PROCEEDINGS OF A REGULAR MEETING OF

**THE BOARD OF COMMISSIONERS OF**

**THE MORGAN CITY HARBOR AND TERMINAL DISTRICT**

**October 8, 2018**

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 October 8, 2018 at 5:00 p.m. Duane Lodrigue, President, convened the meeting with Commissioners Thomas Ackel, Joseph Cain, Tim Matthews, Sr., Ben Adams, Adam Mayon and Lee Dragna in attendance. Gary Duhon and Deborah Garber were absent. Also present at the meeting were Raymond Wade, Executive Director; Tori Henry, Office Manager; Cindy Cutrera, Manager of Economic Development; Jennifer Reasoner and Gerard Bourgeois, Board Attorneys; Lieutenant Timothy Veach, United States Coast Guard (“USCG”); Clay Breaud, GSE/Providence Engineering; Councilmen Louis Tamporella and Mark Stephens, City of Morgan City; Councilwoman Jackie Ackel, Town of Berwick; 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. Dragna and seconded by Mr. Cain that the minutes of the Regular Meeting of September 10, 2018 be approved and adopted, with said motion carrying unanimously.

It was moved by Mr. Ackel that the report of receipts and disbursements for the month of September 2018 be received and accepted and that all invoices presented to the Board for the month of September 2018 be paid. Mr. Matthews seconded that motion, which carried unanimously.

Timothy Veach reported that: (i) there has been a slight increase in traffic in the area attributed to the Bayou Sorrel locks being closed; (ii) they are currently monitoring the hurricane and we may see a jump in the river with the substantial rain we have been seeing.

Tim Connell reported via telephone conference that: (i) they have completed the negotiations and the contracting officer has advised Brice there is an awardable contract. They are anticipating completion of legal review, congressional notification and award by October 18th and the amount is $14 million worth of hours, with a ceiling of $21.8 million. Mr. Dragna noted the hard work of the Board and that the public will see the end result. (ii) Atchafalaya Bar Channel dredge cubic yard contract was awarded at really good rates that were below government estimates; (iii) FY19 funds will be used to dredge Bayou Chene, which has a lot of material due to the Bayou Boeuf locks being closed. Lt. Veach noted that there will be a considerable amount of hot spots after the next high water season so it should be a high priority, which Mr. Connell concurred it will be. (iv) Bayou Boeuf lock reopening will be the 1st week of November at the earliest, more likely the middle of November. The new bumper job has been awarded but there has been no action yet on preconstruction conference or start date and anticipates it early next calendar year. Mr. Adams suggested that we contact Charles Brittingham to help with emergency funding for closure of the Bayou Boeuf Locks and Mr. Wade noted he will contact Jim Stark of Gulf Intracoastal Canal Association for feedback from the barge lines. Bayou Sorrell lock is still on track, even though they have been battling high water. Mr. Wade thanked Mr. Connell for joining in the conference call on the Columbus Day holiday.

Mike Knobloch reported that: (i) we have exhausted all of the FY15 Post Security Grant funds; (ii) we should hear something within the next two weeks if we will receive funding from Port Priority and should have to go before the Joint Legislative Committee in December.

Clay Breaud reported that the HVAC project is complete with the exception of a door grill that was damaged in shipment. Once installed, final inspection will be done and retainage released.

Cindy Cutrera reported that: (i) she and Mac attended National Waterways Conference and met with General Kaiser, Colonel Clancey, Charles Brittingham. She also met with Joe Manos of Institute for Water Resources and IRPT about tonnage collection systems. She and Mr. Manos signed a Memorandum of Cooperation between USACE IWR and IRPT, which is intended to facilitate cooperation and collaboration for that purpose and will be meeting with Waterborne Commerce in New Orleans on November 13th to begin this work. (ii) We received an email from DOTD about possible mitigation banks on port properties, so we will contact Avoca Island so that we won’t have the issue with open disposal on Berwick Bay again. (iii) CPRA is soliciting new projects for the 2023 Master plan and she and Mac will be participating in a new project development webinar. We will also be contacting Terrebonne Parish about interest in submitting the long-distance sediment pipeline from Atchafalaya to Terrebonne project. (iv) She has been sending out surveys to stakeholders that will help with updating our database, tonnage reporting and building a waterway map on our website that will list local waterway facilities. (v) She and Mac, along with several commissioners participated in week long events for the ULI initiative, including interviews, receptions, boat tour and presentations.

Gerard Bourgeois presented: (i) a resolution and related maintenance contract between the District and Morgan City Stevedores for the Barge *John Wayne*, which was moved for authorization by Mr. Dragna, seconded by Mr. Adams and carried unanimously;

**RESOLUTION**

A Resolution providing for the execution of contract for maintenance services for the Morgan City Harbor and Terminal District, designating the terms and conditions of the contract, and granting the authorization therefor.

WHEREAS, this Board of Commissioners is authorized by the provisions of LSA-R.S.34:324 to “contract with and employ attorneys, clerks, engineers, deputy commissioners, superintendents, stevedores and other agents and employees and shall fix their compensation and terms of office or employment,” and,

WHEREAS, this Board of Commissioners, after due deliberation deems it is necessary and in the public interest, to contract with Morgan City Stevedores, L.L.C. in connection with maintenance and service of DISTRICT owned cargo handling equipment and the Barge *John Wayne*.

BE IT RESOLVED, that the Executive Director, Raymond M. Wade, is hereby authorized and directed to execute on behalf of the Morgan City Harbor and Terminal District a stevedoring agreement with Morgan City Stevedores, L.L.C., for the necessary stevedoring services relative to Morgan City Harbor and Terminal District, substantially in accordance with the terms and conditions of the maintenance agreement presented this day.

(ii) a draft suit against Crosby Towing, LLC for the damage caused to the District’s NOAA Meteorological Station #2 in the Atchafalaya River, the filing of which was moved for approval by Mr. Dragna, seconded by Mr. Adams and carried unanimously.

**RESOLUTION**

BE IT RESOLVED that Bourgeois Law, LLC be hereby and is hereby authorized and directed to prepare and file on behalf of the Morgan City Harbor and Terminal District ("District"), a petition for damages against the M/V Crosby Mariner, M/V Crosby Progress, M/V Crosby Hunter, Crosby Marine Transportation, LLC, and/or its and their related entities for damage caused to one of the Morgan City Harbor and Terminal District’s NOAA Stations in the Atchafalaya River.

Mr. Lodrigue noted next month’s meeting will be held on Tuesday, November 13th due to the Veterans Day holiday.

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

Attest:

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Thomas Ackel, Secretary