that you maintain compliance with that agreement. It is just something to discuss and possibly consider. He stated that the SLBDD does have a number on the appraisal of the CLC property which will be discussed at their next meeting on October 19th and the board and public is invited to attend. He stated that Loulan has been lobbying with the state for public access which is ongoing and will be discussed at the meeting. Lafont stated that there are virtually 2 property owners on the beach and one does not pay taxes he questioned if the other one pays taxes, which Cheramie replied that he believes that the CLC pays taxes and Wisner does not. He stated that there is also the State that owns from Bay Champagne to the Gulf and the bed of Pass Fourchon so if a resolution is passed we would like that property included as well.

Committee Reports

Executive Committee – The committee met on October 10, 2011 at the Administration Building in Galliano. Present was Jimmy Lafont, Wilbert Collins, Perry Gisclair, with Larry Griffin absent.

Upon motion by John Melancon and second by Jimmy Guidry, the board unanimously approved the request from Express Supply & Steel for an additional 5 year option term. Chiasson stated that their facility was destroyed after Gustav and with the terms of their financial needs to re-build their facility the lease needs to be extended for additional years which would end in 2032.

Upon motion by John Melancon and second by Perry Gisclair, the board adopted the resolution supporting South Central Planning & Development Commission ("SCPDC") and the State of Louisiana for funding through the Tiger III Grant Program for construction funds of Phase 2 Segment A of LA 1 Improvement Project. Chiasson stated that SCPDC is submitting the application on behalf of LA 1 Coalition for \$15 million. The thought process is that the State would fund \$20 million and industry would fund the \$10 million to have a \$45 million project to connect LA 3235 over the levee for approximately 1 mile of roadway. Cheramie stated that he will vote against this because we have been giving everything to the LA 1 Coalition and we have yet to see the State or anybody else do an economic study for the business owners from Golden Meadow to Leeville along LA 1. This grant might be a good thing but in the long run it will kill local businesses. Basically what this is doing is putting our people out of business. The board then voted which resulted in 7 yeas, 1 nay by Cheramie and 1 absent by Griffin.

Commissioner Ervin Bruce exited the meeting.

Permits & Waterways Committee - The committee met on October 10, 2011 at the Administration Building in Galliano. Present was Chuckie Cheramie, Jimmy Lafont, Perry Gisclair, with Larry Griffin absent.

Chairman Cheramie presented for the board's review the permit applications from Charles Guidry and Louisiana Delta Oil Company, LLC. Chiasson stated that after a discussion with DNR the Guidry permit

is on hold due to incorrect paper work submitted. The exact location and description will be resubmitted at some point in the future.

Construction & Development Committee - The committee met on October 10, 2011 at the Administration Building in Galliano. Present was Chairman Ervin Bruce, Donald Vizier, John Melancon, with Larry Griffin absent.

Upon motion by Perry Gisclair and second by Wilbert Collins, the board unanimously approved Change Order No. 1 a decrease of (\$90,793.69) from Berry Bros for the Slip C Bucket Dredge project.

Upon motion by Chuckie Cheramie and second by Wilbert Collins, the board unanimously adopted the DOTD resolution Accepting the Work for the Slip C Bucket Dredging project.

Upon motion by Wilbert Collins and second by Jimmy Guidry, the board unanimously approved Change Order No. 1 a decrease of (\$0.68) from American Bridge for the Slip B 1871 LF Bulkhead.

Upon motion by Perry Gisclair and second by Chuckie Cheramie, the board unanimously approved the Substantial Completion Certificate dated October 6, 2011 from American Bridge for the Slip B 1871 LF Bulkhead project.

Upon motion by Wilbert Collins and second by Perry Gisclair, the board unanimously awarded the lowest responsive bid for the Small Hangar & Foundation project at the Airport to Picciola Construction in the amount of \$311,730.32.

Upon motion by Perry Gisclair and second by Chuckie Cheramie, the board unanimously adopted the DOTD resolution for the Aviation Priority Program for Capital Improvements.

Upon motion by Jimmy Guidry and second by Wilbert Collins, the board unanimously approved the DOTD Sponsorship Agreement to purchase and install a Glide Slope.

Upon motion by Perry Gisclair and second by Chuckie Cheramie, the board unanimously approved the Clear Lien Certificate from Great Southern Dredging, Inc. for the Flotation Canal Shoreline Protection project.

Upon motion by Wilbert Collins and second by Chuckie Cheramie, the board unanimously approved the proposal for the Deployment of a Behavioral Recognition System to Crescent Guardian for \$168,920.50 which is expected to be lowered to \$98,702.00 for only 25 licenses.

Finance Committee - The committee met on October 10, 2011 at the Administration Building in Galliano. Present was Chairman Jimmy Guidry, Wilbert Collins, John Melancon, with Larry Griffin absent.

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

Upon motion by Jimmy Guidry and second by John Melancon, the board unanimously approved the September 2011 financial statements.

Upon motion by Chuckie Cheramie and second by Perry Gisclair, the board adjourned the regular meeting.

ATTEST:


Larry Griffin, President


Wilbert Collins, Secretary