

AGENDA  
December 8, 1999

- I. Call to Order
- II. Roll Call
- III. Pledge of Allegiance
- IV. Approval of minutes of Special Meeting on November 2, 1999
- V. Executive Director's Report
  - A. E-Slip Expansion Updates
    - 1. 2<sup>nd</sup> Leg
    - 2. 3<sup>rd</sup> Leg
  - B. Fourchon Bridge
  - C. Northern Expansion Update
  - D. FEMA Damage Repairs
    - 1. Offshore Breakwaters
    - 2. Belle Pass Dredging
  - E. Highway Improvements
    - 1. Plan change Lockport to Golden Meadow
  - F. OCS Revenue Sharing Update
  - G. Golden Meadow Seawall
- VI. Committee Reports:
  - A. Executive:
    - 1. Authorize Executive Director to advertise for bid for reefshells, etc. on annual basis
    - 2. Authorize Director to enter into an agreement with South Louisiana Economic Council
    - 3. Adopt Ad Valorem Tax Ordinance for Year 2000
    - 4. Authorize President to execute Landlord Estoppel Certificate in connection to Offshore Support Services and Union Planters Bank
    - 5. Adopt resolution for project No. 578-29-0011 (Phase 2 of 578-29-0009)
  - B. Legal, Permits, & Waterways:
    - 1. Letter of No Objection
      - a. Chevron USA Production, Co.
    - 2. Havoline Canal Channel
  - C. Construction & Development:
  - D. Finance:
    - 1. Approval of Invoices and recognize following expenditures of over \$10,000:

1. South Lafourche Levee District	\$ 15,587.66
2. J. Wayne Plaisance, Inc.	\$ 11,696.30
3. Picciola & Associates, Inc.	\$ 19,746.70
4. Picciola & Associates, Inc.	\$ 57,266.00
5. Johnny F. Smith Truck & Dragline Service, Inc.	\$115,708.00
6. Johnny F. Smith Truck & Dragline Service, Inc.	\$158,128.42
7. Mike Hooks, Inc.	\$588,394.37
8. Mike Hooks, Inc.	\$ 42,750.00
9. LowLand Construction Co., Inc.	\$111,406.01
10. Dean Equipment	\$ 21, 689.00
    - 2. Finance Report
    - 3. Approve 2000 Budget
    - 4. Authorize Executive Director to execute an engagement letter with Bergeron & Lanaux in reference to the Port Commission's annual audit
  - E. Personnel:
    - 1. Salary adjustments for unclassified employees
- VII. Any other business
- VIII. Adjournment

# OFFICIAL PROCEEDINGS OF THE GREATER LAFOURCHE PORT COMMISSION

December 8, 1999

The Board of Commissioners of the Greater Lafourche Port Commission met in regular session in the Conference Room of the Commission Administration Building in Galliano, Louisiana on Wednesday, December 8, 1999 at 10:30 AM pursuant to the provision of due notice in writing to each and every member thereof and duly posted in the manner prescribed by law.

President Bernard called the meeting to order and requested that Board Member Harrison Cheramie call the roll.

**PRESENT:** Harrison Cheramie, Jr., Larry Griffin, Rodney Terrebonne, Johnny Melancon, Ervin Bruce, Chester Cheramie, Wilbert Collins, Sr. Donald Vizier and Dudley Bernard

**ABSENT:** None

Also present were Ted M. Falgout, Executive Director; Davie J. Breaux, Assistant Director; Edmond Deramee, Jr. with Deramee & Pitre, L.L.C., Port Attorney; Joe Picciola, John Plaisance and Larry Picciola, Port Engineers; Gerald Guidry, Harbor Police Chief; Susan Martin, Accountant Administrator 1; and Cindy F. Dufrene, Port Secretary.

President Bernard led in the recitation of the Pledge of Allegiance.

Upon motion by Harrison Cheramie, Jr., seconded by Donald Vizier and unanimously passed, the minutes of the November 2, 1999 Special Meeting was approved.

President Bernard then called upon Executive Director Ted Falgout for his report.

## EXECUTIVE DIRECTOR'S REPORT:

Director Falgout called upon project engineer Larry Picciola for his report on the E-Slip Bulkhead Extension 2<sup>nd</sup> Leg, Bulkhead Repair. Mr. Picciola reported he still has been unable to speak to someone with Week's Marine. He has left numerous messages with the underwriter's office and they have not returned his calls. He spoke to Port Attorney Loulan Pitre who stated Weeks did respond to the letter sent by Director Falgout but it was very vague. Mr. Falgout stated Weeks did not directly address questions which were asked of them. A second letter was sent to Weeks requesting a more pointed response to the questions. It also indicated the Commission will be filing its lawsuit. Mr. Deramee stated he spoke to Port Attorney Pitre yesterday and he was preparing to file the lawsuit. Discussion followed.

In reference to the Leg III - E-Slip Expansion, Phase II, Bulkheading, Mr. Picciola reported the contractor has been on site for over a month. They have completed driving timber piles in the area of Newpark. They're presently driving timber piles near C-Port, 2 and from the spot where Johnson Brothers ended their project. They graded and shaped the bedding to pour the concrete deadman. The steel sheet piles have arrived in Mobile, Al to begin the coating process.

In reference to Leg III - E-Slip Expansion, Phase III - Dredging, Mr. Picciola reported Mike Hooks has completed the dredging in Pass Fourchon and Bayou Lafourche north of C-Port. He is currently dredging the third leg of the E-Slip. Discussion followed.

In reference to the Fourchon Bridge Repair, Director Falgout called upon Assistant Director Davie Breaux for an update. Assistant Director Breaux reported the bridge is ready to be used as it was designed for. The contractors still have a few miscellaneous items to address. He's currently waiting on a sign showing the tonnage to be placed on the bridge. Also is waiting for an invoice showing the per pound pricing for the additional steel. Recommends not to issue Certificate of Substantial Completion until invoices are received.

In reference to the Northern Expansion, Director Falgout reported the negotiations with L.L. & E. are progressing everyday. The Executive Committee requested an abstract of the property be done to have the proper assurance that L.L. & E. does in fact own the property before finalizing the agreement. Director Falgout asked Mr. Deramee for an update on the abstract. Attorney Deramee stated Gerry Breaux is in the process of doing the abstract. L.L. & E. has thousands of transactions which is causing the process to move slowly. There was an additional problem with some property descriptions. Ms. Breaux is aware there is a tight deadline, which is December 20, 1999. He feels she will not be finished by then. Mr. Falgout spoke to L.L. & E. this morning and asked for additional information which he felt might help to expedite this matter. He reported that Wisner's lease is a done deal and are still awaiting the signatures of one or two of the individual beneficiaries. He added a request was sent for State assistance in building approximately \$13 million dollars of improvements for Phase I of the Northern Expansion area. Construction may begin in this area as early as next fall.

We will be addressing the mitigation as soon as the dredge is finished with the 3<sup>rd</sup> Leg of the E-Slip. They would then move in and dredge in the Flotation Canal and fill the back portion of the Northern Expansion. This should begin in early January.

In connection with the Breakwater Repairs, Director Falgout called upon project engineer Joe Picciola for his report. Mr. Picciola reported the sub-contractor is presently assembling the A-Jacks at the staging area. The contractor has completed one breakwater with A-Jacks and has done half of another barge. They are experiencing problems with keeping the rock bed down due to the inclement weather conditions. This has caused them to use up a lot of bedding materials. He met with Director Falgout, Assistant Director Breaux and the two contractors to come up with other alternatives trying not to exceed the budget for the bedding material. They discussed different ideas and decided to try placing the A-Jack's uniformly inside and on top of a few of the barges and placing the A-Jacks randomly around the rest. There would be extra A-Jacks left over which could be used to join the area between the two rock jetties together to help with siltation caused by storms. Discussion followed.

In reference to the FEMA Project, Belle Pass Dredging, Director Falgout called upon project engineer John Plaisance for his report. Mr. Plaisance reported he met with Director Falgout and they decided not to delay the project any longer by waiting for the pipeline removals. The bid opening is scheduled for December 30<sup>th</sup>.

Assistant Breaux reported that Bertucci is not working on the breakwaters today. They are in the Pass trying to retrieve the few rocks that were left from the old jetty which vessels have been hitting during low tides.

In reference to Highway improvements, Director Falgout presented a Plan Change to the Asphaltic Concrete Overlay Project for execution. DOTD did the engineering for this project and they marked out a 4 mile project which ended a little north of the Seafood site he had hoped they would extend to. The bid reflected this shorter distance. The Commission has since convinced DOTD to extend the project to 4.8 miles instead of 4. The contractor agreed they would do the job using the same per unit prices which they had originally bid. This would elevate the contract to \$449,267.85, an increase of \$74,735.90, which is still under the budget of \$500,000. Both DOTD and the contractor have signed the Plan Change. Upon motion by Donald Vizier, seconded by Rodney Terrebonne and unanimously passed, the Board of Commissioners did hereby authorize the Executive Director to execute the Plan Change to the Asphaltic Concrete Overlay Project.

Director Falgout called upon Roy Francis with the LA 1 Coalition for an update on other highway projects. Mr. Francis reported the EIS from Fourchon to Golden Meadow is underway. He's hoping this study will be completed by next September or October. He has scheduled a scoping meeting for early January with Director Falgout, DOTD and the engineering firm. The Feasibility Study from Larose to U.S. 90 is still ongoing and hopes it's completed within the next 6 months. The OCS Bill went through the House Resource Committee, which is the critical first step. The end of next year will be crunch time for the Coalition in Washington and they are hoping to get the bill through before Presidential politics plays a part. In reference to the FEMA Appropriation, the Coalition worked with Congressman Tauzin to include language in the appropriation which states a Hurricane Evacuation Study for the New Orleans Region will be conducted. They will also have to work with two organizations on this study which are the LA 1 Coalition and the Southeast Louisiana Task Force. He presented the report from the LA 1 Task Force which was sent to Governor Foster. He met with the Governor's office in mid November and with the Secretary of DOTD along with Director Falgout to discuss this report and to expedite the construction of the new Leeville Bridge. Once this EIS Study is complete, he hopes to have other monies from Congress in place and activated to begin the engineering design for the new Leeville Bridge, which has been identified as the critical link.

In reference to the Golden Meadow seawall, Director Falgout reported the Commission is waiting until January to access the areas identified by the town engineer along with a representative from the Town of Golden Meadow and DOTD. Should have a better idea in organizing this effort by the next meeting.

#### EXECUTIVE COMMITTEE:

Dudley Bernard, Chairman  
Johnny Melancon, Member  
Harrison Cheramie, Jr., Member  
Donald Vizier, Member

President Bernard stated authorization was needed for Director Falgout to advertise for bid for reefshells, etc. on an annual basis. Upon motion by Johnny Melancon, seconded by Larry Griffin and unanimously passed, the Board of Commissioners does hereby authorize Director Falgout to advertise for bid for reefshells, etc. on an annual basis.

President Bernard stated authorization is needed for Director Falgout to enter into an agreement with South Louisiana Economic Council (SLEC). Director Falgout stated this is the annual agreement that involves money for the LA 1 Coalition and SLEC. This year's agreement proposes \$25,000 to the LA 1 Coalition and \$5,000 to SLEC for a total of \$30,000. Upon motion by Larry Griffin, seconded by Chester Cheramie and unanimously passed, the Board of Commissioners does hereby authorize Director Falgout to enter into an agreement with South Louisiana Economic Council.

President Bernard presented the Ad Valorem Tax Ordinance for the Year 2000. Board Member Cheramie made a motion to cut the Ad Valorem Tax by 2 mills which was seconded by Board Member Collins. The motion did not pass by a majority vote. Board Members Harrison Cheramie, Jr. and Wilbert Collins, Sr. were the only votes for the motion. Board Member Melancon made a motion to adopt the Ad Valorem Tax Ordinance for the Year 2000. Mr. Roy Gisclair, guest in the audience, asked for the Board to cut one mill to save the taxpayers money. Board Member Melancon expressed his views of why the Commission should not cut the tax. Discussion followed. The motion was seconded by Donald Vizier and passed by a majority vote. Board Members Harrison Cheramie and Wilbert Collins, Sr. were the only descending votes. The Board of Commissioners does hereby approve the following Port Ordinance No. 64.

#### ORDINANCE NO. 64

#### AN ORDINANCE LEVYING AND IMPOSING TAXES ON ALL PROPERTY SUBJECT TO TAXATION IN THE PORT AREA OF THE GREATER LAFOURCHE PORT COMMISSION FOR THE YEAR 2000.

BE IT ORDAINED by the Greater Lafourche Port Commission of the State of Louisiana, acting as the governing authority of its port area:

SECTION 1. That acting under the authority of a special election held in the port area of the Greater Lafourche Port Commission of the State of Louisiana (consisting of the entire Tenth Ward of the Parish of Lafourche, State of Louisiana, as the boundaries and limits of said ward existed on the date of the creation of said Commission) on April 8, 1961, and by authority of Act 433 of 1981 of the Regular Session of the Legislature of the State of Louisiana of 1981 and Act 28 of the Extraordinary Session, a special tax of 7.25 mills on the dollar of the assessed valuation of all the taxable property in said port area be and the same is hereby levied, assessed and imposed on all of said property for the year 2000, for the needs and lawful purposes of said Commission.

SECTION 2. That the property administrative officers of the Parish of Lafourche, State of Louisiana, be and they are hereby empowered, authorized and directed to spread said tax, as hereinabove set forth, upon the assessment roll of said parish for the year 2000, and to make the collection of the tax imposed for and on behalf of said Commission according to law, and that the tax herein levied shall become a permanent lien and privilege on all property subject to the taxation as

herein set forth, and the collection thereof shall be enforceable in the manner provided by law.

SECTION 3. That this ordinance shall be published in "The Daily Comet", a newspaper published in the City of Thibodaux, Louisiana, in the manner provided by law. Discussion followed.

President Bernard presented a Landlord Estoppel Certificate in connection with Offshore Support Services and Union Planters Bank for approval of execution. Director Falgout stated this is for Offshore Support Services to secure funding through Union Planters Bank. Upon motion by Chester Cheramie, seconded by Johnny Melancon and unanimously passed, the Board of Commission does hereby authorize President Bernard to execute Landlord Estoppel Certificate in connection with Offshore Support Services and Union Planters Bank.

President Bernard presented a resolution for adoption for State Project No. 578-29-0011 (Phase 2 of 578-29-0009). Director Falgout stated this resolution is required by DOTD which states the Commission has complied with all the public bid laws. Upon motion by Rodney Terrebonne, seconded by Donald Vizier and unanimously passed, the Board of Commissioners does hereby adopt the following resolution:

WHEREAS, the Greater Lafourche Port Commission has solicited bids for State Project NO. 578-29-0009 in accordance with the current bid laws of the State of Louisiana, including, but not limited to R.S. 38:2211 et. sec; and

WHEREAS, the Greater Lafourche Port Commission has submitted to DOTD certification of proof of publication, one (1) copy of the bid proposals and bid bonds as submitted by each of the (3) lowest bidders, a legible copy of the bid tabulation of all bids received, and certified to be correct by the Engineer and an authorized official of the Sponsor, a copy of the engineers recommendation, contract documents, Notice of award of Contract, and a copy of the recordation data in the Clerk of Courts office.

NOW, THEREFORE, BE IT RESOLVED by the Greater Lafourche Port Commission in regular session, assembled on this 8th day of December, 1999, does hereby certify that the bidding procedures, including advertising and award, for State Project No. 578-29-0009 conform to the requirements of Louisiana Revised Statutes 38.2211, et. seq.

#### LEGAL PERMITS & WATERWAYS:

Larry Griffin, Chairman  
Wilbert Collins, Sr., Member  
Ervin Bruce, Member

Chairman Griffin presented the following letter of no objections:

Chevron USA Production Co.

Upon motion by Larry Griffin, seconded by Wilbert Collins, Sr. and unanimously passed, the Board of Commissioners does hereby accept the above letters of no objection.

In reference to the Havoline Canal, Board Member Griffin called upon Director Falgout for an update. Director Falgout reported that T. Baker Smith will do the survey this week to see if there are any pipeline crossings or any objects in the channel. Hopefully by next week this Commission will have the results of the survey and then will determine if it's possible to continue with this project.

CONSTRUCTION & DEVELOPMENT:

Rodney Terrebonne, Chairman  
Larry Griffin, Member  
Chester Cheramie, Member

Chairman Terrebonne stated there were no new requests to present at this time. Director Falgout stated he had an update on a request which was issued at the November Board Meeting. John W. Stone Oil Dist., Inc. presented a copy of their sublease with Rotorcraft Leasing Co., L.L.C. for review. Port Attorney Pitre will review the sublease.

FINANCE COMMITTEE:

Donald Vizier, Chairman  
Harrison Cheramie, Jr., Member  
Johnny Melancon, Member

Chairman Vizier presented the invoices for November, 1999 and the expenditures over \$10,000 for approval. Upon motion by Donald Vizier, seconded by Wilbert Collins, Sr., and unanimously passed, the Board of Commissioners does hereby approve the invoices for November, 1999 and recognizes the following expenditures over \$10,000:

1.	South Lafourche Levee District	\$ 15,587.66
2.	J. Wayne Plaisance, Inc.	\$ 11,696.30
3.	Picciola & Associates, Inc.	\$ 19,746.70
4.	Picciola & Associates, Inc.	\$ 57,266.00
5.	Johnny F. Smith Truck & Dragline Services, Inc.	\$115,708.00
6.	Johnny F. Smith Truck & Dragline Services, Inc.	\$158,128.42
7.	Mike Hooks, Inc.	\$ 588,394.37
8.	Mike Hooks, Inc.	\$ 42,750.00
9.	LowLand Construction Co., Inc.	\$111,406.01
10.	Dean Equipment	\$ 21,689.00

Chairman Vizier presented the Financial Report for November, 1999. Upon motion by Donald Vizier seconded by Johnny Melancon., and unanimously passed, the Board of Commissioners does hereby approve the Financial Report for November, 1999.

Chairman Vizier presented an engagement letter with Bergeron & Lanaux in reference to the Port Commission's annual audit for execution by Director Falgout. Director Falgout stated this would be for a two year engagement. Upon motion by Donald Vizier, seconded by Wilbert Collins, Sr. and unanimously passed, the Board of Commissioners does hereby authorize Director Falgout to execute

an engagement letter with Bergeron & Lanaux in reference to the Commission's annual audit.

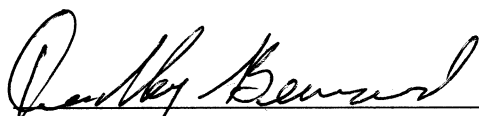
Chairman Vizier presented the Year 2000 budget which specifically includes payments of salary increases for unclassified employees and ratifies the salary increases granted to classified employees by the Civil Service Commission. He called upon Personnel Chairman Johnny Melancon for an explanation of the unclassified employees raises. Chairman Melancon stated the unclassified employees raises are given at the discretion of the Board of Commissioners of the Port Commission. The Personnel Committee request giving 4% raises to Harbor Police Chief Gerald Guidry and Assistant Director Davie Breau. The Committee request the Executive Director's salary to be raised to the amount of \$116,303 a year, based upon a survey of the State of Louisiana's average pay of Port Director's which are members of AAPA. Board Member Melancon made a motion to adopt the Budget for the Year 2000 including the raises given to classified and unclassified employees. Board Member Cheramie amended the motion to include the classified employees into the budget and to vote for the unclassified employee raises separately which was seconded by Wilbert Collins, Sr. The motion did not pass by majority vote. Board Members Harrison Cheramie, Jr. and Wilbert Collins, Sr. were the only votes for the motion. Board Member Melancon's motion stands which was seconded by Board Member Vizier and passed by majority vote. Board Members Harrison Cheramie, Jr. and Wilbert Collins, Sr. were the only declining votes. The Board of Commissioners does hereby adopt The Budget for the Year 2000 which includes the raises for classified and unclassified employees.

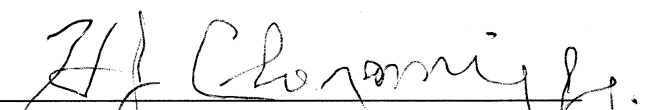
#### ANY OTHER BUSINESS

Ms. Ellis Adams, member of the audience, asked the Board since they had all this money to give for raises why can't they cut the Ad Valorem Taxes to give the people of the 10<sup>th</sup> Ward a little bit of relief. Board Member Vizier responded that he was elected by the people to sit on this board and he is a business man and runs this Commission like a business just like the other Commissioners, who's number one priority is jobs. Board Member Cheramie stated that a little relief from the Ad Valorem Tax wouldn't hurt anyone. Board Member Melancon stated when Director Falgout started working here the budget was \$600,000 and now we're dealing in millions. He asked her to give this Commission the benefit of the doubt that they are doing a good job in managing the tax payers money. He asked Ms. Danos to visit the Port and see what the taxpayers money has done for this community. Ms. Danos stated that this Port would not be in existence if it were not for the people of the 10<sup>th</sup> Ward. She's concerned that we are heading for another oil bust. Board Member Melancon stated that the Commission is also concerned and that is why they will not to cut the taxes at this time.

Upon motion by Larry Griffin, seconded by Rodney Terrebonne and unanimously passed, the Board Meeting was adjourned.

ATTEST:

  
Dudley Bernard, President

  
Harrison Cheramie, Jr., Secretary