

**PROCEEDINGS OF A REGULAR MEETING OF
THE BOARD OF COMMISSIONERS OF
THE MORGAN CITY HARBOR AND TERMINAL DISTRICT
April 12, 2021**

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 April 12, 2021 at 5:00 p.m. Joseph Cain, President, convened the meeting with Commissioners Pete Orlando, Adam Mayon, Steven Cornes Troy Lombardo, and Matthew Glover in attendance. Ben Adams and Deborah Garber were absent. Also present in the meeting were Raymond Wade, Executive Director; Tori Henry, Office Manager; Cindy Cutrera, Manager of Economic Development; Gerard Bourgeois, Board Attorney; Lt. Hayley Gipson and Lt. Chrisina Jeanes, United States Coast Guard (“USCG”); Councilman Louis Tamporello, City of Morgan City; Christian Gil, Congressman Clay Higgins Office; Aimee Andrus, IRPT; Jeff Monroe, IAMPE, Jon McVay, Brice Civil Constructors; Terral Martin, Providence Engineering and Environmental; Eric Matte, T. Baker Smith; along with members of the general public.

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

Cindy Cutrera welcomed Aimee Andrus, IRPT; Jeff Monroe, IAMPE; Christian Gil, Congressman Higgins; Evan Boudreaux, St Mary Parish and allowed for each to address the Board.

It was moved by Mr. Mayon and seconded by Mr. Cornes that the minutes of the Regular Meeting of March 8, 2021 be approved and adopted, with said motion carrying unanimously.

It was moved by Mr. Cornes that the report of receipts and disbursements for the month of March, 2021 be received and accepted and that all invoices presented to the Board for the month of March, 2021 be paid. Mr. Mayon seconded that motion, which carried unanimously.

Tim Connell reported via teleconference that: (i) surveys are showing a nice clean 400’ at Crew Boat Cut, but further down is still a good bit of sand that the Dredge Carolina will tackle in late May or early June. When combined with the dredging in the Bar Channel, he’s the most optimistic he’s been since involved in this project, that we will have an at project depth from the Gulf all the way to Morgan City; (ii) A new IDIQ contract is to be awarded for Berwick Bay and Stouts Pass for \$9 million in the Atchafalaya Basin. The Jadwin will return to Stouts Pass in the beginning of May for 25 days and will reserve a few days for accumulation in front of Conrads; (iii) We clearly have a 17’ channel from the Brice Dredge and are looking to go deeper and wider; (iv) Bayou Bouef guide wall work continues and closures have been expanded to 5 days a week; and (v) the high water should crest at 6.4’ on April 16th and will return to 5.1’ on May 3rd.

Lieutenant Gipson reported that: (i) total transits for the month of March were 2,327, averaging 75 per day, which is an 8% increase from last year; (ii) new restrictions on Bayou Chene will go into effect on Wednesday, with a new MSIB issued; and (iii) they are still monitoring the high water and looking at possible restrictions at Wax Lake Outlet, and will reassess Stouts Pass restrictions post dredging. Lieutenant Jeanes also reported a busy investigation month in March, including 4 allisions, 2 with bridge, 4 injuries or loss of life, 2 loss of steering in Wax Lake Outlet, and 21 groundings with 15 at Stouts Pass. She reiterated the need of heeding to the MSIB and providing accurate information when grounding.

Charles Brittingham reported via teleconference that: (i) FY22 “skinny” budget for the Corps is \$6.8 billion but no line items will be released until beginning of May; and (ii) Congress has been on recess for the last 2-3 weeks but are due back the first week of May.

Michael Knobloch reported that: (i) we have received a temporary approval to place buoys on the riverfront to serve as a “vessel mooring perimeter”, which were ordered and should arrive by the end of May; (ii) FY21 Port Security Grant application focusing on cyber security is due May 14th, including cameras and maintenance and equipment; and (iii) we received Port Priority funding in 2018 for rail spur rehab and ditch closure, with east dock expansion still outstanding. If the Port Priority funding is increased by \$4 million in this legislative session, our projects will be funded quickly versus the anticipated two-year wait; (iv) Properties adjacent to the Western area of our dock have become available, with hopes the Port could purchase this and add an additional 1,000 feet of frontage along the GIWW, using potential funds from Port Priority Program, Port Infrastructure and BUILD grants. One caveat to the Port Priority Program is contingent on letter(s) of commitment from tenant(s).

Cindy Cutrera reported that: (i) our annual Hurricane Meeting will be held virtually on April 27th at 10am, with a zoom invite to go out a week prior; (ii) last month Charles mentioned the possibility of submitting a 7001 project to deepen the Channel, and she has been following up on the suggestion. Prior efforts to do the same were in WRDA 2020 for a feasibility study but it was not funded. She thanked Councilman Tamporello, who was a member of the Atchafalaya River Coalition and shared his file history, which they were a huge help to the Port in partnership trying to get the study completed. (iii) The La. legislative session started today and we are tracking a few bills, along with Ports Association of Louisiana, for bills that may affect the Port. She attended the South Central Industrial Association legislative luncheon where she stressed the importance of increased funding for the Port Priority Program; and (iv) We had to reschedule our March trip down river with the Nicholls Coastal Center due to extreme weather.

Gerard Bourgeois reported that: (i) Baker Hughes notified the Port of its intent to renew its lease at the Point; (ii) new election of officers requires approval of Whitney National Bank and Patterson State Bank banking resolutions. It was moved by Mr. Lombardo and seconded by Mr. Mayon to adopt the following resolution authorizing Messrs. Cain, Orlando, Cornes and Mrs. Garber to sign on both the Whitney Bank and Patterson State Bank accounts; which motion carried unanimously.

RESOLUTION

A resolution providing for the execution of certain account agreements for the Morgan City Harbor and Terminal District ("District"), with Patterson State Bank (PSB") and Hancock Whitney Bank ("HWB") (herein collectively, the "Banks").

WHEREAS, the MORGAN CITY HARBOR AND TERMINAL DISTRICT ("District") is a political subdivision of the State of Louisiana, and is subject to the restrictions imposed under the laws of the State of Louisiana with respect to the investment of funds of municipalities, parishes and other political subdivisions; and

WHEREAS, the District has received and reviewed the Banks agreements and such other documents material to establishment and/or modification of accounts with said Banks; and

NOW, THEREFORE, BE IT RESOLVED that,

- (1) PSB and HWB are designated as a depository(ies) for the funds of this District.
- (2) This resolution shall continue to have effect until express written notice of its rescission or modification has been received and recorded by such Banks.
- (3) All transactions, if any, with respect to any deposits, withdrawals, rediscounts and borrowings by or on behalf of the District with Banks prior to the adoption of this resolution are hereby ratified, approved and confirmed.
- (4) Any of the persons named below, so long as they act in a representative capacity as agents of this District, are authorized to make any and all other contracts, agreements, stipulations and orders which they may deem advisable for the effect exercise of the powers indicated below, from time to time with said Banks, concerning funds deposited in PSB and/or HWB, moneys borrowed from either Bank or any other business transacted by and between the District and PSB or HWB subject to any restrictions stated below.
- (5) Any and all prior resolutions adopted by the District and certified to PSB and/or HWB as governing the operation of the District's account(s), are in full force and effect, unless supplemented or modified by this authorization.
- (6) The District agrees to the terms and conditions of any account agreement, properly opened by any authorized representative(s) of the District, and authorized PSB and HWB, at any time, to charge the District for all checks, drafts, or other orders, for the payment of money, that are drawn on the PSB or HWB, and contain the required number of signatures for this purpose.
- (7) If indicated, any person listed below (subject to any expressed restrictions) is authorized

to:

Name and Title:

- (A) Joseph Cain, President
- (B) Peter Orlando, Vice President
- (C) Deborah B. Garber, Treasurer
- (D) Steven Cornes, Secretary

Indicate A, B, C, and/or D

- A, B, C, D (1) Exercise all of the powers listed in (2) through (6).
 A, B, C, D (2) Open any deposit or checking account(s) in the name of this association.
 A, B, C, D (3) Endorse checks and orders for the payment of money and withdraw funds on deposit with this Financial Institution. Number of authorized signatures required for this purpose 2.
 A, B, C, D (4) Borrow money on behalf and in the name of this association, sign, execute and

deliver promissory notes or other evidences of indebtedness. Number of authorized signatures required for this purpose 2.

 A, B, C, D (5) Endorse, assign, transfer, mortgage or pledge bills receivable, warehouse receipts, bills of lading, stocks, bonds, real estate or other property now owned or hereafter owned or acquired by this association as security for sums borrowed, and to discount the same, unconditionally guarantee payment of all bills received, negotiated or discounted and to waive demand, presentment, protest, notice of protest and notice of non-payment.

Number of authorized signatures required for this purpose 2.

 A, B, C, D (6) Enter into written lease for the purpose of renting and maintaining a Safe Deposit Box in this Financial Institution. Number of authorized persons required to gain access and to terminate the lease 2.

BE IT FURTHER RESOLVED that Deborah B. Garber, Treasurer, be authorized and directed to do any and all acts and things necessary, proper, or that may be required to carry out and accomplish the transactions contemplated above.

He also presented: (iii) an agreement with T. Baker Smith for assistance with preparation of the Port Priority dock expansion application, mentioned earlier by Mr. Knobloch, in the amount of \$15,000. Mr. Orlando moved to authorize said agreement, which was seconded by Mr. Glover and carried unanimously; (iv) a Purchase agreement between the District and MC Property Holdings, LLC property, in the amount of \$400,000, contingent upon Port Priority Program approval; which Mr. Cain reflected was a good price given by someone who remembers Morgan City was good to he and his family. Mr. Orlando moved to authorize said agreement, which was seconded by Mr. Cornes and carried unanimously.

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

Attest:


Steven Cornes, Secretary