

Minutes of a meeting of the Plaquemines Parish Council, as the Sole Governing Authority of the Plaquemines Port, Harbor & Terminal District, held in the Belle Chasse Council Chambers, 333 F. Edward Hebert Blvd., Bldg. 203, Belle Chasse, Louisiana on Thursday, October 12, 2023, at 3:00 p.m., pursuant to notice to all members with a quorum present as follows:

PRESENT: Commissioner Stuart J. Guey, Chairman
Commissioner Tyrone Edwards
Commissioner Brian Champagne
Commissioner Chris Schulz
Commissioner Patricia McCarty
Commissioner Ronnie Newsom
Commissioner Carlton M. LaFrance, Sr.
Commissioner Mitch Jurisich
Commissioner Mark Cognevich

Kim M. Toups, Secretary

Charles Tillotson, Melissa Folse, Jalen Brown and Christie Nielsen were present representing the Port.

The Prayer was said and the Pledge was recited.

The following items were deferred:

- 6a(2), “An Ordinance authorizing and directing Charles D. Tillotson, Executive Director of the Plaquemines Port Harbor & Terminal District (the “Port”) to have the Port’s Legal counsel file a petition pursuant to the Louisiana Constitution, La. R.S. 19:2.1, et seq., as well as all other applicable laws, and to expropriate via a “taking”, that certain land, owned by Kyle A. Fleming., or their successor(s) in title, which property is commonly referred to as LOT 58A, totaling 7.51 acres and with a legal description of LOT 58A, POINT CELESTE FARM S/D - 190' FRONT ON HWY 23 X 1,720.01' X 189.97' X 1,724.91', with the more formal legal description of said property attached hereto as Exhibit “A”; and otherwise to provide with respect thereto”; and
- 6c, “An Ordinance of the Plaquemines Parish Council acting as the Sole Governing Authority of the Plaquemines Port, Harbor and Terminal District to provide for the random drug testing of the unclassified employees of the Plaquemines Port Harbor and Terminal District; and otherwise to provide with respect thereto”.

The following items were withdrawn:

- Agenda Item 6a(1), “An Ordinance authorizing and directing Charles D. Tillotson, Executive Director of the Plaquemines Port Harbor & Terminal District (the “Port”) to have the Port’s Legal counsel file a petition pursuant to the Louisiana Constitution, La. R.S. 19:2.1, et seq., as well as all other applicable laws, and to expropriate via a “taking”, that certain land, owned by Norman C. Rouse., or their successor(s) in title, which property is commonly referred to as LOT 53, totaling 13.28 acres and with a legal description of FARM LOT 53, POINT CELESTE FARMS S/D, PH II - 340' FRONT ON R/DESC R/W OF HWY 23 X 1,701.27' X 339.94' X 1,697.11', with the more formal legal description of said property attached hereto as Exhibit “A”; and otherwise to provide with respect thereto”; and
- Agenda Item 6a(4), “An Ordinance authorizing Charles Tillotson, Executive Director of Plaquemines Port, Harbor and Terminal District to purchase land owned by Tuan Nguyen; and otherwise to provide with respect thereto”.

Commissioner Guey moved to Agenda Item 7a, “New Business”. Without objection, so ordered.

Under Agenda Item 7a(1), “Resolutions wherein suspension is being sought”, Commissioner Guey offered a Motion to add an item to today’s agenda for consideration, titled, “A Resolution urging the United States Army Corps of Engineers to immediately close and/or place control structures within Plaquemines Port jurisdiction on major crevasses upriver from the Venice Jump; and otherwise to provide with respect thereto”. There was an unanimous second and on roll call, all members present voting “YES”, the motion was adopted by a vote of 9-0.

Commissioner Guey then offered a Motion to suspend the Rules to vote on the Resolution titled, "A Resolution urging the United States Army Corps of Engineers to immediately close and/or place control structures within Plaquemines Port jurisdiction on major crevasses upriver from the Venice Jump; and otherwise to provide with respect thereto". There was an unanimous second and on roll call, all members present voting "YES", the motion was adopted by a vote of 9-0.

RESOLUTION NO. 23-280

On motion of Commissioner Guey and with an unanimous second, on roll call all members present and voting "YES", the following Resolution was adopted:

A Resolution urging the United States Army Corps of Engineers to immediately close and/or place control structures within Plaquemines Port jurisdiction on major crevasses upriver from the Venice Jump; and otherwise to provide with respect thereto.

DIGEST: The water losses from the Mississippi River have increased dramatically since 2004, decreasing the downstream flow by as much as 60-80%. There are currently 25+ breaches on the East bank of the river north of the Venice jump with Mardi Gras Pass, Neptune Pass, and the Fort St. Phillip breaches being the largest. The uncontrolled breaches have decreased downstream freshwater flow and will continue to allow salt water to progress upriver threatening freshwater intakes in Plaquemines, St. Bernard, Jefferson and Orleans Parishes now and in the future if the breaches are not closed and/or controlled. The river flow restriction increases sediment build up in the navigation channel increasing dredging requirements and cost. We are requesting the United States Army Corps of Engineers take immediate action on this issue.

WHEREAS, the river flow restriction is directly related to the saltwater sill deepening requirement to slow down the salt water wedge intrusion; and

WHEREAS, the one-way navigation limitation through the saltwater sill will create congestion in Plaquemines Port District and will impact commerce traversing the Mississippi River; and

WHEREAS, weather and drought conditions are predicted to continue, not just for this year but for future years as well; and

WHEREAS, over one third of the Mississippi River is being diverted through uncontrolled breaches along the Mississippi River, namely Neptune Pass being 800 feet wide and in areas in excess of 100 feet deep, Mardi Gras Pass being nearly 300 feet wide, and multiple Fort St. Phillip breaches, causing a net loss of Mississippi River flow and decreasing the river's ability to prevent saltwater intrusion upstream, as well as in some cases, allowing additional tidal inflow of salt water to enter into the river; and

WHEREAS, Plaquemines Port Harbor and Terminal District requests the USACE, under the presidential emergency order, to immediately fund the closing of Mardi Gras Pass in accordance with Coastal Use Permit #P20170-122 submitted by Plaquemines Parish Government. Additionally, the Parish requests the USACE proceed with similar measures to close the Fort St. Phillip breaches and escalate its efforts to close Neptune Pass, and that CPRA suspend all Caernarvon Freshwater Diversion operations for the duration of the saltwater intrusion event;

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE GOVERNING AUTHORITY OF THE PLAQUEMINES PORT HARBOR AND TERMINAL DISTRICT THAT it hereby urges the United States Army Corps of Engineers to immediately fund the closure and/or placement of control structures at Mardi Gras Pass, Neptune Pass and the Fort St. Phillip breaches up river from the Venice Jump, as well as suspend all Caernarvon Freshwater Diversion operations for the duration of the saltwater intrusion event to mitigate navigation hazards.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE GOVERNING AUTHORITY OF THE PLAQUEMINES PORT HARBOR AND TERMINAL DISTRICT THAT the Secretary of this Council is hereby authorized and directed

to immediately certify and release this Resolution and that Parish employees and officials are authorized to carry out the purposes of this Resolution, both without further reading and approval by the Plaquemines Parish Council.

The Port then recessed at 3:25 p.m. The Port meeting resumed at 3:41 p.m.

Commissioner Guey moved to Agenda Item 2, "Executive Session". Without objection, so ordered.

RESOLUTION NO. 23-283

On motion of Commissioner Guey , seconded by Commissioner Schulz, and on roll call, all members present and voting "YES", the following Resolution was adopted:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it hereby resolves itself into Executive Session at 3:42 p.m. Executive Session pursuant to LRS 42:17(A)(2) for the purpose of receiving attorney client privileged information regarding litigation cited as "Plaquemines Port, Harbor & Terminal District vs. State of Louisiana, Department of Transportation and Development and Plenary Infrastructure Belle Chasse, LLC"-Attorney Dannie Garrett.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it hereby came out of Executive Session at 3:59 p.m. with no final or binding action taken.

Commissioner Guey moved to Agenda Item 3, "Status Report by the Executive Port Director". Without objection, so ordered. The following was reported by the Port Staff.

Charles Tillotson:

The Port thanks the public for participating in the recent town hall meeting and a special thanks to the council for the coordination and support of critical port expansion. The Port request patience from both the Council and the public as they strive to reach new heights for Plaquemines Parish. While the Port has a list of priorities demanding daily attention, they also contend with a longer list of activities that diverts them from achieving their goals and objectives. Since the last board meeting, the Port has diligently executed their priorities while deflecting distractions. Those priorities include a strong emphasis on growth-related activities, such as preparing our 2024 Budget, addressing the issues with PALH Ferry Landing, monitoring the progress of the market analysis, advancing to the next phase of the 11-mile rail extension project, and expanding the role as a landlord port. The Port is dedicated to nurturing customer relationships, crucial to propelling them to the next level and ensuring their performance aligns with their core values. Their dedication to PALH Ferry Landing involves conducting a town hall meeting to provide the public with a progress update and engaging in discussions with the Secretary of DOTD to explore innovative solutions for replacing the ferry landings. Their commitment is unwavering as they strive to become a larger landlord port, overcoming any obstacles that may come our way. The growth of this port serves as a vital engine, driving tax revenues that support the growth of their Parish.

Melissa Folse:

The acquisition of land in the Piano Keys area is of utmost importance for the growth of the port. The Port recognizes the sensitive nature of the process. They will be voting on securing the remaining parcels within the Piano Keys currently owned by Nguyen, Rouse and Ancar. Fleming will be deferred while they await the report from the appraisal of his modular home and completion of the home inspection.

Melissa Folse on behalf of Angelina Vicknair:

The Port recently hosted a successful town hall in District 1 to discuss the PALH Ferry ramp status. They will host another town hall in District 7 on Monday, October 30 at the Port Sulphur YMCA at 6 pm. They encourage resident attendance. A flyer and event details are available on our Facebook page. The Port has launched a Ferry App, which you can download via a link on our website, portofplaquemines.com. There is also a video on their Facebook page detailing how to download and utilize the app. They continue to post ongoing updates to social media, please follow them on FB, LinkedIn, and Twitter @plaqueminesport.

Jalen Brown:

The Port had a meeting with LADOTD's Secretary to discuss the urgent need to expedite the construction of the new PALH landings. The conversation was well received, and The Port is in the process of sending a letter outlining the next steps to be taken. Additionally, Infinity Engineering has commenced temporary repairs on the PALH ferry landings, underscoring the Port's commitment to enhancing local transportation infrastructure and safety. The timeline for completion remains at approximately 12 months, aligning with the M/V Pride's scheduled drydock period. Regarding Port construction and expansion, their meetings are progressing as planned, with key stakeholders now aware of the intersecting projects and coordinating accordingly. As for the Alliance Water Booster Station, Lemoine is still awaiting the return of their bond information. The Port anticipates receiving this information shortly. Once they have it, they will initiate the second phase of the project, which will involve identifying rail coordination and a laydown area for the pipes. This step will significantly reduce congestion along Highway 23 and streamline the project. Furthermore, the grant writing team has organized a meeting with potential funding sources for the new water treatment plant and organizations that may be able to assist the Port in finding a solution for water-related challenges. In the spirit of transparency and accountability for all partners in their maritime region, they are exploring ways to visualize the Port's environment to trigger environmental studies, enhance safety and security along the river, and forecast changes such as saltwater intrusion and sedimentation.

Christie Neilsen:

To leverage the power of technology in the Ports tariff billing department, the Port has successfully implemented the Mississippi River Traffic Information System (MRTIS). This advanced system provides real-time maritime information and vessel tracking along the Mississippi River, enhancing the Port operations and situational awareness. They are actively exploring opportunities to enter the 21st century while reducing the paper trail. This includes enhancing their workforce payroll management by adopting more efficient methods for tracking time and attendance. Within the HR department, they have expanded their efforts to find qualified Ferry Captains holding a 1600-ton license by partnering with a staffing agency, adding another valuable resource to their recruitment efforts. On the financial front, The Ports Finance Department is in the final stages of preparing the 2024 Proposed Operating Budgets, and they will be ready for distribution to the Board at the upcoming meeting. Additionally, during the meeting scheduled for the 26th, under the category of Bids & Advertisements, they will be announcing the lowest bidder for the Port's diesel fuel procurement as part of their annual Request for Proposals (RFP) process.

There was no report provided under Agenda Item 3a, "Financial Report/Budget to Actual" and there were no matters under Agenda Item 4, "Bids and Advertisements". Therefore, Commissioner Guey moved to Agenda Item 5, "Introduction of Ordinances and Resolutions". Without objection, so ordered. The following legislation was introduced:

1. An Ordinance authorizing and directing Port Executive Director, Charles D. Tillotson, to enter into an agreement with the Plaquemines Parish Government for the transfer of \$1 million dollars (\$1,000,000) from the Court House Bond Funds, identified previously by the Plaquemines Parish Government for replacement/repair of the ferry ramps; and otherwise to provide with respect thereto. COMMISSIONER GUEY
2. An Ordinance adopting the Original Capital Improvement Budget for the Plaquemines Port Harbor & Terminal District for the five-year period beginning January 1, 2024, and ending December 31, 2028; and otherwise to provide with respect thereto. COMMISSIONER GUEY
3. An Ordinance adopting the Original Operating Budget of Revenues and Expenditures for the Plaquemines Port Harbor & Terminal District for the fiscal year beginning January 1, 2024, and ending December 31, 2024; and otherwise to provide with respect thereto. COMMISSIONER GUEY

4. An Ordinance establishing a policy of budgetary control for the Operating Budget of Expenditures for the Plaquemines Port Harbor & Terminal District for the fiscal year beginning January 1, 2024, and ending December 31, 2024; and otherwise to provide with respect thereto. COMMISSIONER GUEY
5. A Resolution establishing the date, time and place of public hearings on the proposed 2024 Operating Budget and Capital Improvement Budget as submitted by the Executive Director of the Plaquemines Port Harbor & Terminal District; to authorize the Council Secretary to place the necessary Public Notice in the Plaquemines Gazette; and otherwise to provide with respect thereto. COMMISSIONER GUEY
6. A Resolution to cancel the November 23, 2023, and December 28, 2023, regularly scheduled Port Meetings due to the Thanksgiving Holiday and Christmas Holiday; and otherwise to provide with respect thereto. COMMISSIONER GUEY
7. A Resolution electing the Plaquemines Port, Harbor & Terminal District Vice-Chairperson for 2024; and otherwise to provide with respect thereto. COMMISSIONER NEWSOM
8. A Resolution electing the Plaquemines Port, Harbor & Terminal District Chairperson for 2024; and otherwise to provide with respect thereto. COMMISSIONER NEWSOM

Commissioner Guey moved to Agenda Item 6a, “Ordinances and Public Hearings pursuant to Article 6, Section 6.01 E of the Plaquemines Parish Charter”. Without objection, so ordered.

Commissioner Guey offered Agenda Item 6a(3) with changes.

ORDINANCE NO. 23-157

The following Ordinance was offered by Commissioner Guey who moved its adoption:

An Ordinance authorizing and directing Charles D. Tillotson, Executive Director of the Plaquemines Port Harbor & Terminal District (the “Port”) to have the Port’s Legal counsel file a petition pursuant to the Louisiana Constitution, La. R.S. 19:2.1, et seq., as well as all other applicable laws, and to expropriate via a “taking”, that certain land, owned by Celeste D. Ancar, or their successor(s) in title, which property is commonly referred to as LOT 7, totaling 4.0 acres and with a legal description of LOT 7, POINTE CELESTE FARMS, PHASE II - 200’ X 880.0’ X 890.0’ X 200’, with the more formal legal description of said property attached hereto as Exhibit “A”; and otherwise to provide with respect thereto.

DIGEST: The Port continues to move forward in purchasing what it has identified as the “Piano Keys” for the growth and economic expansion of the Port. At this time, the Port seeks to purchase Lot 7 owned by Celeste D. Ancar. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

WHEREAS, Property Owner Celeste D. Ancar, at the time of introduction of this Ordinance believed to be the owners of property (the “Property”), contiguous to certain properties acquired by the Plaquemines Port, Harbor and Terminal District; and

WHEREAS, the Port has determined that there is a need and opportunity, and it will be in the public interest, to expand its current holdings of immovable property in Plaquemines Parish for the purpose of facilitating and expanding development. This expropriation, therefore, is in alignment with the Port’s mission of growing its economic capabilities and thus will benefit the public interest by continuing to build a foundation of Plaquemines Parish’s economic recovery and growth through revenues and jobs being brought into the community; and

WHEREAS, the Plaquemines Parish Council as the sole governing authority of the Plaquemines Port Harbor, and Terminal District seeks to authorize and direct Plaquemines Port, Harbor and Terminal District, through Charles Tillotson, Executive Director to have its legal counsel file the appropriate suit, pursuant to the Louisiana Constitution, La. R.S. 19:2.1, et seq., as well as all other applicable laws, and to expropriate, via a “taking”, the Property, more fully described in attached Exhibit “A”, and which is currently owned by Celeste D. Ancar, or their successor(s) in title thereto; and

WHEREAS, a formal appraisal of the Property, currently owned by Celeste D. Ancar, or their successor in title, has been conducted; and

WHEREAS, the appraised value of the Property for expropriation purposes has been determined; and

WHEREAS, the taking of said Property is both necessary and useful for the purposes for which the Port was created;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR AND TERMINAL DISTRICT THAT:

SECTION 1

The Plaquemines Parish Council, as the sole governing authority of the Plaquemines Port Harbor, and Terminal District, hereby declares, as required by law, that the taking of said Property is both necessary and useful for the purposes for which the Port was created, namely, but not necessarily limited to the following public purposes: (1) in order to induce and encourage economic expansion within the Port’s District, which is co-extensive with the boundary lines of Plaquemines Parish, and which would have a positive economic impact upon the Port, Plaquemines Parish, and thereby the State of Louisiana; (2) to facilitate the operation of Plaquemines Port, Harbor and Terminal District.

SECTION 2

The Plaquemines Parish Council, as the sole governing authority of the Plaquemines Port Harbor, and Terminal District, hereby authorizes and directs Charles Tillotson, Executive Director of the Plaquemines Port Harbor & Terminal District (the “Port”) to have the Port’s legal counsel file a petition pursuant to the Louisiana Constitution, La. R.S. 19:2.1, et seq., as well as all other applicable laws, and to expropriate via a “taking”, that certain property (the “Property”), owned by Celeste D. Ancar, or their successor(s) in title, which Property is commonly referred to as LOT 7, totaling 4 acres, as further described on the legal description of said Property attached hereto as Exhibit “A”, for purchase price of One Hundred Seventeen Thousand Six Hundred and no/100 DOLLARS (\$117,600), from the Port Land Fund as authorized by the Plaquemines Parish Council.

SECTION 3

The Plaquemines Port, Harbor and Terminal District “2023 Year Capital Improvement Budget” is hereby amended by appropriating \$117,600.00 for the expropriation, not including any expropriation costs, hiring of consultants, and litigation costs, other than legal fees, of the Property.

SECTION 4

The Secretary of this Council is hereby authorized and directed to immediately certify and release this Ordinance and that Port employees and officials are authorized to carry out the purposes of this Ordinance, both without further reading and approval by the Plaquemines Parish Council.

Commissioner Champagne seconded the motion to adopt the Ordinance.

The foregoing Ordinance having been submitted to a vote, the vote resulted as follows:

YEAS: Commissioners Brian Champagne, Chris Schulz, Stuart J. Guey, Patricia McCarty and Ronnie Newsom,

NAYS: Commissioners Tyronne Edwards, Carlton M. LaFrance, Sr., Mitch Jurisich and Mark Cognevich

ABSENT: None

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 12th day of October, 2023.

ORDINANCE NO. 23-158

The following Ordinance was offered by Commissioner Guey who moved its adoption:

An Ordinance authorizing and directing Charles D. Tillotson, Executive Director of the Plaquemines Port Harbor & Terminal District (the “Port”) to have the Port’s Legal counsel file a petition pursuant to the Louisiana Constitution, La. R.S. 19:2.1, et seq., as well as all other applicable laws, and to expropriate via a “taking”, that certain land, owned by Tuan Nguyen, or their successor(s) in title, which property is commonly referred to as LOTS 55 & 56, totaling 29.39 acres and with a legal description of LOT 55, POINT CELESTE FARMS S/D, PHASE II - 354' FRONT ON HWY 23 X 1,710.11' X 353.94' X 1,705.78' and LOT 56, POINTE CELESTE FARMS, PHASE II - 395' FRONT ON HWY 23 X 1,714.94' X 1,710.11' X 394.93', with the more formal legal description of said property attached hereto as Exhibit “A”; and otherwise to provide with respect thereto.

DIGEST: The Port continues to move forward in purchasing what it has identified as the “Piano Keys” for the growth and economic expansion of the Port. At this time, the Port seeks to purchase Lots 55 & 56 owed by Tuan Nguyen. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

WHEREAS, Property Owner Tuan Nguyen are at the time of introduction of this Ordinance believed to be the owners of property (the “Property”), contiguous to certain properties acquired by the Plaquemines Port, Harbor and Terminal District; and

WHEREAS, the Port has determined that there is a need and opportunity, and it will be in the public interest, to expand its current holdings of immovable property in Plaquemines Parish for the purpose of facilitating and expanding development. This expropriation, therefore, is in alignment with the Port’s mission of growing its economic capabilities and thus will benefit the public interest by continuing to build a foundation of Plaquemines Parish’s economic recovery and growth through revenues and jobs being brought into the community; and

WHEREAS, the Plaquemines Parish Council as the sole governing authority of the Plaquemines Port Harbor, and Terminal District seeks to authorize and direct Plaquemines Port, Harbor and Terminal District, through Charles Tillotson, Executive Director to have its legal counsel file the appropriate suit, pursuant to the Louisiana Constitution, La. R.S. 19:2.1, et seq., as well as all other applicable laws, and to expropriate, via a “taking”, the Property, more fully described in attached Exhibit “A”, and which is currently owned by Tuan Nguyen, or their successor(s) in title thereto; and

WHEREAS, a formal appraisal of the Property, currently owned by Tuan Nguyen, or their successor in title, has been conducted; and

WHEREAS, the appraised value of the Property for expropriation purposes has been determined; and

WHEREAS, the taking of said Property is both necessary and useful for the purposes for which the Port was created;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL, AS THE SOLE GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR AND TERMINAL DISTRICT, THAT:

SECTION 1

The Plaquemines Parish Council, as the sole governing authority of the Plaquemines Port Harbor, and Terminal District, hereby declares, as required by law, that the taking of said Property is both necessary and useful for the purposes for which the Port was created, namely, but not necessarily limited to the following public purposes: (1) in order to induce and encourage economic expansion within the Port’s District, which is co-extensive with the boundary lines of Plaquemines Parish, and which would have a positive economic impact upon the Port, Plaquemines Parish, and thereby the State of Louisiana; (2) to facilitate the operation of Plaquemines Port, Harbor and Terminal District.

SECTION 2

The Plaquemines Parish Council, as the sole governing authority of the Plaquemines Port Harbor, and Terminal District, hereby authorizes and directs Charles Tillotson, Executive Director of the Plaquemines Port Harbor & Terminal District (the “Port”) to have the Port’s legal counsel file a petition pursuant to the Louisiana Constitution, La. R.S. 19:2.1, et seq., as well as all other applicable laws, and to expropriate via a “taking”, that certain property (the “Property”), owned Tuan Nguyen, or their successor(s) in title, which Property is commonly referred to as LOTS 55 & 56, totaling 29.39 acres, as further described on the legal description of said Property attached hereto as Exhibit “A”, for purchase price of Four Hundred Forty One Thousand Six Hundred and no/100 (\$441,600.00), from the Port Land Fund as authorized by the Plaquemines Parish Council.

SECTION 3

The Plaquemines Port, Harbor and Terminal District “2023 Year Capital Improvement Budget” is hereby amended by appropriating \$441,600.00 for the expropriation, not including any expropriation costs, hiring of consultants, and litigation costs, other than legal fees, of the Property.

SECTION 4

The Secretary of this Council is hereby authorized and directed to immediately certify and release this Ordinance and that Port employees and officials are authorized to carry out the purposes of this Ordinance, both without further reading and approval by the Plaquemines Parish Council.

Commissioner Champagne seconded the motion to adopt the Ordinance.

The foregoing Ordinance having been submitted to a vote, the vote resulted as follows:

YEAS: Commissioners Brian Champagne, Chris Schulz, Stuart J. Guey, Patricia McCarty and Ronnie Newsom,

NAYS: Commissioners Tyronne Edwards, Carlton M. LaFrance, Sr., Mitch Jurisich and Mark Cognevich

ABSENT: None

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 12th day of October, 2023.

ORDINANCE NO. 23-159

The following Ordinance was offered by Commissioner Guey who moved its adoption:

An Ordinance authorizing Charles Tillotson, Executive Director of Plaquemines Port, Harbor and Terminal District to purchase land owned by Norman Rouse; and otherwise to provide with respect thereto.

DIGEST: The Port is working to finish the acquisition of the “piano keys” properties for Port development. The Port is seeking approval to move forward with the purchase of Lot 53, currently owned by Norman Rouse. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

WHEREAS, through negotiations with Rouse, a recommendation is being made to approve the acquisition of property owned by Rouse, known as one of the “piano keys”; and

WHEREAS, the negotiations between Rouse and the Port recognize a total recommended purchase price of said property for \$252,000 for Lot 53, Pointe Celeste Farms S/D, currently owned by Rouse;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR & TERMINAL DISTRICT THAT:

SECTION 1

It hereby authorizes and directs Charles Tillotson, Executive Director of the Plaquemines Port, Harbor and Terminal District, to acquire the land owned by Norman Rouse, more fully described by the legal description attached hereto as Exhibit “A.”

SECTION 2

The acquisition shall be for a purchase price of \$252,000 plus closing cost from the Port Land Fund for the transfer of ownership of the land at Lot 53, Pointe Celeste Farms S/D, currently owned by Norman Rouse, to the Plaquemines Port, Harbor and Terminal District.

SECTION 3

The Secretary of this Council is hereby authorized and directed to immediately certify and release this Ordinance and that Port employees and officials are authorized to carry out the purposes of this Ordinance, both without further reading and approval by the Plaquemines Parish Council.

Commissioner Champagne seconded the motion to adopt the Ordinance.

The foregoing Ordinance having been submitted to a vote, the vote resulted as follows:

YEAS: Commissioners Tyronne Edwards, Brian Champagne, Chris Schulz, Stuart J. Guey, Patricia McCarty and Ronnie Newsom,

NAYS: Commissioners Carlton M. LaFrance, Sr., Mitch Jurisich and Mark Cognevich

ABSENT: None

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 12th day of October, 2023.

RESOLUTION NO. 23-284

On motion of Commissioner Guey, second by Commissioner LaFrance, and on roll call all members present and voting “YES”, the following Resolution was adopted:

A Resolution authorizing and directing Port Executive Director, Charles D. Tillotson, to enter into discussions with the Plaquemines Parish Government concerning the transfer of Bond Funds, identified previously by the Plaquemines Parish Government for replacement of the ferry ramps; and otherwise to provide with respect thereto.

Digest: Within Ordinance 21-116, PPG authorized and directed the former Port Executive Director, Maynard J. Sanders, to enter into a Cooperative Endeavor Agreement with the Plaquemines Parish Government for the transfer of certain rights, obligations, liabilities, and assets related to ferry services. At that time, bond funds secured by the Parish were to be specifically allocated to the Port for the replacement of the ferry ramps. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

WHEREAS, pursuant to LRS 34:1360, the Plaquemines Port, Harbor and Terminal District is empowered to own and have charge of, to administer, construct, operate and maintain wharves, warehouses, landings, docks, sheds, belt and connection railroads, shipways, canals, channels, slips, basins, locks, elevators and other structures and facilities necessary and proper for the use and development of the business of such district, including buildings and equipment for the accommodation of passengers and those used in the handling, storage, transportation and delivery of freight, express and mail within the District; and

WHEREAS, following the approval of Ordinance 21-116, it was the Port's appreciation that specified bond funds secured in 2020 by the Parish would be transferred to the Port for replacement of the ferry ramps; and

WHEREAS, those funds were never transferred to the Port, following the transference of the Ferries from the Parish to the Port; and

WHEREAS, Port administration is requesting that those specified bond funds be relocated or transferred to the Port, as originally agreed upon;

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL, AS THE SOLE GOVERNING AUTHORITY FOR THE PLAQUEMINES PORT, HARBOR AND TERMINAL DISTRICT THAT It hereby authorizes and directs Port Executive Director, Charles D. Tillotson, to enter into discussions with the Plaquemines Parish Government concerning the reallocation of the bond funds, identified previously by the Plaquemines Parish Government for replacement of the ferry ramps.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL, AS THE SOLE GOVERNING AUTHORITY FOR THE PLAQUEMINES PORT, HARBOR AND TERMINAL DISTRICT THAT The Secretary of this Council is hereby authorized and directed to immediately certify and release this Resolution and that Port officials and employees are authorized to carry out the purposes of this Resolution, both without further reading and approval by the Plaquemines Parish Council.

Commissioner Guey offered Agenda Item 6d with changes. Commissioner Newsom offered the following Amendment..

MOTION FOR AMENDMENT

Commissioner Newsom offered an amendment to remove information from the Ordinance as introduced with changes. The language that was removed was as follows:

- Line 13 after “eligible Port classified employes-end the sentence and add a semi-colon.
- Line 13 and 14 removed the language “and to grant a 5% cost of living increase to eligible unclassified employees; and”.
- Remove the entirety of Section 2 wherein the 5% cost of living increase to eligible unclassified employees was removed.
- On Line 40, the language in reference to fund a 5% cost of living increase to eligible unclassified employes was removed.

Commissioner Cognevich seconded the Motion for Amendment and on roll call, all members present voting “YES”, except Commissioners Edwards, Champagne, Guey, McCarty, LaFrance, Jurisich and Cognevich who voted “NO”, the Amendment FAILED by a vote of 7-2.

ORDINANCE NO. 23-160

The following Ordinance was offered by Commissioner Guey who moved its adoption:

An Ordinance to amend the Port, Harbor & Terminal District's 2023 Operating Expenditure Budget, various divisions, various line items for changes in personal service costs; and otherwise to provide with respect thereto.

DIGEST: An ordinance to approve and adopt the special one-time merit increase and a special one-time pay plan adjustment for classified employees as approved by the Civil Service Commission. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

WHEREAS, due to the extreme difficulties the Port has experienced filling vacant positions and due to the continued rise in inflation and cost of living, it is the desire of the Plaquemines Parish Port Commission and Port Administration to grant a special one-time merit increase and a special one-time pay plan adjustment to eligible Port classified employees, and to grant a 5% cost-of-living increase to eligible unclassified employees; and

WHEREAS, the Civil Service Commission approved a special one-time merit increase and special one-time pay plan adjustment and implementation plan on September 20, 2023; and

WHEREAS, the Plaquemines Parish Council as the sole governing authority of the Plaquemines Port, Harbor & Terminal District concurs with and approves the action adopted by the Civil Service Commission; and

WHEREAS, the special one-time merit increase and special one-time pay plan adjustment, the cost-of living increase, and the other salary adjustments will be funded ~~through transfers~~ within the current personal services budgets from funds available due to vacant positions;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR & TERMINAL DISTRICT THAT:

SECTION 1

It approves and adopts the special one-time merit increase and special one-time pay plan adjustment and implementation plan, for eligible classified employees, as approved by the Civil Service Commission on September 20, 2023.

SECTION 2

It approves a 5% cost-of-living increase to be granted to eligible unclassified employees.

SECTION 3

The special one-time merit increase and a special one-time pay plan adjustment for classified employees, the 5% cost of living increase for unclassified employees and other pay adjustments will be effective 30 days after approval by the Port Commission and be implemented on the first day of the pay period immediately following the effective date.

SECTION 4

The Secretary of this Council is hereby authorized and directed to immediately certify and release this Ordinance and that Port employees and officials are authorized to carry out the purposes of this Ordinance, both without further reading and approval by the Plaquemines Parish Council.

Commissioner Edwards seconded the motion to adopt the Ordinance.

The foregoing Ordinance having been submitted to a vote, the vote resulted as follows:

YEAS: Commissioners Tyronne Edwards, Brian Champagne, Chris Schulz, Stuart J. Guey, Patricia McCarty, Ronnie Newsom, Carlton M. LaFrance, Sr., Mitch Jurisich and Mark Cognevich

NAYS: None

ABSENT: None

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 12th day of October, 2023.

Commissioner Guey moved to Agenda Item 8, "Approval of minutes". Without objection, so ordered.

RESOLUTION NO. 23-285

On motion of Commissioner LaFrance, seconded by Commissioner Jurisich and on roll call all members present and voting "YES", the following Resolution was adopted:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR & TERMINAL DISTRICT THAT it hereby approves the minutes of the September 28, 2023, regular Port Meeting, as recorded by the Secretary of this Council.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR & TERMINAL DISTRICT THAT the Secretary of this Council is hereby authorized and directed to immediately certify and release this Resolution and that Parish employees and officials are authorized to carry out the purposes of this Resolution.

There being no further business to come before this Council, on motion Commissioner LaFrance, seconded by Commissioner Newsom, and on roll call all members present voting "YES, the meeting adjourned at 5:47 p.m.

Chairman

Secretary

For a full transcript of discussions and presentations a video of this meeting is available for viewing on the Parish website www.plaqueminesparish.com or on YouTube.