

AGENDA  
July 14, 2004

- I. Call to Order
- II. Pledge of Allegiance
- III. Roll Call
- IV. Consider June 9, 2004 Regular Meeting Minutes for approval
- V. Executive Director's Report
  - A. **Northern Expansion Update**
    - a. Construction status:
      - i. Slip A, Bulkhead – John Plaisance
      - ii. N. Doucet Drive Extension – John Plaisance
      - iii. Slip B, Dredging – Larry Picciola
      - iv. Slip B, West Bulkhead – Joe Picciola
  - B. **Airport Update**
    - a. Project status:
      - i. Hangar Construction
      - ii. Environmental Assessment
      - iii. Runway Extension
  - C. **FEMA Update**
    - a. Emergency Boat Launch
  - D. **Port Security**
    - a. Harbor Patrol Vessel
    - b. Security Camera System
    - c. New application
  - E. **Highway Improvements**
- VI. Committee Reports
  - A. **Executive Committee**
    - a. Consider approving request from BYU Rentals, Inc.
    - b. Consider approving request from R&C Supply
    - c. Consider amending resolution of hiring outside counsel with the law firm of Gordon, Arata, McCollam, Duplantis & Eagan, L.L.P.
    - d. Consider resolution authorizing execution of sponsorship agreement with DOTD for the Extended Runway
    - e. *Carl A. Chauvin vs. Greater Lafourche Port Commission* – Possible EXECUTIVE SESSION
    - f. Consider Secretary DOTD's request for performing mitigation
  - B. **Permits & Waterways Committee**
    - a. Consider adopting resolution to establish Bridge Curfews
    - b. Public Notices:
      1. Carrizo Oil & Gas, Inc
      2. Badger Oil Corporation
  - C. **Construction and Development Committee**
    - a. Consider accepting bids for Boat Lift for new security vessel
  - D. **Finance Committee**
    - a. Consider payment of invoices and recognize Expenditures over \$10,000
    - b. Consider approval of 2004 Financial Statements
    - c. Consider approval of 2003 Audit Report
- VII. Public Comment
- VIII. Any other business
- IX. Adjournment

**Attachment to Agenda**

Pending Litigation to be Considered at the Meeting:

*Carl A. Chauvin vs. Greater Lafourche Port Commission*, case pending as No. 96988 of the 17<sup>th</sup> Judicial District Court, Parish of Lafourche, State of Louisiana, involving as parties Mr. Carl A. Chauvin, the Greater Lafourche Port Commission, and John Melancon, Sr., in his capacity as President of the Greater Lafourche Port Commission.

OFFICIAL PROCEEDINGS OF THE GREATER LAFOURCHE PORT COMMISSION  
July 14, 2004

The Board of Commissioners of the Greater Lafourche Port Commission met in regular session on Wednesday, July 14, 2004 at 10:30 AM.

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

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

ABSENT: Beau Martin

Upon motion by Ervin Bruce and second by Wilbert Collins, the minutes of the June 9, 2004, regular meeting were unanimously approved.

**Executive Director's Report**

Northern Expansion – Engineer John Plaisance reported that he has not received the final soil boring report for the Slip A Bulkhead project. Director Falgout stated that the Shaw Group and Lanier Engineers are scheduled to meet this week to review soil information and will report the final results. Engineer Plaisance reported that the N. Doucet Drive Extension is substantially complete and the waterline is in service. He stated that the section of waterline north of the access road drifted west into the road base thus this section will be relocated before the actual construction of the road is done. Engineer Larry Picciola reported that the dredge is in Port for the completion of Slip B Dredge project. He stated that there was good material taken from the Flotation Canal, which was pumped into the mitigation area. He stated that Phases I and II of the Maritime Forest Ridge should be complete by the end of this project. The extended work requested for the end of Slip B project will be done up to the 25% of the contract bid amount because of the great price received of \$.92 per cubic yard. An estimated 200,000 – 250,000 cu yds of material will be utilized to close up the open area along Flotation Canal for Mitigation Area Part C and finish the Maritime Forest Ridge. Engineer Larry Picciola reported that the Pontoon Excavator will be advertised within the next week and bids will be received before the next meeting. Discussion followed regarding the procedure and actual purchase of the excavator. Engineer Joe Picciola reported that the final geotechnical report has been received for Slip B Bulkhead. He reported that the adjustments to the design have been made from the calculations received and the final design plans will be submitted to DOTD. He also stated that the estimated project cost has been reviewed by the administration, and with good turnaround time from DOTD, we could possibly bid this project in September. Attorney Loulan Pitre reported that it is anticipated that the Governor will sign the Capital Outlay bill which will provide funding from the Port Priority Program for the construction of the future bulkhead along Slip B. Director Falgout stated that there is \$8.5 million of funding approved for this project which is within the authorized \$20 million funded program. Discussion followed regarding the Port Priority funding and the construction of the bulkhead projects along Slip B.

Airport – Director of Operations, Davie Breaux reported that Airport Hangar space is being rented. He stated that Tex-Air is doing their first crew change this week, and we will also be meeting with Western Airways this week to discuss utilizing the Airport. He stated that we do have punch list items that are not complete, which total \$2,400.00 being held from Lamar Contractors till completion. Upon motion by Chuckie Cheramie and second by Wilbert Collins, a roll call vote was taken and all members present agreed to discuss the incomplete punch list items by Lamar

Contractors. Engineer Joe Picciola reported that the contractor is requesting payment for items that have not been finished from the punch list, which include installing screws, panels, insulation, and a ridge and wall panel. It was recommended at the last meeting to hold \$2,400 from retainage for the unfinished items. The contractor agreed to complete the items but wants to be paid upfront. Attorney Loulan Pitre stated that Lamar has informally told Engineer Picciola that they will complete the items. Discussion followed regarding the approach the board will take from this request by Lamar Contractors demanding retainage for the unfinished items. President Vizier made a motion to authorize the Executive Director to pay funds upfront and protest the work if not complete. The motion was seconded by Ervin Bruce. After further discussion, Commissioner Vizier withdrew his motion. Commissioner Chuckie Cheramie made a motion to hold the money until all work is complete. This motion was second by Larry Griffin, and unanimously approved. Director Falgout reported that the Environmental Assessment (EA) clearing work is complete for surveying the Airport Runway Extension. Engineer Joe Picciola reported that the survey has been completed and provided to LPA Group to review. Gore Engineers' soil report is complete. Director Addie Callais reported that the EA is currently under review by the FAA. While the EA was in the review process, an FAA rule regarding EA changed significantly, which caused significant delay in receiving an approved EA and a federal environmental determination. Because no FAA monies can be issued until a determination is made, the FAA's financial participation this fiscal year will be limited to the EA. Ms. Callais reported that she will be meeting with FAA for future funding for fiscal year 2005, which starts October 1, 2004.

FEMA – Mr. Breaux reported that the bids for the Emergency Boat Launch at the Golden Meadow floodgates will be opened tomorrow. Director Falgout requested that we contact FEMA and submit the bids this week for processing to assure funding.

Port Security – Director Falgout reported that the Harbor Patrol Vessel passed sea trial inspection. He reported that the originally proposed location of the Belle Pass camera may not be a viable option, so we are working with the Coast Guard to utilize the structure for the old range light. Ms. Callais reported that the total project costs for the new application for the Port Security Grant is \$1,552,000, of which we are requesting \$1,358,000 from TSA and are pledging an in-kind match of \$194,000 of man-hours for training. Discussion followed regarding the LOOP tower arrangements for the camera system project. Commissioner John Melancon reported that there was an editorial commending the Port on the great job that has been done regarding Port Security. Commissioner Chuckie Cheramie commended Lt. Larry Terry and Homeland Security Officer, Jon Callais for the response and guidance given to the companies to comply with the Port Security Regulations at the Port. He also reported that 2 docks were closed because of lack of compliance with regulations and requested letters be sent to Lessees and Sub lessees reminding them to be updated on Port Security rules. Director Falgout stated that a letter was sent in December 2003 reminding the companies that as of July 2004 rules will be enforced. He stated that the 2 referenced docks that were closed were aware of the regulations and had submitted a plan to the Coast Guard, but weren't following their plans at these locations; therefore, the entrances were closed to highway traffic, but not to waterway traffic.

Highway Improvements – Director Falgout reported that he along with 4 other people from Louisiana are going to Washington, DC to testify at the House Congressional Transportation and Infrastructure Committee on Louisiana's coastal land loss and the energy threat to the country and impact to the national economy. Director Falgout reported that we are moving close to actual construction funding of the Leeville Bridge. He stated that the funding issues are being worked on daily by different organizations to provide information to the federal government for the loan. It is anticipated that within the next 2 weeks negotiations of the loan will start and if successful it will provide an estimated \$50 - \$55 million of funding for the elevated highway and bridge. Other

funding sources are the Wall Street packet, which estimates \$90 million of funding and the state contributing \$30+ million in cash. The project will cost approximately \$180 million, which will consist of building the 2-lane structure from Leeville to Port Fourchon and the Leeville Bridge. Director Falgout reported that DOTD is finished the test piles at the Leeville Bridge and has moved to another test pile site. Commissioner Chuckie Cheramie requested highway improvements on LA 3090. Director Falgout stated that a temporary cold patch has been done and later this year DOTD will repair the road.

### **Committee Reports**

**Executive** – Chairman Donald Vizier reported that the committee met on June 23, 2004 at the Operations Building in Port Fourchon. Present were Donald Vizier, Jimmy Lafont, and Harry Cheramie. John Melancon was absent. They also met on July 12, 2004 at the Administration Building in Galliano. All members were present. The Commission then discussed items that were discussed at the Committee meetings.

President Vizier presented for the board's consideration a request from BYU Rentals, Inc. to assign its lease to BYU Groceries, Inc. Upon motion by Harry Cheramie and second by John Melancon, the motion was unanimously approved.

President Vizier presented for the board's consideration a request from R & C Supply to sell their business to KCG, LLC. Director Falgout reported that the business will remain the same and request that they amend the lease to include the provision of the new 49% subleasing policy. Upon motion by Ervin Bruce and second by Wilbert Collins, the motion was unanimously approved.

President Vizier presented for the board's consideration an amendment to the resolution of hiring outside counsel with the law firm of Gordon, Arata, McCollam, Duplantis, & Eagan, LLP, changing the hire date of the resolution from August 1, 2004 to July 1, 2004. Upon motion by Chuckie Cheramie and second by Larry Griffin, the board unanimously approved the resolution.

President Vizier presented for the board's consideration a resolution authorizing execution of a Sponsorship Agreement with DOTD for the Extended Runway. Director Falgout reported that this agreement authorizes the state's 5% funding from DOTD Aviation to match any FAA monies received. Upon motion by Harry Cheramie and second by Wilbert Collins, the motion was unanimously approved, and the Executive Director was authorized to sign the agreement.

President Vizier presented for the board's consideration a request from Carl A. Chauvin regarding previous litigation. Attorney Pitre reported that the Judge recommended that each party pay half the court costs to dismiss this case. He reported that the Port's share is estimated at \$500.00. Upon motion by Wilbert Collins and second by Ervin Bruce, the motion to pay half the court costs was unanimously approved.

President Vizier presented for the board's consideration a request from the Secretary of DOTD to perform mitigation for the highway project in the Leeville area. Director Falgout reported that to support and participate in the construction of the highway project, it is requested that the Port Commission complete the minimum mitigation requirements in the Leeville area with the money allotted for this project by the Port. The mitigation consists of dredging 410,000 cu yds and depositing it in mitigation areas 1, 3, 6 & 7, with a hydraulic and bucket dredge. This would rebuild 30+ acres of marsh area that would help protect the town of Leeville from storm surge. He stated that the estimated cost of this mitigation for DOTD would be \$5 million, but the Port can accomplish the work for an estimated \$2 million. Upon motion by Larry Griffin and second by Wilbert Collins, the motion approving the request for mitigation work done by the Port and authorizing the Executive Director to execute all documents needed was unanimously passed.

**Permits & Waterways** – Chairman Chuckie Cheramie reported that the committee met on June 23, 2004 at the Operations Building in Port Fourchon; present were Chuckie Cheramie, Beau

Martin, Jimmy Lafont, and Donald Vizier; all members were present. The committee also met on July 12, 2004 at the Administration Building in Galliano; present were Chuckie Cheramie, Jimmy Lafont, and Donald Vizier. Beau Martin was absent. The Commission then discussed items that were discussed at the committee meetings.

Chairman Cheramie presented to the board a resolution for establishing Bridge Curfews at all bridges in the 10<sup>th</sup> ward. The sample resolution sets curfew times from 7 am – 8:30 am, 2:00 pm – 4:00 pm, and 4:30 pm – 5:30 pm from Monday – Friday to maintain traffic flow. Discussion followed regarding these times scheduled and the concern of boats piling up at bridges during these curfews. Lafourche Parish Councilman, Brent Callais stated that this resolution was passed by the Lafourche Parish Council as a recommendation to the U.S. Coast Guard to consider these closure times. He stated that there will be public hearings before any of these times are put into place. Lafourche Parish School Board Member, Royce Doucet stated that this resolution was passed by the School Board because of the concern of public safety and school transportation. He stated that the new take in times for all elementary schools will be at 8:15 am with dismissal at 3:30 pm and the high school times will resume at 7:25 am and dismiss at 2:25 pm. He stated that by using the same times for all bridges at the top and bottom of the hour makes it less confusing to the public and the maritime traffic. Mr. Doucet stated that this is the beginning of a process that the U.S. Coast Guard will ultimately make the final decision on. Discussion followed regarding the concerns of the boats waiting during the curfew times against the embankment and the aftermath after the 5:30 pm curfew resumes. Director Falgout stated that this Commission will cooperate and work with the School Board and the Parish Council to come up with the best plan.

Chairman Cheramie presented to the board the public notice received from Carrizo Oil & Gas, Inc. and Badger Oil Corporation. There are no concerns with these permits therefore no action needs to be taken.

Construction & Development – Chairman Ervin Bruce reported that the committee met on June 23, 2004 at the Operations Building in Port Fourchon; Present Larry Griffin, Wilbert Collins, and Donald Vizier. Ervin Bruce was absent. The Commission also met on July 12, 2004 at the Administration Building in Galliano; all members were present. The Commission then discussed items that were discussed at the committee meetings.

Chairman Bruce presented bids for the Boat Lift for the new Port Security vessel. Director Falgout stated that the Boat Lift will be located at the front marina behind our Operations building and will accommodate 2 vessels. Upon motion by Donald Vizier and second by John Melancon, the motion to accept the low bid by Picciola Construction Company for \$64,234.00 was unanimously accepted.

Finance – Chairman John Melancon reported that the committee met on June 23, 2004 at the Operations Building in Port Fourchon. Present were Larry Griffin, Wilbert Collins, and Donald Vizier. John Melancon was absent. The Committee also met on July 12, 2004 at the Administration Building in Galliano; all members were present. The Commission then discussed items that were discussed at the committee meetings.

Chairman John Melancon made a motion to approve the invoices for the month of June 2004, which was seconded by Wilbert Collins, and the board unanimously approved the invoices for June.


Chairman John Melancon presented the financial statements for 2004 for approval. Upon motion by John Melancon and second by Harry Cheramie, the financial statements for January, February, March, April, May and June were unanimously approved.


Chairman John Melancon presented the 2003 Audit Report. Bergeron & Lanaux Auditor Mark Felger reported that final reports were issued to the legislative auditor, all governmental agencies, and the Commission. He stated that the Commission was given an unqualified opinion,

which is the best opinion that can be given. The financial statements are in accordance with general accepted accounting principles and the report does not include any control findings under the Government Auditing Standards. He thanked the Commission for the opportunity to serve the Port and stated that the staff was very cooperative and helpful in the auditing process. Upon motion by John Melancon and second by Jimmy Lafont, the 2003 Audit Report was unanimously accepted.

Upon motion by Larry Griffin, second by Chuckie Cheramie, and unanimous approval, the meeting was adjourned.

ATTEST:

  
Donald Vizier, President

  
Harry Cheramie, Secretary