PROCEEDINGS OF A REGULAR MEETING OF

**THE BOARD OF COMMISSIONERS OF**

**THE MORGAN CITY HARBOR AND TERMINAL DISTRICT**

**January 9, 2017**

The Board of Commissioners (“Board”) of the Morgan City Harbor and Terminal District (“District”) met in regular session at the District’s office at 7327 Highway 182, Morgan City, Louisiana on January 9, 2017 at 5:00 p.m. Duane Lodrigue, President, convened the meeting with Commissioners, Gary Duhon, Deborah Garber, Thomas Ackel, R. Scott Melancon, Tim Matthews, Sr., Joseph Cain and Ben Adams in attendance. Also present at the meeting were Raymond Wade, Executive Director; Tori Henry, Office Manager; Cindy Cutrera, Manager of Economic Development; Gerard Bourgeois, Board Attorney; Michael Knobloch, Knobloch Professional Services; Tim Connell, U.S. Army Corps of Engineers; Captain Blake Welborn, United States Coast Guard (“USCG”); Clayton Breaud, GSE/Providence Engineering; Blaine Crochet, Partner at Darnall, Sikes, Gardes & Frederick; along with members of the media and general public.

The meeting was called to order and the presence of a quorum was noted. Mr. Wade led the invocation and the Pledge of Allegiance was recited.

It was moved by Mr. Duhon and seconded by Mr. Ackel that the minutes of the Regular Meeting of December 12, 2016 be approved and adopted, with said motion carrying unanimously.

It was moved by Mrs. Garber that the report of receipts and disbursements for the month of December, 2016 be received and accepted and that all invoices presented to the Board for the month of December, 2016 be paid. Mr. Matthews seconded that motion, which carried unanimously.

Blaine Crochet presented to the Board Darnall, Sikes, Gardes & Frederick’s Audit Report for the year ending June 30, 2016 with unmodified opinions on the District’s financial statements, as well as compliance with the major federal award program, which is the highest audit opinion. Mr. Crochet did report the consistent lack of segregation of accounting duties finding, but because of the number of Port employees, it is not feasible to comply with this requirement. Mrs. Garber noted that the excess in revenues over expenses were largely in part due to the intergovernmental revenues received on the building, but the expenses are shown in capital assets. Mrs. Garber moved to accept said audit, which was seconded by Mr. Duhon and carried unanimously.

Captain Welborn reported that there were three (3) bridge strikes to the fendering system at the Bayou Boeuf rail bridge.

Tim Connell reported that: (i) the draft report for the demonstration in the Bar Channel has been released to Mr. Wade for technical review by the Port’s consultants and intend to get together next week to discuss; (ii) The next dredging event will be a cutterhead dredge in the Bay and Upper Bar Channel due to the sandier material in the area. Pumping distances will be limited to 6,000-7,000 feet, with bid opening in early February and dredging to begin in late February or early March; (iii) There will be a bump in River height, up to 3.7 feet.

Mike Knobloch reported that: (i) FY15 Port Security Grant projects will be completed by March with $65,000 left to expend; (ii) FY16 Port Security Grant RFP’s for projects approved through EHP #1 are currently being created but we are still awaiting approval for EHP #2; (iii) The FASTLANE application was submitted last Fall and we hope to hear something within the next two months; (iv) FY16 Complex Coordinated Terrorist Attacks Grant Program (CCTAGP) was announced a few weeks ago and we intend to apply within the “Captain of the Port” area, which covers from Vermillion Parish to Grand Isle. We are applying for a three year, $2 million grant which requires no match before the February 12th deadline. It was moved by Mr. Melancon and seconded by Mr. Matthews that Mr. Wade be authorized to provide a Letter of Support for said grant, which carried unanimously; (iv) He will be attending an Emergency Operations Training, hosted by GOSEP at the end of the month.

Cindy Cutrera reported that: (i) the 2017 & 2018 Coast Master Plans were released and are under review, including a focus group webinar we participated in; (ii) We attended the SCIA meeting in December where Colonel Clancey was the guest speaker. Other upcoming meetings include the CWPPRA regional planning team meeting will be held on February 1st in our EOC, Mississippi River Commission high water inspection on April 3-7th, with the public meeting in Baton Rouge on the 7th that we will be looking for commissioner and stakeholder participation.

Lee Babin invited commissioners to visit with Cuban delegation on January 27th at the Port of West Palm Beach, Florida and learn about their intent to bring goods in containers aboard a supply vessel from Morgan City to Florida as early as March.

Mr. Bourgeois presented: (i) the State Land Servitude Agreement, which was previously executed ten years ago, requesting disposal areas B and I. Mr. Melancon moved that Mr. Lodrigue be authorized to execute said agreement, which was seconded by Mr. Ackel and carried unanimously.

**RESOLUTION**

A resolution authorizing the Morgan City Harbor and Terminal District(“District”) to enter into a Disposal Agreement with the State of Louisiana for use by the United States.

BE IT RESOLVED, that Duane E. Lodrigue, President, be authorized and directed to execute on behalf of the Morgan City Harbor and Terminal District (“District”), a Disposal Agreement with the State of Louisiana whereby the State of Louisiana, acting through its State Land Office, grants to the District a servitude, on, over and across, the lands described therein, for use by the District and the United States, their representatives, agents and contractors, to construct, operate and maintain a dredged material disposal area, including the full right of ingress and egress; to construct dikes; to deposit dredged, excavated and sediment material thereon; to accomplish any alterations of contours on said land for the purpose of accommodating the deposit of dredged material as necessary in connection with the construction, improvement, maintenance and operation of the Atchafalaya River and Bayou Chene, Boeuf and Black, Louisiana Project, as authorized by the Act of Congress approved 13 August 1968 (Public Law 90-483).

BE IT FURTHER RESOLVED, Duane E. Lodrigue, President, be authorized and directed to do any and all act and things necessary, proper, or that may be required to carry out and accomplish the transactions contemplated with regards to the above mentioned tracts.

(ii) Corps of Engineers Request for Right of Entry for disposal areas, including Disposal Area 1 by McDermott as modified to exclude Section 80, T16S, R12E. Mr. Duhon moved that Mr. Lodrigue be authorized to execute said Request, which was seconded by Mr. Matthews and carried unanimously.

**RESOLUTION**

A resolution authorizing the Morgan City Harbor and Terminal District (“District”) to grant to the United States the rights of entry (ROEs) for disposal easements for the Atchafalaya River and Bayous Chene, Boeuf, and Black Navigation Project.

BE IT RESOLVED, that Duane E. Lodrigue, President, be authorized and directed to grant on behalf of the Morgan City Harbor and Terminal District (“District”) in favor of the United States Corps of Engineers (“Corps”), their representatives, agents and contractors, to construct, operate and maintain a dredged material disposal areas, including the full right of ingress and egress; to construct dikes; to deposit dredged, excavated and sediment material thereon; to accomplish any alterations of contours on said land for the purpose of accommodating the deposit of dredged material as necessary in connection with the construction, improvement, maintenance and operation of the Atchafalaya River and Bayou Chene, Boeuf and Black, Louisiana Project, as authorized by the Act of Congress approved 13 August 1968 (Public Law 90-483), including with regard to Disposal Areas I, G, 1, 2, 3, 5, 5a, 6 and open water north of 5a in Avoca Lake and to execute all corresponding disposal agreements with landowners.

BE IT FURTHER RESOLVED, Duane E. Lodrigue, President, be authorized and directed to do any and all act and things necessary, proper, or that may be required to carry out and accomplish the transactions contemplated with regards to the above-mentioned tracts.

Mr. Bourgeois also noted that we are awaiting the outcome of the January 19th Facility Planning and Control bond commission meeting to see if the $4.9 million remains in Priority 5 for the Governmental Operations and Emergency Center.

With no further business to come before the Board, the meeting was adjourned.

Attest:

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Thomas Ackel, Secretary