PROCEEDINGS OF A REGULAR MEETING OF

**THE BOARD OF COMMISSIONERS OF**

**THE MORGAN CITY HARBOR AND TERMINAL DISTRICT**

**July 9, 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 July 9, 2018 at 5:00 p.m. Duane Lodrigue, President, convened the meeting with Commissioners Deborah Garber, Thomas Ackel, Joseph Cain, Adam Mayon, Tim Matthews, Sr., Lee Dragna and Ben Adams in attendance. Gary Duhon was 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; Commander Heather Mattern, United States Coast Guard (“USCG”); Tim Connell, U. S. Army Corps of Engineers; Clay Breaud, GSE/Providence Engineering; Brenton Jenkins, GIS; Councilman Louis Tamporella, City of Morgan City; David Hanagriff, St. Mary Parish President; Bill Hidalgo and Roger Beaudean; 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. Mayon that the minutes of the Regular Meeting of June 11, 2018 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 June 2018 be received and accepted and that all invoices presented to the Board for the month of June 2018 be paid. Mr. Cain seconded that motion, which carried unanimously.

Mrs. Garber presented the 2018/2019 budget that had been previously emailed, faxed or otherwise delivered to the Board. Mrs. Garber noted that just like last year’s budget presented reflected a net loss, the deficit is due to investment in capital assets, not operating expenses. It was moved by Mr. Dragna and seconded by Mr. Cain that the 2018/2019 budget be adopted and the resolution below and expenditures of the funds in 2018/2019 be authorized in accordance with the budget presented, which was unanimously approved.

**RESOLUTION**

A resolution providing for the adoption of the 2018/2019 budget for the Morgan City Harbor and Terminal District (“District”).

WHEREAS, this Board of Commissioners (“Board”) deems it necessary and proper to prepare and adopt a budget with defined goals on revenues and expenses for the fiscal year beginning July 1, 2018 through June 30, 2019,

BE IT RESOLVED, that the Morgan City Harbor and Terminal District does hereby approve the budget presented and adopts it as an Operating Budget of Revenues and Expenditures for the fiscal year beginning July 1, 2018, and ending June 30, 2019;

BE IT FURTHER RESOLVED by the Board that the detailed estimate of Revenues and Expenditures for the fiscal year beginning July 1, 2018, and ending June 30, 2019 presented this evening, be and the same is hereby adopted to serve as an Operating Budget for the Morgan City Harbor and Terminal District, during the same period, and shall operate as an appropriation of the amount therein set forth within the terms of the budget classification.

BE IT FURTHER RESOLVED by the Board that any deviations of budgetary amendments require the approval of the Morgan City Harbor and Terminal District Board.

Commander Mattern reported they are actively preparing for hurricane season.

Tim Connell reported that: (i) we have $42.8 million dollars to be spent over the next two years for dredging, and he is highly confident we will have a channel for the next two years; (ii) on June 19th a meeting was held with Brice to discuss the solicitation that was issued on June 1st and as a result, an amendment is being prepared and should be issued to Brice tomorrow. Within the amendment are changes resulting from issues Brice brought up and the due date is July 17th; (iii) They will be able to issue a cubic yard, as opposed to a rental, contract for Berwick Bay Harbor when funds become available; (iv) after a few setbacks, the Bayou Boeuf Locks are intended to be opened tomorrow.

Raymond Wade reported on behalf of Mike Knobloch that: (i) Mike is currently attending the National Homeland Security Conference in New York; (ii) The BUILD (Better Utilizing Investments to Leverage Development) application will be filed by July 19th for extension on dock and rail improvements; and (iii) we will be meeting with DOTD next week about a Port Priority request for the dock extension and rail improvements as well.

Clay Breaud reported that the HVAC contractors still have the dehumidifiers to install, but they have cool air in the building. Once the ceiling tiles are installed and the final inspection is completed, the retainage can be released.

Cindy Cutrera reported that: (i) she attended the Governor’s Advisory Commission meeting, Mac attended the CPRA meeting and retirement ceremony for Kinney Benoit, Chief of Engineers in the Lafayette office for the past 41 years; (ii) she and Mac have been assisting St. Mary Excel with information for the Urban Land Institute study. She prepared a booklet about the Port and industry and they’ve had several planning meetings and a press conference; (iii) We sent another set of thank you letters to our delegation and the Corps for the additional funding received; (iv) Sarah Bradley with Corps was checking to see which projects were selected from the Section 1122 proposals, since we haven’t heard anything, and they were supposed to announce them in June; (v) We provided the resolution approved at last month’s board meeting regarding ITEP, but have since learned that the changes were not approved on the local level.

Gerard Bourgeois presented: (i) a resolution for acceptance of an attorney agreement between the District and Bourgeois Law, LLC, which was moved for approval by Mr. Mayon, seconded by Mr. Cain and carried unanimously;

**RESOLUTION**

A Resolution providing for the execution of contract with a law firm 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 necessary to protect the public interest, and that real and genuine necessity exist therefor, to contract for legal services and for Bourgeois Law, LLC. to act as General Counsel in connection with the handling of various legal matters that may affect the Morgan City Harbor and Terminal District.

BE IT RESOLVED, that the President, Duane E. Lodrigue, is hereby authorized and directed to execute on behalf of the Morgan City Harbor and Terminal District an attorney agreement with Bourgeois Law, LLC, for the necessary legal services relative to Morgan City Harbor and Terminal District, substantially in accordance with the terms and conditions of the attorney agreement presented this day.

(ii) an Audit Engagement Letter from Darnell, Sikes Gardes & Frederick for services due as a result of the Statewide Agreed Upon Procedures (SAUP); and corresponding changes to the Employee and Operations Manual as a result of the SAUP. Mr. Adams moved to authorize said engagement letter and corresponding changes, which was seconded by Mr. Cain and carried unanimously.

Mr. Bourgeois also reported that: (iii) the Board is required to select an official journal annually. Mr. Cain moved that the following resolution be adopted, designating the Daily Review as its official Journal, which was seconded by Mrs. Garber and carried unanimously;

**RESOLUTION**

A Resolution designating the Daily Review as the official journal of the Morgan City Harbor and Terminal District

WHEREAS, Louisiana Revised Statute 43:171 requires the Morgan City Harbor and Terminal District to designate an official journal for publications of the proceedings of its board and such financial statements required by and furnished to the legislative auditor.

WHEREAS, the Board of Commissioners of the Morgan City Harbor and Terminal District (“District”) finds that the Daily Review, a newspaper in Morgan City, meets all the requirements for its designation as the official journal of the District.

Accordingly,

BE IT RESOLVED, that the Daily Review, a newspaper being published in Morgan City, Louisiana, is designated and selected as the official journal of the District.

(iv) that the St. Mary Levee District’s pro-rata share of utilities at the Governmental Operations and Emergency Center has been higher than expected and is in excess of the rates described when the lease agreement was executed. Mr. Adams moved to cap those charges at $500, which was seconded by Mr. Mayon and carried unanimously; (v) as a result of Baker Hughes’s purchase of the underlying Santos property, the termination of Santos lease was executed after being modified to delete additional requirements on the Port; and (vi) in consideration of recent admonishments to increase the tonnage once the Atchafalaya River is opened, he presented a draft Port transit facility lease with a focus on tonnage requirements.

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

Attest:

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