The Madison Parish Port Commission met in a regular session on Tuesday, June 25, 2024, at the Madison Parish Port Commission Office. The meeting was called to order by Chairperson Donald Frazier and a roll call was taken as follows:

Commissioners present: Donald Frazier, Jim Tucker, Robert Charles Brown, Latasha Griffin, and Isaiah Ross

Commissioners absent: David Williams, Curt Collins and Executive Director Patrick Murphy

Other members present Kimmeka Epps, Secretary/Treasurer

Visitors: Jerry Melton, Complex Chemical, Neil Martin & Marvin Collins, Terral River Service and Kayla Jacobs, Breazeale, Sachse & Wilson Law Firm

Secretary Epps asked for an amendment to the agenda by adding Port Road and Personnel Policy. On motion given by Commissioner Ross and seconded by Commissioner Brown to amend the agenda with the necessary additions. Motion carried unanimously.

On motion given by Commissioner Griffin and Commissioner Ross approving the previous meeting minutes for Tuesday, May 28, 2024. The minutes were approved with no necessary corrections. Motion carried unanimously.

Epps informed the board that a credit was applied to the Port Credit card and Commissioner Collins suggested opening a third CD at a previous board meeting. Epps stated to the board when that time arrives to inform her, and she will open the third CD for the Port. Epps also informed the board that the millage meeting is now scheduled for August instead of June due to a mistake with the Madison Journal.

On motion given by Commissioner Tucker and seconded by Commissioner Brown, the financial reports were approved with no necessary corrections. Motion carried unanimously.

Epps informed the board that Jerry Melton, Complex Chemical has attended the meeting to inform the board of the issues with the natural gas pipeline that was installed by CenterPoint. **Jerry stated a representative from Symmetry stating that someone from CenterPoint will be contacting you. The person(s) met with Jerry to inform him that the issue with the pipeline is erosion. Commissioner Tucker questioned stating that CenterPoint is responsible for the design and maintenance of the Pipeline. CenterPoint informed Jerry that the cost to repair the pipeline is nearly $400,000 to which CenterPoint is asking Jerry to cover the cost of the repairs. A question was asked to CenterPoint exes was there a soil analysis done before installing the pipeline. An exe stated there was not a soil study completed before the installation of the pipeline. Melton stated that he contacted his legal counsel to contact CenterPoint regarding the repairs stated in the contract and that he would like to connect his legal counsel with the Port’s legal counsel to work together on the pipeline issues. Currently there is no emit danger from the pipeline. The pipeline is corroding faster than it should be according to the surveyors. Commissioner Tucker stated that the Port should work with Complex Chemical due to the negligence of CenterPoint. Commissioner Ross asked if Complex Chemical would have to halt operations if the issues aren’t resolved. Chairman Frazier stated that he agrees with Commissioner Tucker by working with Jerry. The Commissioners agreed. Commissioner Tucker asked if that was the first time the area was inspected. Melton stated that the inspections are done annually, and he believes that during the inspections they noticed the corrosion but didn’t expect the area to grow aggressively as it has.**

On motion given by Commissioner Brown and seconded by Commissioner Ross, agreed to support Jerry Melton (Complex Chemical) on moving forward with the pipeline issues with CenterPoint.

Motion carried unanimously!

Roll Call

Yea: 5

Nay: 0

Absent: 2

Abstain: 0

Epps informed the board of the attendance of Neil Martin and Marvin Collins of Terral River service, she stated that System Scales came out to determine the root cause of the inoperable scale at Terral. System Scales stated that the scales have complete failure with the weighing options and should be replaced. **Terral also had scale inspections from several different companies. Neil’s suggestion is that Terral would purchase the scale with the Port reimbursing Terral for purchase. Epps suggested the Port pay a portion of the cost to purchase a new scale. Commissioner Brown asked if anyone else would utilize the scale. Neil stated that it’s mostly used by their entity and should another entity need it, they would allow it. Commissioner Ross asked if the suggestion that Neil is making is for a reimbursement of the scale with Terral maintaining the scale. Neil stated that is correct. Neil added that should Terral purchase the scale without a reimbursement that the entity would remove the scale at the absorption of their business. Commissioner Brown questioned if the scale was used to weigh rock as well. Neil replied yes and that it is the lifeline of their business. Commissioner Griffin asked if the Port reimburses the entity, Terral would take care of the maintenance of the scales. Neil replied yes! Commissioner Ross stated that the board should help the entity. Commissioner Tucker stated that the Port should pay for the non-movable part of the scale. Commissioner Tucker stated that maybe the Port should pay a moderate amount of the cost. Marvin stated that the maintenance cost is close to the amount of purchasing a new scale. The motion was canceled due to the non-majority of the board. A second motion was held.**

On motion given by Commissioner Frazier and seconded by Commissioner Ross, for Terral to purchase the scale and absorb the cost of the maintenance with an agreement with the Port to reimburse Terral during a specific allotted time that would be discussed by Kimmeka and Neil. Motion carried unanimously!

Roll Call

Yea: 5

Nay: 0

Absent: 2

Abstain: 0

Secretary Epps informed the board of the results of the bid opening for the Railcar Co building repairs. She stated that the bids came in significally over the cost of the project. However, she has requested additional funds from DRA and the Port will fund the remaining cost over the amount stated. She suggested that the board approve a resolution for the match monies on the project.

A motion given by Commissioner Ross and seconded by Commissioner Griffin, to approve the resolution to support the match monies for Railcar building repairs. Motion carried unanimously!

Roll Call

Yea: 5

Nay: 0

Absent: 2

Abstain: 0

Secretary Epps informed the board that insurance rates provided have increased by $1,400.00 this year. The insurance covers the Port Office, contents, and Anderson’s fence. Commissioner Ross suggested getting additional quotes of insurance the following year.

A motion given by Commissioner Tucker and seconded by Commissioner Brown, to approve the insurance rates for July 1, 2024. Motion carried unanimously!

Roll Call

Yea: 5

Nay: 0

Absent: 2

Abstain: 0

Secretary Epps informed the board of the damage to Port Road near the exit. She added that she has spoken with D&J concerning the necessary repairs. D& J agreed to fix the area just being neighborly. Epps added the issues with the railroad crossing pad. She contacted the engineering firm to discuss the problem with the crossing. Chris Patrick added that if D&J had removed the pad it would have added a significant cost to the Port. Kimmeka is working with the Police Jury and DSR for a resolve.

**President Frazier asked Attorney Jacobs to begin with information about the Personnel Policy. Attorney Jacobs informed the board about the current policy Executive Order BJ 08-64. Jacobs stated that she is not here to advocate for either policy just here to provide the best information that may work in favor of the Port. There is no law that states the Port is required to follow this law, this law is for members of an Executive branch in the State of Louisiana and not Ports. The Attorney General stated that Ports are not such an agency. The Executive Order was not intended for Ports. However, the Port did adopt the policy, so it is applicable to the employees at this time. Should the board desire to change that policy it would supersede the other policies. Jacobs provided the handbook that the Port has followed until the adoption of the Executive order. Jacobs explained the difference between the Executive Order Policy and the Personnel handbook of the Police Jury with accrued leave etc. Jacobs stated that the carryover leave is a huge discrepancy. It basically allows the accrual forever. The handbook provides a limitation on leave stating it must be used in that calendar year and only allows for 5 days to carry over to the next year. Under the Executive order it states that the Port is required to pay for up to 300 hours of leave and the handbook states that leave is a gratuity and should not be invested. President Frazier questioned the fact that there is a policy and a handbook? Jacobs added that is correct. Commissioner Brown questioned if the board would have to rescind the Executive Order. Jacobs stated if the board wants to it can be done simply, because it wasn’t meant for Ports. To rescind the Executive Order another policy would have to be adopted. Epps questioned the rescinding of the current policy and how that would affect the leave that she has accrued. Jacobs stated that the Port could adopt a grandfather clause that would not affect the employees’ current leave, but she recommended that in the following year the board should make some provisions to the leave policy. Police Jury as well so that it clearly states what the policy is and not leave the Port in limbo about the leave. She added that the Policy Jury’s handbook is written well for effectiveness. Commissioner Ross questioned should the board stays with the Policy of the Police Jury would it be verbatim? Jacobs stated yes. Commissioner Ross questioned the board of actions as of tonight? President Frazier suggested studying both and get an understanding before a decision is made. Commissioner Brown agreed. President Frazier questioned should the board write another personnel policy. Jacobs stated that the Executive Order is in place currently. She stated that should you provide an employee with the Executive Order and the handbook there are some conflicts between the two. Her recommendation is to have a go between the two policies and not just a have the Executive order for the policy.**

**Public comments:**

On motion given by Commissioner Ross and seconded by Commissioner Tucker, to move into executive session. Motion carried unanimously.

A motion given by Commissioner Brown and seconded by Commissioners Tucker and Ross, to end the executive session and return to regular session. Motion carried unanimously.

There being no further business brought before the board, Chairperson Frazier declared the meeting adjourned.

Kimmeka Epps Donald Frazier

Secretary/Treasurer President