

AGENDA  
June 8, 2005

- I. Call to Order
- II. Pledge of Allegiance
- III. Roll Call
- IV. Consider May 11, 2005 Regular Meeting Minutes for approval
- V. Consider May 25, 2005 Special Meeting Minutes for approval
- VI. Consider June 2, 2005 Special Meeting Minutes for approval
- VII. Executive Director's Report
  - A. **Northern Expansion Update**
    - a. **Construction status:**
      - i. Slip B, West Bulkhead, Project #1 – Joe Picciola
      - ii. Slip B, West Bulkhead, Project #2 – Larry Picciola
      - iii. Maritime Forest Ridge – Larry Picciola
      - iv. Mooring Dolphins – Larry Picciola
      - v. Slip A, Rowan Bulkhead Repairs – John Plaisance
  - B. **Airport Update**
    - a. Project status
  - C. **Port Security**
    - a. Security Camera System
  - D. **FEMA Updates**
    - a. Wave Protection
    - b. Debris Fence along LA 3090
    - c. Boat Launch
  - E. **Highway Improvements**
- VIII. Committee Reports
  - A. **Executive Committee**
    1. Consider the request from Chouest Offshore Service
    2. Consider the request from TMH Enterprises, Inc.
    3. Consider the request from Doerle Properties, LLC
    4. Consider the proposal from Doerle Food Service, LLC
  - B. **Permits & Waterways Committee**
    - a. Update on F/V Iron Man and F/V Capt. Jimmy
    - b. Public Notices:
      - i. Abdon Callais Offshore, LLC
      - ii. James A. Whitson, Jr.
      - iii. Louisiana Transportation Authority
      - iv. James A. Whitson, Jr.
  - C. **Construction and Development Committee**
    - a. Consider approving Change Order No. 2 from Barriere for the Rowan Bulkhead Repair
  - D. **Finance Committee**
    - a. Consider payment of invoices and recognize Expenditures over \$10,000
    - b. Consider approving Financial Reports for January, February, March, April & May 2005
    - c. Results of the Insurance Broker Selection Process
    - d. Discuss accounts receivable policy
    - e. Travel Authorizations
- IX. Any other business
- X. Public Comment
- XI. Possible Executive Session
  - A. Discuss pending litigation defined as "*Rowan Companies, Inc. et al v. The Greater Lafourche Port Commission, et al, Civil Action No. 05-0030 – Sec. K – Magistrate 2*"
- XII. Public Comment
- XIII. Adjournment

Attachment

- The pending litigation defined more specifically as "*Rowan Companies, Inc. and Rowan Marine Services, Inc. v. The Greater Lafourche Port Commission; J. Wayne Plaisance, Inc.; Continental Construction Company, Inc.; Eustis Engineering Co., Inc.; Vulcan Construction Materials, LP; Vulcan Materials Company; and Core Industries, Inc., Civil Action No. 05-0030 – Sec. K – Magistrate 2*" may be discussed in an executive session.

OFFICIAL PROCEEDINGS OF THE GREATER LAFOURCHE PORT COMMISSION  
June 8, 2005

The Board of Commissioners of the Greater Lafourche Port Commission met in regular session on Wednesday, June 8, 2005 at 10:30 AM.

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

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

ABSENT: Chuckie Cheramie

Upon motion by Wilbert Collins and second by Ervin Bruce, the board unanimously approved the regular meeting minutes of May 11, 2005.

Upon motion by John Melancon and second by Harry Cheramie, the board unanimously approved the special meeting minutes of May 25, 2005.

Upon motion by Beau Martin and second by Wilbert Collins, the board unanimously approved the special meeting minutes of June 2, 2005.

#### **Executive Director's Report**

Northern Expansion Update – Engineer Joe Picciola reported that the contractor is continuing to install steel sheet piles along Slip B Bulkhead, Project #1. He stated that the Delmar development plans for aggregate, drainage, and lighting should be complete by next week and ready for bid in July. Engineer Larry Picciola reported that Shaver-Whittle was the low bidder for Slip B, Bulkhead, Project #2. He stated that once DOTD's approval is received, he will issue a notice to award and have the contracts signed. Director Falgout stated that the 2 projects combined is \$17 million of construction on Slip B. We anticipate Project #1 to be finished early 2006 and Project #2 to be complete mid 2006. Engineer Larry Picciola reported that the shaping of the Maritime Forest Ridge is complete and recommends adding the substantial completion to the agenda for approval. Upon motion by Wilbert Collins and second by Ervin Bruce, the board had a two-thirds vote to add the substantial completion to the agenda. The vote was 8 yeas and 1 absent. Upon motion by John Melancon and second by Wilbert Collins, the board unanimously approved the substantial completion of the Maritime Forest Ridge Shaping. Engineer Larry Picciola reported that the Mooring Dolphin project was awarded on May 25<sup>th</sup> to Low Land Construction Co. and the award and contracts are being sent for execution. Engineer John Plaisance reported that the Southwest Bulkhead Repairs on Slip A were awarded on June 2<sup>nd</sup> to Circle, Inc. and contracts and bonds are being processed. He stated that if a change order is needed the bonds would automatically adjust to the new contract amount.

Airport Update – Executive Director Falgout reported that there have been some companies interested in locating at the Airport. He reported that Rotorcraft is interested in a 30 acres site and Industrial Helicopters is interested in using the existing tarmac. Rotorcraft would like to move their operations out of Patterson and Fourchon and consolidate at our airport, which they would build and we would then purchase and re-lease back to them over a long term agreement. Director Falgout stated that Rotorcraft is interested in leasing an existing piece of property near our hangar building until future plans are approved. He explained that there is an advantage of having both Airport and GLPC property in that an IRS tax is applied to aircrafts using FAA funded facilities and properties that are not involved in receiving FAA funds are not subject to that tax. He stated that Rotorcraft and Industrial would be touring the Airport facilities this week. Director Falgout reported that Burlington will have a temporary drilling rig on Airport property within the next month to drill a well.

Port Security – Director Falgout reported that the proposals for the Gated Security Camera System at the Airport are due on June 17<sup>th</sup> and there is a site visit scheduled for this week. He stated that Mr. Callais is working on the cost for adding cameras to the floodgates in Golden Meadow to view the pile clusters for any future damages. Commissioner Martin reported on the port security exercise that took place last week. He stated that the exercise was very successful and the Port learned to increase the communication with the companies in the Port to avoid any misunderstandings.

FEMA Updates – Mr. Breaux reported that there was a pre-construction meeting with Stranco for the Wave Protection project. They are waiting the delivery of materials to proceed with the project. Mr. Breaux stated that the Debris Fence along LA 3090 is continuing with 1,000' of vertical piles and 300' of horizontal timbers installed. He reported that the concrete mats will be installed and complete in 3-4 weeks for the boat launch project in Golden Meadow.

Highway Improvements – Director Falgout reported that this project is moving along rapidly. He reported that the bonds were sold which resulted in \$78 million of Senior Lien bonds, \$16 million of Capital Appreciation bonds, and \$66 million of Bond Anticipation notes. He stated that the interest rate was 4.5% on all the bonds. He will be going to Baton Rouge to finalize these documents and also the Cooperative Endeavor agreement with DOTD for the Mitigation project. He stated that the bids for the Mitigation will be opened on June 24<sup>th</sup>. The Port will be mitigating the first phase of the project impacts. The State has been recognized for their initiative of the Port doing the mitigation in which the Port Commission can be proud of their role in this project. The construction of the Elevated Highway project is scheduled to open bids on June 29<sup>th</sup>. The port is offering to lease 25 acres to the contractor for a staging area in Fourchon. The completion of the project is still set for August 2008. Commissioner Harry Cheramie asked that Mr. Falgout explain what the bonds will be paying for and Director Falgout replied that the whole project is a four-lane highway from Golden Meadow to Port Fourchon. The monies raised with the bond sales for the first phase along with the Port's contribution and the State's equity totals \$200 million. These funds will build the north connector, the bridge over Bayou Lafourche, and the south connector ramps. The highway will continue on from Leeville to Fourchon with two-lanes at a 20' elevation. He stated that the entire project for a 4-lane highway has been permitted but no funding exists beyond Phase 1. President Vizier stated that the LA 1 Coalition goal has impressed everyone and this project is the first in Louisiana that is moving so fast. Director Falgout stated that after viewing the movie "Oil Storm" it shows that our efforts are very much needed. Commissioner Martin asked Mr. Falgout to report on the visit from Secretary Mineta from Washington, D.C. Director Falgout stated that Governor Blanco and Secretary Mineta with the Department of Transportation visited the Port in May for the signing of the \$66 million Federal loan at the C-Port 2 facility.

### **Committee Reports**

Executive Committee – Chairman Donald Vizier reported that the committee met on May 13, 2005 at the Galliano Administration Building. Present were Donald Vizier, Jimmy Lafont, John Melancon, and Harry Cheramie. The committee met on May 25, 2005 at the Operations Building in Fourchon and all members were present. They met on June 2, 2005 at the Galliano Administration Building; Donald Vizier was absent. They also met on June 6, 2005 at the Administration Building in Galliano and all members were present. The Commission then discussed items that were discussed at the committee meetings.

Upon motion by John Melancon and second by Larry Griffin, the board unanimously approved to table the request from Chouest Offshore Services until a formal written request is received.

Upon motion by Harry Cheramie and second by Wilbert Collins, the board unanimously approved the assignment from BLT Properties, Inc. to TMH Enterprises, Inc. with the added provision of the 49% subleasing policy.

President Vizier presented to the board the assignment from BYU Groceries, LLC to Doerle Properties, LLC. Upon motion by Ervin Bruce and second by Wilbert Collins, the floor was open for discussion. Mr. Autin explained that this is for Site GLF204, which will include the 49% subleasing policy. Commissioner Martin made a motion to amend the motion to include that Doerle Properties, LLC is allowed to sublease to Doerle Food Services, LLC, but not allowed to sublease to any other entity more than 49%. The motion was second by John Melancon and the board unanimously approved the amendment. The original motion as amended was then voted on which was unanimously approved by the board.

President Vizier presented for the board's approval the proposal from Doerle Food Services, LLC. Mr. Autin explained that this is for Site GLF208, which the original proposal was issued by Doerle Food Services, LLC which should have been Doerle Properties, LLC. The Commission is ready to approve the proposal to lease from Doerle Food Services, LLC and assign the lease to Doerle Properties, LLC. This lease does include the 49% subleasing policy. Upon motion by John Melancon and second by Larry Griffin, the board unanimously approved the lease with Doerle Food Services, LLC and the assignment to Doerle Properties, LLC.

Permits & Waterways Committee – Chairman Chuckie Cheramie reported that the committee met on May 25, 2005 at the Operations Building in Fourchon. Present were Chuckie Cheramie, Beau Martin, Jimmy Lafont, and Donald Vizier. They met on June 2, 2005 at the Administration Building in Galliano; Jimmy Lafont was present. They also met on June 6, 2005 at the Administration Building in Galliano; Chuckie Cheramie was absent. The Commission then discussed items that were discussed at the committee meetings

Mr. Autin presented to the board an update on F/V Iron Man and F/V Capt. Jimmy. He stated that the Harbor Police have placed additional ropes to secure both vessels. He reported that he had been unable to contact the owners of the Iron Man. He received a call just before the meeting that the bankruptcy claim is discharged to Bank One. From discussions with the bank, the Iron Man does have some liens filed which will need to be resolved to proceed with the transfer of ownership. Mr. Autin stated that he is in contact with the US Coast Guard regarding the violation of these vessels. Commissioner Melancon questioned the insurance liability if ownership is transferred to the Port, which Mr. Rome responded that he will check with the insurance companies to insure coverage. Mr. Autin recommended that the board hold the Capt. Jimmy in violation of Ordinance No. 25 and proceed to take necessary steps. Upon motion by Beau Martin and second by John Melancon, the board unanimously approved to hold the Capt. Jimmy in violation of the Ordinance No. 25.

Commissioner Martin presented to the board the Public Notices from Abdon Callais Offshore, LLC, James A. Whitson, Jr., Louisiana Transportation Authority, and James A. Whitson, Jr. Executive Director reported that the LTA permit for the elevated highway is to modify an existing permit to redirect the access channel closer to the existing road. He also reported that the James A. Whitson permit is a revision to move the well location access route, which will require excavation of 10,016 cu. yds. of material and of that 9,000 cu. yds. will be wheel-washed which concerns the board. The committee recommended that Mr. Falgout write a letter addressing their objection to the wheel washing. Upon motion by John Melancon and second by Wilbert Collins, the board unanimously approved sending a letter for concerns with James A. Whitson, Jr. permit.

Construction & Development – Chairman Ervin Bruce reported that the committee met on May 25, 2005 at the Operations Building in Fourchon. Present were Ervin Bruce, Larry Griffin, and Donald Vizier; Wilbert Collins was absent. The board met on June 2, 2005 at the Administration Building in Galliano; Donald Vizier was absent. The board also met on June 6, 2005 at the Administration Building in Galliano; Larry Griffin was absent. The Commission then discussed items that were discussed at the committee meetings.

Chairman Bruce presented for the board's approval Change Order No. 2 from Barriere for the Rowan Bulkhead Repair which includes a modification of drains, tie rods at the deadman, and a bonus for completing the project ahead of schedule. The change order amount is \$58,723.69, which changes

the total contract cost to \$456,609.69. Upon motion by John Melancon and second by Wilbert Collins, the board unanimously approved Change Order No. 2 from Barriere.

Finance Committee - Chairman John Melancon reported that the committee met on May 25, 2005 at the Operations Building in Fourchon. Present were John Melancon, Larry Griffin, and Donald Vizier. Wilbert Collins was absent. They met on June 2, 2005 at the Administration Building in Galliano; Donald Vizier was absent. They also met on June 6, 2005 at the Administration Building in Galliano; Larry Griffin was absent. The Commission then discussed items that were discussed at the committee meetings.

Upon motion by John Melancon and second by Larry Griffin, the board unanimously approved the May 2005 invoices.

Upon motion by John Melancon and second by Wilbert Collins, the board unanimously approved the financial reports for January, February, March, April & May 2005.

Chairman Melancon recognized Mr. Rome to update the board on the insurance broker selection process. Mr. Rome stated that all our insurance policies renew in September and we are taking the steps to analyze and redirect our services to one broker. He recommended to the board that Theriot, Duet and Theriot become our broker of record and begin on July 1<sup>st</sup> to get familiar with our policies.

Chairman Melancon recognized Mr. Rome to discuss the accounts receivable policy. Mr. Rome stated that the delinquent rentals report has been modified to adhere to our rental policy. The report will note the lessees that are 30-60 days past due and lessees in Notice of Default. He also reiterated that lessees in default will be required to pay the total 90 day balance that is past due. The new report will provide a projected date that the board has a right to take action. Commissioner Melancon stated that lessees in Notice of Default will be allowed to address the board before any action is taken.

Chairman Melancon presented for the board's consideration to approve travel authorizations. Director Falgout reported that Mr. Autin will be attending the AAPA Port Administration and Legal seminar in Seattle and Director Falgout will be attending a meeting with Congressional staffers and consultants pertaining to the upcoming Highway Bill in Washington, D.C. Upon motion by John Melancon and second by Larry Griffin, the board unanimously approved the travel arrangements.

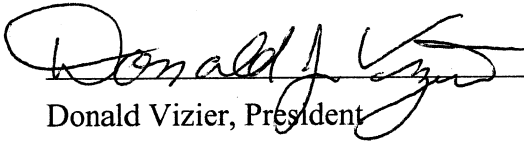
President Vizier opened the floor for any other business. He reminded the commissioners to turn off their cell phones during the meetings. Mrs. Addie Callais addressed the board to resign her position as the Port's Director of Business Development. She will be taking a position at Seacor Marine as the Director of Administration. She expressed her strong faith that the board will move forward with the growth of the Port. She thanked the board in their roll of her personal success on the job and the opportunity for growth. She extended to each of the commissioners a heartfelt and personal thank you and goodbye. President Vizier stated that he appreciated the work and dedication she had done for the Port. Commissioner Melancon stated that she did a wonderful job and will be missed. Commissioner Griffin stated that she is bringing her accomplishments with her and thanked her. President Vizier wished her success. Commissioner Martin questioned the status and benefits of an injured employee returning back to work, which Mr. Breaux stated he will look into the situation.

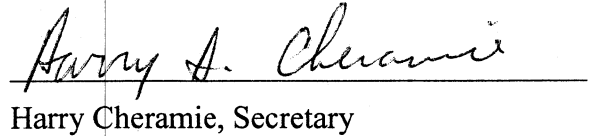
President Vizier opened the floor for public comment. Mr. Doug Cheramie, Sr. questioned the location of the connector ramps for the Elevated Highway project. Director Falgout replied that the north connector ramp will be near Bobby Lynn's Grocery store and the south connector ramp will be near Ray's Shipyard. The tollbooth will be located on the ground at the junction of old LA 1 and the north connector ramp. Mr. Cheramie congratulated the LA 1 Coalition for its accomplishments of the elevated highway project to Fourchon and questioned if the LA 1 Coalition will go farther with other projects. Director Falgout stated that the LA 1 Coalition has just begun with projects and the next possible project would be from Larose to Highway 90. Mr. Cheramie also congratulated the board for helping on the docudrama "Oil Storm" which represented an important factor in our area.

Possible Executive Session - Upon motion by Wilbert Collins and second by Beau Martin, the Commission voted to enter into Executive Session to discuss the Emergency Bulkhead Repairs for Slip A. A two-thirds roll call vote was taken to enter into Executive Session, which resulted in 8 yeas by Vizier, Melancon, Lafont, H. Cheramie, Collins, Bruce, Griffin, Martin and 1 absent by C. Cheramie. As the meeting resumed, President Vizier reported that no action needed to be taken at this time.

Upon motion by Larry Griffin and second by Jimmy Lafont, the board unanimously approved to adjourn the meeting.

ATTEST:

  
Donald Vizier, President

  
Harry Cheramie, Secretary