

AGENDA
March 11, 2009 @ 10:30 AM
(Revised 3/10/09 at 10:20AM)

- I. Call to Order
- II. Pledge of Allegiance
- III. Roll Call
- IV. Consider approval of minutes for February 11, 2009 regular meeting
- V. Executive Director's Report
 - A. Northern Expansion**
 - 1) Slip B West Bulkhead, Project #3 (J. Wayne Plaisance)
 - 2) Slip B East Bulkhead, Project #4, Phases I and II (Angelette-Picciola)
 - B. Airport**
 - 1) North Taxiway Paving (LPA Group)
 - 2) Localizer (LPA Group)
 - C. FEMA**
 - D. Highway Improvements**
 - E. Coastal Issues** – Consider request from South Lafourche Beachfront Development District regarding patrol of Fourchon Beach
- VI. Committee Reports
 - A. Executive Committee
 - 1) Consider request from American Air Service to lease additional property at the Airport
 - 2) Consider request from VIH Helicopters to lease additional property for mobile homes
 - 3) Consider request from Martin Holdings for reimbursement of repairs to Slip No. 1
 - 4) Consider request from Offshore Support Services to lease site GLF205
 - 5) Consider advertising for summer employees
 - B. Permits & Waterways Committee
 - 1) Consider requesting advisory ethics opinion regarding public servants involvement with permits reviewed by commission
 - 2) Review permit application from Lafourche Parish Government
 - C. Construction & Development Committee
 - 1) Consider location of FEMA Bathhouse
 - D. Finance Committee
 - 1) Consider payment of February invoices and recognize expenditures over \$10,000
 - 2) Consider committee recommendation for the 2009 ad valorem millage rate
 - 3) Consider out of state travel requests
- VII. Any other business
- VIII. Public Comment
- IX. Possible Executive Session
 - A. Discuss pending litigation defined as “*Greater Lafourche Port Commission vs. Caillouet Land Corporation, Suit No.78781 in Division B of the 17th JDC-Parish of Lafourche (regarding Pass Fourchon Dredge)*”
- X. Public Comment
- XI. Adjournment

Attachment

The pending litigation more specifically defined as “*Greater Lafourche Port Commission vs. Caillouet Land Corporation, Suit No.78781 in Division B of the 17th JDC-Parish of Lafourche (regarding Pass Fourchon Dredge)*” may be discussed in an executive session.

OFFICIAL PROCEEDINGS OF THE GREATER LAFOURCHE PORT COMMISSION

March 11, 2009

The Board of Commissioners of the Greater Lafourche Port Commission met in regular session on Wednesday, March 11, 2009 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 John Melancon and second by Wilbert Collins, the board unanimously approved the minutes for the February 11, 2009 regular meeting.

Executive Director's Report

Northern Expansion – Engineer John Plaisance reported that James Construction is progressing well on Slip B West Bulkhead, Project #3. All steel sheets are installed with approximately 60% of timber piles and concrete deadman installed. The project is 60% complete. Director Falgout questioned the time frame for dredging in front of the bulkhead, which Mr. Plaisance reported that the plan is to move that component up so that the bulkhead will be useable as soon as complete. Commissioner Melancon commented on how fast this project is going, which Mr. Plaisance replied yes it is going faster than normal. Director Falgout stated that we are in the best construction months of the year with no down time.

Engineer Larry Picciola reported that Low Land Construction is progressing well for Slip B East Bulkhead, Project #4, Phase I. All steel sheets and compression piles are installed. They are now beginning to install the tension piles. The project is 48% complete. Contractor is scheduled to be complete by August 28th but may finish in July. Director Falgout questioned the dredging plans on this bulkhead, which Mr. Picciola reported that both projects may be complete by July which could allow the dredging projects to be combined and save on mobilization costs. Director Falgout stated that the material from the dredging project will go into the third phase of the Port's mitigation project. Mr. Breaux added that some material may be placed to fill the 1100 ft section for construction. Director Falgout questioned how much material is needed to finish the mitigation project, which is unknown at this time. Director Falgout requested to have figures available to complete the mitigation requirement prior to dredging. Mr. Breaux questioned the type of deadman single Type A or B, which Mr. Picciola replied that single Type A was used on that side but when they start driving east to west they will determine if a single deadman is needed or Type B deadman.

Engineer Larry Picciola reported that DOTD is reviewing the plans and specs for Slip B East Bulkhead, Project #4 Phase II. He reported that the first 585 ft will be 60' sheets, the next 55 ft will be 65' sheets, and the remaining 464 ft will be 70' sheets. The deadman for the first 640 ft will be a Type B deadman up to the 70' sheets. The remaining 464 ft will be 70' sheets with a Type C deadman which is two in each direction. This will allow flexibility in the bids. We will bid three different types of piles which are 55', 60', and 65' with a concrete tie back system per linear foot for Type A or B. The two different types of tie back systems will allow us to determine which to use once the test pile program is complete. Director Falgout questioned when this bulkhead is scheduled to bid, which Mr. Picciola stated as soon as DOTD approves the plans. Mr. Picciola recommends approval from the board today to advertise, which Director Falgout stated that we will recommend adding this to the agenda under Construction and Development Committee. He stated that it is the right time to advertise since the price of steel has lowered. Director Falgout questioned what portion of the 1100 ft. is at a +6 elevation or greater, Mr. Breaux stated that some material will be needed to elevate portions of the 1100 ft. which will be resolved with J. Wayne Plaisance's office prior to dredging. Engineer Picciola reported that the revised estimate for Phase II is

\$8,071,000 which is approximately \$7,000 per linear feet of bulkhead. The plans will include 90 days from the notice of award to get materials then 270 days to construct the bulkhead. Commissioner Collins questioned if this property is under lease, which Mr. Chiasson replied that Clean Tank leased 600' and there is a Right of First Refusal by Deep Marine Technologies for 600' of property. Commissioner Lafont questioned the security of the bulkhead and if past problems have been remedied, which Mr. Breau replied that the plans call for an improved type of tie rod. We do send lessees the as built drawings with weight limits to prevent overloading.

Director Falgout reported that the harbor police have taken photos of cranes and other heavy equipment along the bulkheads that might hinder the weight limits which we will address those issues with lessees. Commissioner Cheramie requested a copy of the photos. Commissioner Melancon concerned of dredging companies damaging bulkheads, which Mr. Picciola replied that in the plans and specs we require 15' – 20' distance from the bulkhead.

Airport - Airport Manager, Jason Duet reported that the asphalt was complete on Friday for the North Taxiway Paving project. Phylway is currently doing dirt work on the shoulders with plans to stripe the taxiway and the end of the runway on Monday. The runway and taxiway should be fully opened next week for airport users. The contracts are signed for the Localizer project. The contractor ASMI will be able to start ordering material which will take four months to customize but we anticipate only 45 days for actual construction on site. Commissioner Cheramie requested a monthly report of fixed wing aircraft using the airport, which Mr. Duet will include in their packets. Commissioner Melancon requested an explanation of the Localizer, which Mr. Duet stated that it is a type of antenna situated 1,000 ft at the beginning of runway used as radio navigation for the center of the runway. An incoming pilot with little visibility could use their instruments and pick up the signal to be able to land on the runway. This will also increase the number of days the airport is accessible to users.

FEMA – Mr. Chiasson reported that the Bathhouse at the Public Boat Launch is on the agenda to determine the location. We are working with FEMA on the Beach project and expect a project worksheet written for \$0 balance to not fund the repair project. He stated that at that point we will begin the appeal process and work with our delegation to get this approved. The Port did place approximately 1500 cubic yards of sand on the Parish right of way to the beach and will top that with aggregate which will be reimbursed by the Parish through the Cooperative Agreement approved last month. Mr. Chiasson reported that through discussions with Picciola and Associates the plan for the beach is to have a geo-tube project which is fabric tubes filled with sand for the 5,000 ft along the beach at the waters edge for protection. Director Falgout stated that we can do this very quickly which is what the Corps is doing on Grand Isle inside their sand levee. We would propose to put these along the waters edge and ultimately there will be major project the Caminada Headland project which will use these tubes as a retainer levee for that project to hold material to build the beach back up. The project is affordable within \$1 to \$2 million which may be funded by the Port depending on the appeal with FEMA. The drawings should be ready for the next meeting to decide if the board wants to move forward with this project before the upcoming hurricane season. Mr. Chiasson reported that the Front Marina & Public Boat Launch Wharf Repair project is being advertised and is scheduled to open bids on March 24th. The Debris Removal and Monitoring project is also being advertised and scheduled to open bids on March 18th.

Commissioner Gisclair questioned the design and cost for the original Beach project, which Director Falgout replied that the original Lili/Isidore repair project was approved to install cement mats and build up the dune for only 1600 ft. This project is to restore the entire 5,000 ft under Gustav and abandon the original Lili/Isidore concept for possibly less money. Mr. Chiasson stated that we are working on other FEMA projects which will be discussed with the board as they progress.

Highway Improvements – LA 1 Coalition Executive Director, Mr. Henri Boulet updated the board on highway improvements. He reported that as of February 28, 2009 Phase 1A (Port Fourchon to Leeville) is 20% complete, Phase 1B (approaches) is 89% complete, Phase 1C (center span) is 99% complete, and Phase 1D (tolling service center) is 38% complete.

Concerning Phase 2 of the LA 1 Project, the DOTD received what they term as “60% Complete” R/O/W maps late last month, and had an immediate “Joint Plan Review”. Final R/O/W maps are expected

to be complete in 4 weeks, and will have to be approved by the FHWA before any R/O/W can be purchased. To pay for R/O/W contractors fees, permit modifications, construction canal plans, and most pipeline testing and relocation, DOTD will utilize the first payment from LPC of \$1,250,000. To actually purchase the right-of-ways in fee simple, a separate \$2 million of state funds remains available for this. The next critical step to fund in Phase 2 Preconstruction will be the Geo-Technical work within the R/O/W, which cost estimate has now been lowered to \$3.8 million. The data this geo-technical work provides is needed for design-build contractors to submit proposals that will meet construction specifications. While we have identified funding sources for the geotechnical work, the timing on when these funds will be available will present challenges to us.

Our final preconstruction task to be funded will be dredging the necessary construction canal and the re-located Bollinger Canal which updated cost will be available by next month's meeting.

Concerning Phase 2 receiving construction funds from the stimulus bill, we will be applying for \$300 million of the \$1.5 billion in the Supplemental Discretionary Grants Program. The Federal DOT Secretary has until mid-May to release final criteria for this program.

Of the \$298 million the state DOTD is spending on formula-dispersed highway monies from the stimulus bill, our LA 1 Corridor is getting 12%, with an estimated \$36 million investment in the new Bayou Lafourche Lift-Span Bridge in Larose. This was approved by the state's Joint Legislative Committee on the Budget on March 4th, and a revised bid on the Larose Bridge is being taken March 18th. Concerning the overlaying of LA 3090, DOTD is still seeking funding from a number of sources to accelerate the project. As of now it remains scheduled in the FY 11-12 Preservation Program. He told me yesterday he will ask for FY 07-08 state surplus funds to do the project.

Commissioner Griffin questioned if lights will be placed at the intersection of the elevated highway and LA 3090, which Mr. Boulet replied that DOTD plans to make the right of way flow directly across from the elevated highway to LA 3090 and the vehicles on LA 1 from Leeville to Grand Isle will have stop signs. Director Falgout stated that 95% of traffic from Grand Isle will go on the elevated highway with just those going to the Port will have to deal with traffic.

Coastal Issues – Director Falgout stated that the South Lafourche Beachfront Development District (“SLBDD”) is working on an agreement with Wisner to allow beach access mid-April. SLBDD is requesting the same services as last year with harbor police patrols of the beach. Upon motion by Donald Vizier and second by Wilbert Collins, the board unanimously approved the request from South Lafourche Beachfront Development District regarding patrol of Fourchon Beach. Commissioner Melancon requested a breakdown of costs for weekend beach patrols. Director Falgout reported that BTNEP Management Conference is being held today discussing items on diversions which I have submitted my written comment. All the survey work has been done for the Bayou Lafourche project. There plan is to award a contract to dredge the first 6.2 miles of the bayou from Donaldsonville down in July which the estimated cost is between \$10 to \$12 million. This will allow the pumps to operate at full capacity from today's 150 cubic feet per second up to 300 cfps. Once all the upgrades are complete the pumps should operate at 1,000 cfps. Davis pond was expected to operate at full capacity this weekend unfortunately 3 barges broke loose which shut down the pumps. The pumps are expected to open back up either today or tomorrow. Commissioner Cheramie questioned the trees that are along the bayou side in Raceland/Thibodaux area, which Director Falgout stated that the Bayou Freshwater District awarded 2 projects to remove all debris and trees from the bayou. Director Falgout will question the District on this matter. Commissioner Lafont questioned Mr. Pitre's involvement with the SLBDD, which Director Falgout replied that the SLBDD hired Loulan Pitre to represent them in dealing with the land issues involving the beach.

Committee Reports

Executive Committee - Chairman Griffin reported that the committee met on February 25, 2009 at the Operations Building in Fourchon. Present were Jimmy Lafont and Wilbert Collins. Larry Griffin and John Melancon were absent. The board also met on March 9, 2009 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 Ervin Bruce and second by Wilbert Collins, the board unanimously approved the request from American Air Services to lease an additional 2.466 acres of property at the Airport. Director Falgout reported that the Port used some stockpile material to level the area between American Air's hangar facility and the ramp. There was a misunderstanding that the material was available for other areas which is being corrected that the Port will charge \$2 per cubic yard for the remaining material if requested.

Upon motion by Wilbert Collins and second by Jimmy Guidry, the board unanimously approved the request from VIH Helicopters to lease additional property for 12 mobile homes. Commissioner Vizier questioned the elevation, which Director Falgout replied that the required elevation at the Airport is a +3 ft.

President Griffin presented for the board's consideration the request from Martin Holdings for reimbursement of repairs to Slip No. 1. Director Falgout stated that the administration does not feel it participated in the repairs for which reimbursement is requested. The committee recommendation is to reject the request for payment. Mr. Autin reported that the repairs were done on the southern side of Slip No. 1. The Port is responsible for maintenance and repairs for normal wear and tear and Martin is responsible for repair of damages in excess of normal wear and tear. Based on the information provided, we are unable to determine who is responsible for the repairs that were done. Upon motion by Perry Gisclair and second by Ervin Bruce, the board rejected the request for payment by Martin Holdings for the repairs to Slip No. 1.

Upon motion by John Melancon and second by Jimmy Guidry, the board unanimously approved the request from Offshore Support Services to lease 1.16 acres of property on site GLF205 along LA 3090.

Upon motion by Donald Vizier and second by Jimmy Guidry, the board unanimously approved advertising for summer employees.

Permits & Waterways Committee - Chairman Cheramie reported that the committee met on February 25, 2009 at the Operations Building in Fourchon. Present were Jimmy Lafont and Perry Gisclair. Larry Griffin and Chuckie Cheramie were absent. The committee also met on March 9, 2009 at the Administration Building in Galliano. All members were present. The Commission then discussed items that were discussed at the committee meetings.

Commissioner Cheramie presented for the board's consideration requesting advisory ethics opinion regarding public servants involvement with permits reviewed by the commission. Mr. Autin stated that the committee requested that we ask for an ethics opinion to determine if it is alright for employees or board members to do work for companies applying for coastal use permits. Sometimes we comment on these permits. We will request answers from the ethics commission which will determine if we go back to doing letters of no objection or discontinue reviewing permits all together. Commissioner Lafont stated that sometimes we receive permit notices after the project is already completed or awarded, which Director Falgout replied that the permit public notice process is our source of notification and yes sometimes by the time we meet it has already been granted. Depending on the level of involvement this commission wishes, we may have to go to a different process to get information. Upon motion by Jimmy Lafont and second by Ervin Bruce, the board approved requesting advisory ethics opinion regarding public servants involvement with permits reviewed by commission.

Commissioner Cheramie presented for the board's review the permit application from Lafourche Parish Government.

Construction & Development Committee - Chairman Bruce reported that the committee met on February 25, 2009 at the Operations Building in Fourchon. Present were Ervin Bruce and Donald Vizier. Larry Griffin and John Melancon were absent. The committee also met on March 9, 2009 at the Administration Building in Galliano. All members were present. The Commission then discussed items that were discussed at the committee meetings.

Commissioner Bruce presented for the board's consideration the location of the Bathhouse. Director Falgout stated that the committee recommendation is to go with FEMA elevated bathhouse because replacing the existing structure will not allow for any future FEMA participation. The proposed recommended site is in the southeast corner of the boat launch site. Commissioner Lafont questioned if it will be built out of wood, which Mr. Breaux replied it would be wood or cement board exterior.

Commissioner Lafont commented on the public disrespect of the facility and requested possibly building out of blocks for easy maintenance. President Griffin reported that he is for the elevated structure but would like it in the same location it is now. Director Falgout stated that it would be difficult to rebuild the structure in the original location. The bulkhead would possibly need repair and the site may need to be larger. President Griffin replied that in that case he would like to see the Port fund the repairs to the existing building. Commissioner Melancon questioned the location site, which Director Falgout stated that this location will still allow beach goers and fisherman to use and is away from LA 3090 which will discourage truck drivers. Upon motion by John Melancon and second by Donald Vizier, the board voted for the bathhouse location in the southeast corner of the boat launch which resulted in 8 yeas by Cheramie, Gisclair, Vizier, Collins, Griffin, Melancon, Guidry, Bruce and 1 nay by Lafont.

Upon motion by Donald Vizier and second by Wilbert Collins, after no public comment, the board unanimously approved to add to the agenda advertising for Northern Expansion Slip B 1100' Bulkhead Phase IV project contingent on DOTD's approval.

Upon motion by Donald Vizier and second by Wilbert Collins, the board unanimously approved to begin advertising for Northern Expansion Slip B 1100' Bulkhead Phase IV project contingent on DOTD's approval.

Finance Committee - Chairman Melancon reported that the committee met on February 25, 2009 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 March 9, 2009 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 Guidry, the board unanimously approved payment of February invoices and recognized expenditures over \$10,000. Director Falgout stated that the invoice from Gerry Lane Chevrolet vehicle purchase was questioned, which Mr. Rome replied that this was a state bid and we can go with local companies if there price falls within a certain percentage but this state bid was considerably lower than any local price.

Commissioner Melancon presented for the board's consideration the committee recommendation for advertising for the 2009 ad valorem millage rate. Mr. Rome stated that due to the new public advertising regulations, the board has to give advice to the staff to consider rolling forward to the maximum rate or stay at the current rate. This is not asking the board to vote on approving an increase in millage rate. This is approving the advertisement process if the board is considering an increase so the staff could proceed with advertisement for a public hearing to be scheduled for the May meeting. The board will vote at the May meeting to roll forward the millage or keep at its current rate. The Port is in their second year of a 4 year term to go back to its maximum of 6.94. If the Port does not go to its maximum within the 4 year term, the Port loses its ability to adjust to 6.94 and the current 6.84 will become its maximum. The difference in revenue is approximately \$37,000. Upon motion by John Melancon and second by Wilbert Collins, the board unanimously approved to begin advertising notices for the public hearing regarding the 2009 ad valorem millage rate.

Upon motion by John Melancon and second by Wilbert Collins, the board approved the out of state travel request by Davie Breaux to attend the AAPA Conference in Maryland on April 15th.

President Griffin opened the floor for any other business. Commissioner Gisclair questioned if American Air Services is paying rent, which Mr. Breaux replied that rental will begin when the North Taxiway Paving project is complete. Director Falgout stated since they were our first tenant during negotiations they requested certain improvements to the airport be complete before rental begins. The paving project that is currently being done now is the last project before they begin rental payments. Commissioner Gisclair questioned the additional property approved today, which Mr. Chiasson replied that rental will begin immediately.

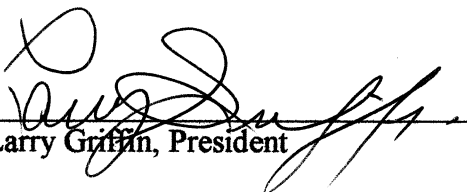
Commissioner Melancon questioned when the Parish will begin sweep dredging the canal, which Mr. Breaux replied that he only received a verbal commitment from the Parish with no date set to mobilize at the airport. Commissioner Melancon requested something in writing from the Parish confirming their plans for dredging.

Upon motion by Chuckie Cheramie and second by Perry Gisclair, a two-thirds roll call vote was taken to enter into executive session to discuss pending litigation defined as "Greater Lafourche Port Commission vs. Caillouet Land Corporation, Suit No.78781 in Division B of the 17th JDC-Parish of Lafourche (regarding Pass Fourchon Dredge)". The vote resulted in 9 yeas by Cheramie, Gisclair, Lafont, Vizier, Collins, Griffin, Melancon, Guidry and Bruce. The board then entered into executive session. Thereafter, the board returned to the regular meeting.

Upon motion by Perry Gisclair and second by Chuckie Cheramie, the board unanimously approved responding to the Caillouet Land Corporation lawsuit that the Port Commission is consistent with previous position and is not responsible for the cost incurred for permit requirements and demands a jury trial for the Pass Fourchon dredging work.

Upon motion by Donald Vizier and second by Chuckie Cheramie, the board adjourned the regular meeting.

ATTEST:


Larry Griffin, President


Wilbert Collins, Secretary