

**PROCEEDINGS OF A REGULAR MEETING OF  
THE BOARD OF COMMISSIONERS OF  
THE MORGAN CITY HARBOR AND TERMINAL DISTRICT  
January 9, 2023**

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, 2023 at 5:00 p.m. Pete Orlando, President, convened the meeting with Commissioners, Joseph Cain, Troy Lombardo, Steven Cornes and Matthew Glover in attendance. Deborah Garber, Ben Adams, Adam Mayon and Matthew Tycer were absent. Also present in the meeting were Raymond Wade, Executive Director; Cindy Cutrera, Economic Development Manager; Tori Henry, Office Manager; Michael Knobloch, Knobloch Professional Services; Gerard Bourgeois, Board Attorney; LT Jenelle Piche and Timothy Spence, United States Coast Guard (“USCG”); Philip Chauvin, T. Baker Smith; Councilman Louis Tamporello, City of Morgan City; Jeremy Meaux, Darnall, Sikes, Gardes & Frederick 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.

It was moved by Mr. Cornes and seconded by Mr. Lombardo that the minutes of the Regular Meeting of December 12, 2022 be approved and adopted, with said motion carrying unanimously.

It was moved by Mr. Adams that the report of receipts and disbursements for the month of December, 2022 be received and accepted and that all invoices presented to the Board for the month of December, 2022 be paid. Mr. Lombardo seconded that motion, which carried unanimously.

Jeremy Meaux presented Darnall, Sikes, Gardes & Frederick’s Audit Report to the Board for the year ending June 30, 2022 with an unmodified opinion on the District’s financial statements, the highest audit opinion. Also, no exceptions were found during the Statewide Agreed-Upon procedures audit. Mr. Glover moved to accept said report, which was seconded by Mr. Lombardo and carried unanimously.

Tim Connell reported via teleconference that: (i) Manson’s *RM White* has started in the lower bar; (ii) Crosby’s *Susan Crosby* has started working in Bayou Chene; (iii) Brice continues to work the Bar channel and expects something reportable in March on the contract; (iv) solicitation for an IDIQ contract for the Harbor will be released in June; and (v) they are monitoring Stouts Pass surveys, have capacity on another contract if needed and are exploring all options on an alternate route for *Stouts Pass*. Mr. Cain noted Colonel Jones attended the Atchafalaya Intracoastal Coalition meeting, with an impressive presentation and well attended event.

LT Jenelle reported that: (i) 2,196 total transits in December, averaging 70 transits per day through the VTS zone; and (ii) there were two groundings at Stouts Pass since our last meeting on December 12<sup>th</sup> but none since that time. She also advised they will be increasing the safety zone at Little Island Pass for longer. Mr. Connell noted, as per request, he inquired of Drew Oakman about who handles survey data and was advised that NOAA is responsible for entering the data provided by the Corps. He will request a more expedited time frame in the future.

Michael Knobloch reported that: (i) we will be submitting a capital outlay request in April for the fire suppression system and additional funding for the west dock expansion; (ii) our community project funding request was included in the Omnibus bill that was passed before Christmas, for maintenance of our MET stations; (iii) we will be requesting \$3 million for EOC storage in the next round of community project funding; (iii) The RAISE grant was announced with an application deadline of February 28<sup>th</sup>; (iv) the Port Security Grant (PSG) is expected to be announced in February, with an application deadline in May; and (v) the PIDG Grant application deadline is April 28<sup>th</sup> and we will be applying for equipment, including a crane and forklift. Mr. Orlando inquired on the percentage of our match, and Mr. Knobloch advised 20% but is hoping to request a waiver.

Charles Brittingham reported: (i) as we move into 2024, we should consider discussions on WRDA for deepening the channel; (ii) workplan funding should be announced the 1<sup>st</sup> week of February; (iii) supplemental funding of \$324 million is available and was not tied to any named storms, therefore could be possibly creatively pursued by the Corps; and (iv) he is providing Geoff Green with information for Bollinger’s support letter.

Philip Chauvin reported: (i) we are still waiting on Patriot Construction to present Clear Lien Certificate, closeout documents and record drawings on the InterMoor Yard Resurfacing project, so that the retainage of \$52,000 can be released; (ii) a Notice to Proceed was issued to Sealevel Construction for the East Dock project, but a permit modification will be needed for putting fill in

“other waters” for the new dock portion. The Port and Sealevel will split the cost of \$10,000 by the Port paying the full amount and Sealevel issuing a change order deduction of \$5,000. Mr. Lombardo moved to authorize Mr. Wade to execute said Amendment in the amount of \$10,000, which was seconded by Mr. Cain and carried unanimously. He noted a Manitwoc crane will be mobing to the site for the test pile. (iii) We should receive an update on the Geotech report for the West Dock expansion; and (iv) once we have the MARAD kickoff meeting, we will know more about the environmental work needed for the NEPA process.

Cindy Cutrera reported that: (i) as Mr. Cain eluded, Colonel Jones visited our office about our needs from the New Orleans District prior to him attending the Atchafalaya Intracoastal Coalition meeting. Mac discussed with him the funding requests to make sure we remain consistent. We have also requested industry support letters to send along with our funding requests; (ii) she sent an email to commissioners this morning on the draft 2023 CPRA Coastal Master Plan, which has been released and is currently being reviewed. A public meeting will be held in Houma on February 2<sup>nd</sup>, as well as written comments are being accepted. She noted a potential alternative to the Increase Atchafalaya to Terrebonne diversion project was listed in there but only one project could be funded.

Gerard Bourgeois reported that: (i) new election of officers requires approval of Whitney Bank and Patterson State Bank banking resolutions. It was moved by Mr. Lombardo and seconded by Mr. Cornes to adopt the following resolution authorizing Messrs. Adams, Orlando, Cornes and Mrs. Garber to sign on both the Hancock Whitney 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) Peter Orlando, President
- (B) Ben A. Adams, 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.

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

Attest:

  
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Steven W. Cornes, Secretary