

AGENDA
February 13, 2008 @ 10:30 AM

- I. Call to Order
- II. Pledge of Allegiance
- III. Roll Call
- IV. Consider January 9, 2008 regular meeting minutes for approval
- V. Consider January 23, 2008 special meeting minutes for approval
- VI. Executive Director's Report
 - A. Northern Expansion Update:**
 - 1) Slip B, East Bulkhead, Project #3 – John Plaisance
 - 2) Slip B, West Bulkhead, Project #4 – Larry Picciola
 - B. Airport Update/Project Status**
 - C. FEMA Update**
 - D. Highway Improvements**
 - E. Coastal Issues Update**
- VII. Committee Reports
 - A. Executive Committee
 - 1) Consider approving assignment from Ellzey Marine to Express Supply & Steel, LLC
 - 2) Consider approving the Landlord Agreement requested by Express Supply & Steel, LLC
 - 3) Consider approving the 2008 Cooperative Endeavor Agreement with LA 1 Coalition, SLEC, and ROR
 - 4) Consider adopting the resolution supporting LA 1 Coalition and supporting use of Federal Funds for Construction of New Highway System
 - 5) Consider approving cooperative endeavor agreement with Lafourche Parish Water Dist. No. 1 regarding funding of waterline along Adam "Ted" Gisclair Rd.
 - B. Permits & Waterways Committee
 - 1) Consider revisions to Nerby Collins Usage Agreement requested by Jimmie Martin Sr.
 - 2) Permits:
 - a. LLOG Exploration Company, LLC
 - C. Construction & Development Committee
 - 1) Consider approving the revised Change Order No. 1 from Aubrey Silvey for the Electrical and Lighting project
 - 2) Consider accepting the Clear Lien Certificate from Aubrey Silvey
 - 3) Consider approving the low bid for the Maritime Forest Ridge Shaping project
 - 4) Consider accepting the Clear Lien Certificate from Picciola Construction for the Debris Fence Repairs
 - 5) Consider accepting the Clear Lien Certificate from Low Land Construction for the Mooring Dolphin project
 - D. Finance Committee
 - 1) Consider payment of January invoices and recognize expenditures over \$10,000
 - 2) Consider changing the approval procedure of transferring funds from Capital One checking account to LAMP saving account from "same as check disbursement signing procedure" to "James Rome, Director of Finance plus any one other approved check signer."
- VIII. Any other business
- IX. Public Comment
- X. Adjournment

OFFICIAL PROCEEDINGS OF THE GREATER LAFOURCHE PORT COMMISSION
February 13, 2008

The Board of Commissioners of the Greater Lafourche Port Commission met in regular session on Wednesday, February 13, 2008 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, Larry Griffin, John Melancon, Jimmy Guidry, and Ervin Bruce.

ABSENT: None

Upon motion by Donald Vizier and second by Ervin Bruce, the board unanimously approved the January 9, 2008 regular meeting minutes.

Upon motion by Donald Vizier and second by Jimmy Guidry, the board unanimously approved the January 23, 2008 special meeting minutes.

Executive Director's Report

Northern Expansion Update – Engineer John Plaisance reported that he has received the plans for the open cell alternative from PND Engineers for Slip B, East Bulkhead, Project #3. There were some minor changes that need to be addressed. This should be corrected and ready to submit to DOTD within a few weeks. Engineer Larry Picciola reported that Slip B, West Bulkhead, Project #4 is still on hold waiting on the results of the open cell bid. Director Falgout stated that the plans for the 700' phase are ready and the 1,100' phase plans are close to being complete. Engineer Picciola stated that the 700' plans have been approved by DOTD with the adjusted sheet lengths. Commissioner Cheramie questioned who completed the soil borings, which Mr. Picciola replied that the CPT test were done by Eustis Engineering and the borings were done by Gore Engineering. The new borings result in a reduced sheet length.

Airport Update/Project Status – Jason Duet, Airport Manager reported that the Parallel Taxiway project is still on hold waiting on the Corps' review of the relocation of the drainage ditch along with the LOOP crossing agreement. A draft LOOP agreement should be ready by next week. He reported that the Electrical project is complete and there is a revised Change Order and the Clear Lien for the board's approval. The revision corrects a consultant error in quantities. The design plans for the EDA project at the Airport are complete and will be sent to EDA for review. This project will include the paving of Airport Road to the north, Black Hawk Road, Gulf Stream Drive, and the taxiway connection to the American Air Service lease. Director Falgout stated that Mr. Duet and Mr. Breaux gave an excellent presentation to the Bayou Industrial Group this week regarding the activities and projects at the Airport.

FEMA Update – Mr. Chett Chiasson reported that the piles of debris are still on site at the Front Marina. Stranco stated that they would begin removing debris by the end of next week. The material for Phase II has been delivered and the contractor is expected to begin driving sheets by the end of the week. Commissioner Gisclair questioned the tenant's debris that is on site, which Mr. Breaux replied that he did begin loading some into dumpsters. Mr. Breaux will push them to continue cleaning up the site. Director Falgout stated that a lot of people going to the Port see this debris which cast the wrong message. We need to pursue in getting this site cleaned. Commissioner Gisclair stated that summer time will bring more visitors and this needs to be addressed as soon as possible. Mr. Breaux will address it through inspections by setting a time frame for clean up. Director Falgout stated that Mr. Chiasson attended the Deep Offshore Technology Conference in Houston and it will be in New Orleans next year. They are interested in putting together a Port Fourchon Pavilion where all the companies from

Fourchon could be located in one area in the exhibit hall. Mr. Chiasson stated that some tenants along with SLEC are interested in participating in the pavilion for next year. He will begin planning for this event to be a success next year.

Mr. Chiasson reported that he has been working with FEMA for approval to put 200,000 cubic yards of material on the beach that would come from dredging Pass Fourchon. He is also working on placing mats along Flotation Canal to protect the northern bank from damage during storms

Highway Improvements – Henri Boulet, Executive Director of LA 1 Coalition reported that Phase 1B access ramps from LA 1 roadway up to the center span is 42% complete. Phase 1C the center span is 72% complete. Phase 1D customer service center and toll centers will go out to bid in April instead of February due to finalizing the routing of the software and technology. Phase 2 ROW mapping and line work through Wilbur Smith is making progress by meeting with landowners in the area and looking at pipelines to determine the construction friendly alignment. State Joint Legislative Transportation Highway Public Works Committee annual public hearing is set for March 4th at the Yenni Building in Harahan at 4:00 pm. The CPRA hearing that happened in Houma on the 2009 Annual Work Plan discussed the monies from the CIAP program. The part to build Phase 1A was acknowledged in the plan. In Section 6 of the plan, coastal and restoration needs were identified but no monies have been set for that section. Mr. Boulet requested that Phase 2 remain on the list in that section even though funds have not been identified. Phase 2 will contribute to the future OCS revenues that will rebuild the coast. Comments for the CEAP program are being received and due by March 3rd. Mr. Boulet is preparing to work on the Congressional Annual Appropriations to Senators Landrieu, Senator Vitter, and Congressman Melancon to update them on the cost estimates for Phase 2 which can be included in any bill prepared by them. He is continuing to grow support with investors. He met with Murphy Oil and others to get them to join the Coalition. He is monitoring news on the Federal Corps plan to protect this state. They will be releasing a technical draft report to National Science Foundation which will be public information. We have submitted official comments to the Corps for rebuilding the coast to remember the LA 1 project as significant energy infrastructure.

Director Falgout stated that the House Transportation Committee requested that the Ports Association present an update on what the Port's are doing. Director Falgout will be presenting the update on coastal ports on Monday in Baton Rouge.

Commissioner Melancon questioned how many pipelines are being reviewed for Phase 2. Mr. Boulet stated that the contractors are working on identifying the pipelines from the maps by Apache and Burlington Resources. The alignments will be hard to miss the major pipelines. There were 8-10 major lines and all the lines run the same as the elevated highway. Director Falgout stated that it appears that if the road is moved 1,000 ft to the west away from LA 1 it will avoid the crossing of 3 major lines at one site. The other major hurdle is that ConocoPhillips would like a 55' clearance under the overpass to get a drilling rig between LA 1 and the new road without that it would be difficult from the water to get a rig inside. Being the connector is set and being constructed and ties in to existing highway, they will need to back up slightly to be able to provide a 55' access if it is possible. Environmentally it appears that they are receptive to the new alignment and moving forward with the engineering necessary to identify pipelines. All these items are on the table for negotiations with the landowners and the contractors.

Coastal Issues Update – Director Falgout stated that we are moving at a quicker pace toward implementation of coastal issues. The new Governor will do meaningful things in a short term. One thing that needs to be done is getting OCS revenue money in advance of the 2017 date where we would get over \$500 million a year. Last legislation session they created a committee to focus on the distribution of this money. America's wetland campaign has a spin off to America's Energy Coast whose main focus would be to bring in all Gulf states and find a common ground to build a support base for OCS issues and saving wetland issues to gain more clout in Washington. Director Falgout is an alternate on the OCS Policy Committee that reviews MMS continental shelf issues which will meet in early March.

Director Falgout updated the board on Davis Pond and the challenge to get more fresh water into the system. In the next 30 days, the Mississippi River elevations will allow the system to possible work at its maximum capacity. This will allow us to see if there are still design flaws in the system. This diversion project is necessary to begin rebuilding our estuaries and keep fresh water on the northern part of the Barataria Basin. Commissioner Cheramie questioned if additional gaps were cut since the board toured the facility, which Director Falgout replied that since then they have widened 5 of the 7 gaps. The impoundment had a border near Lake Cataouatche that had minor cuts which didn't allow full capacity. They have added some additional cuts and deepened the existing ones. They also elevated the guide levees. This spring will be the first time to test all those new improvements to the project.

Committee Reports

Executive Committee - Chairman Griffin reported that the committee met on January 23, 2008 at the Operations Building in Fourchon. Present were Larry Griffin and Jimmy Lafont. John Melancon and Wilbert Collins were absent. The committee also met on February 11, 2008 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 assignment of lease from Ellzey Marine & Hardware, Inc. to Express Supply & Steel, LLC for site 206.

Upon motion by Perry Gisclair and second by Wilbert Collins, the board unanimously approved the Landlord Agreement by Express Supply & Steel, LLC and State Bank & Trust Company.

Upon motion by John Melancon and second by Jimmy Guidry, the board unanimously approved the 2008 Cooperative Endeavor Agreement with South Louisiana Economic Council, LA 1 Coalition, and Restore or Retreat for an annual \$40,000.

Upon motion by Ervin Bruce and second by Wilbert Collins, the board unanimously adopted a resolution by the LA 1 Coalition supporting the use of Federal Funds for Construction of the New Highway System.

Upon motion by Chuckie Cheramie and second by Perry Gisclair, the board unanimously approved the Cooperative Endeavor Agreement with the Lafourche Parish Water Dist. No. 1 for a 50/50 cost share for installing a waterline along Adam "Ted" Gisclair Road estimated at \$200,000.

Permits & Waterways Committee - Chairman Cheramie reported that the committee met on January 23, 2008 at the Operations Building in Fourchon. Present were Chuckie Cheramie, Jimmy Lafont, Larry Griffin, and Perry Gisclair. The committee also met on February 11, 2008 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 consideration the revision to Nerby Collins Usage Agreement. Mr. Jimmie Martin, Sr. addressed the board. Mr. Martin stated that this agreement is not insurable. It has punitive damages and Section 3 has no limits on liability. Mr. Martin stated that 99.5 percent of all commercial fishermen have no insurance. Mr. Martin stated that Section 4 involves welding with coverage of general liability of \$1 million and Automobile of \$1 million when the state only requires 10/20 insurance. A commercial fisherman does not have workers compensation. Mr. Martin stated that this document needs to be rescinded and the ones who have signed this need to be notified. Mr. Martin stated that this is no use for the Port or the fisherman. Commissioner Guidry stated that the board needs to define the general usage of the marina. There are too many grey areas. Director Falgout suggested that the agreement be sent back to committee to review suggested changes and brought back to the board for approval. Commissioner Griffin requested that Mr. Martin get with our attorney on all his concerns and information. He also requested that the Port notify everyone who signed this agreement that it is on hold. Mr. Autin stated that it is our marina and the board can handle it the way they feel is necessary. Commissioner Melancon agrees that the agreement needs to be redone with more simplified language in the document and possibly make an ordinance. Commissioner Vizier stated that the problem started with the tug dock when many people were doing hot work and we put

this into law and requested insurance to stop hot work. Mr. Vizier questioned if the commission will allow hot work to be done at Nerby Collins Marina? If not it simplifies the agreement. Commissioner Lafont agreed that the agreement needs to be addressed. Commissioner Gisclair stated that all the problems need to be addressed and put in an ordinance and make it simple to read. Director Falgout stated to be cautious when talking about rescinding and notifying people which may be seen as there are no rules being enforced at the marina while this document is on hold. During the time of reviewing the document, the hot work issue needs to be addressed. Mr. Martin highly suggested that the ones who signed the agreement be notified. Commissioner Cheramie made a motion to rescind the usage agreement and require vessel owner and/or the welder to provide proof of insurance for any hot work performed in the interim. The motion was seconded by John Melancon and open for discussion. Commissioner Lafont questioned if we should contact all the people who signed the agreement already, which Mr. Autin stated that it is not necessary but it is the board's decision. Commissioner Lafont made a motion to amend the motion on the floor to not allow hot work during the interim. The motion to amend was seconded by John Melancon. Mr. Scott St. Pierre addressed the board. He stated that in the event that something happens with his vessel in the marina, he can defend himself but he can not defend the Port. He also has a problem with Section 3 and agrees with suspending the agreement. The board then voted on the motion to amend which resulted in 8 yeas and 1 nay by Gisclair. Then the motion as amended was then voted on which resulted in all yeas.

Chairman Cheramie presented to the board the permit by LLOG Exploration Company, LLC.

Construction & Development Committee - Chairman Bruce reported that the committee met on January 23, 2008 at the Operations Building in Fourchon. Present were Ervin Bruce, Larry Griffin, and Donald Vizier. John Melancon was absent. The committee also met on February 11, 2008 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 Wilbert Collins, the board unanimously approved the Revised Change Order No. 1 in the amount of \$21,116.80 from Aubrey Silvey Enterprises, Inc. for the Electrical and Lighting project.

Upon motion by Ervin Bruce and second by Wilbert Collins, the board unanimously accepted the Clear Lien Certificate from Aubrey Silvey Enterprises, Inc. for the Electrical and Lighting Project.

Upon motion by Ervin Bruce and second by Perry Gisclair, the board tabled approving the low bid for the Maritime Forest Ridge Shaping project until further discussions with FEMA.

Upon motion by Ervin Bruce and second by Jimmy Guidry, the board unanimously accepted the Clear Lien Certificate from Picciola Construction Company for the Debris Fence Repairs.

Upon motion by Wilbert Collins and second by Donald Vizier, the board unanimously accepting the Clear Lien Certificate from Low Land Construction Company for the Flotation Canal Mooring Dolphin Project No. 2.

Finance Committee - Chairman John Melancon reported that the committee met on January 23, 2008, at the Operations Building in Fourchon. Present were Jimmy Guidry and Larry Griffin. John Melancon and Wilbert Collins were absent. The committee also met on February 11, 2008 at the Administrations 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 Wilbert Collins, the board unanimously approved the payment of January invoices and recognized expenditures over \$10,000.

Chairman Melancon presented for the board's consideration changing the approval procedure of transferring funds from Capital One checking account to LAMP saving account from "same as check disbursement signing procedure" to "James Rome, Director of Finance plus any one other approved check signer." Mr. Rome explained that currently transferring funds from the checking account to LAMP account requires 2 board members signature which is sometimes hard to get. This will make the transfers from Capital One to LAMP move more efficiently through the organization. Currently funds can be transferred from the LAMP to the checking account but funds can not be transferred from the

checking account to the LAMP account. This will involve only the 2 accounts. Upon motion by John Melancon to change the approved procedure and second by Jimmy Guidry, the floor was open for discussion. Commissioner Lafont questioned the number of people allowed to sign, which Mr. Rome replied that all the board members who have signed the bank card along with Director Falgout and himself will be allowed to sign the transfer. The board then voted which resulted in 8 yeas and 1 nay by Lafont.

Upon motion by John Melancon and second by Ervin Bruce, a two-thirds vote was taken to add out of state travel request to the agenda. The vote resulted in all yeas.

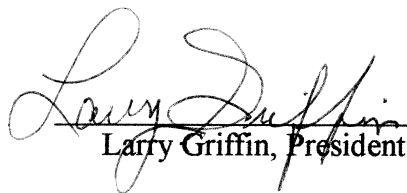
Upon motion by John Melancon and second by Chuckie Cheramie, the board unanimously approved the out of state travel request by Ted Falgout to attend the OCS Policy Committee on March 5th and 6th in Washington, DC.

President Griffin opened the floor for any other business. Director Falgout reminded the board and public that the March board meeting date is changed to Tuesday, March 11, 2008 at 10:30 am.

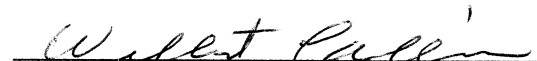
President Griffin opened the floor for public comment. Mr. Steven Charpentier thanked the board for reviewing the Nerby Collins agreement and thanked the board for allowing usage of the marina. It is needed by the fishermen and he hopes something can be worked for all to work together.

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

ATTEST:



Larry Griffin, President



Wilbert Collins, Secretary