

Vinton, Louisiana  
March 12, 2024

The President and Board of Commissioners of the Vinton Harbor and Terminal District met in regular session on Tuesday, March 12, 2024, at 1203 Horridge Street, Vinton, Louisiana, at 6:00 P.M. after full compliance with all requirements as to notice and otherwise in respect to convening of said meeting with the following members present:

Jerry Merchant, President  
Haley Bellard, Commissioner  
Charles Broussard, Commissioner  
Steven L. Jennings, Commissioner  
Alexis Morrow, Commissioner

ABSENT: None

ALSO PRESENT: David Bruchhaus, Attorney and Lee Lancon, Engineer

President Merchant called the meeting to order. Commissioner Jennings led in prayer and then followed the Pledge of Allegiance.

It was moved by Commissioner Bellard that minutes of prior meeting, copies of which were mailed to each commissioner be approved as written. The motion was seconded by Commissioner Morrow and carried.

Bills for the month were approved upon a motion by Commissioner Jennings, seconded by Commissioner Broussard and carried.

It was moved by Commissioner Broussard and seconded by Commissioner Morrow that the financial statements for February 29, 2024, be approved as presented. Motion carried.

FINANCIAL STATEMENT FOR MONTH ENDING February 29, 2024	
BALANCE FORWARD	\$802,637.41
RECIEPTS:	\$ 23,088.48
DISBURSEMENTS	\$107,561.84
BALANCE AS OF 02/29/2024	\$718,164.05

Jerry Merchant, President gave the monthly President's report.

Lee Lancon, Engineer gave the monthly Engineer's report.

David Bruchhaus, Board Attorney gave an update on pending legal issues. He discussed recent changes by the Attorney General Office regarding contingency fees and offered the following Resolution for consideration.

## **RESOLUTION OF THE VINTON HARBOR AND TERMINAL DISTRICT**

WHEREAS, the Vinton Harbor and Terminal District does not have available to it the expertise or the resources needed to handle and fund litigation against various oil and gas companies for environmental contamination, damages, and remediation resulting from historical oil and gas exploration and production activities on land owned by Vinton Harbor and Terminal District in Calcasieu Parish, Louisiana.

WHEREAS, the scope of this legal representation does not involve federal claims.

WHEREAS, a real necessity exists that independent counsel be employed by the Vinton Harbor and Terminal District for the limited purpose of representing the Vinton Harbor and Terminal District by investigation and filing suit on behalf of Vinton Harbor and Terminal District against various oil and gas companies for environmental contamination, damages, and remediation resulting from historical oil and gas exploration and production activities on land owned by Vinton Harbor and Terminal District in Calcasieu Parish, Louisiana.

IT IS RESOLVED that MUDD, BRUCHHAUS and KEATING, L.L.C. and TALBOT CARMOUCHE & MARCELLO, attorneys practicing in Louisiana, be employed by the Vinton Harbor and Terminal District for the limited purpose of representing the Vinton Harbor and Terminal District by investigation and filing suit against various oil and gas companies for environmental contamination, damages, and remediation resulting from historical oil and gas exploration and production activities on land owned by Vinton Harbor and Terminal District in Calcasieu Parish, Louisiana.

IT IS FURTHER RESOLVED that attorneys shall be compensated on a contingency fee of twenty-five percent (25%), before deduction of expenses, of any amounts recovered by attorneys on behalf of the client whether in settlement, before trial, during trial, after trial, by judgment, or on appeal. The aforementioned contingency fee shall be split equally (50% / 50%) between MUDD, BRUCHHAUS and KEATING, L.L.C. and TALBOT CARMOUCHE & MARCELLO. It is understood and agreed that this employment is upon a contingency fee basis and, if no recovery is made, Vinton Harbor and Terminal District will not be indebted to the Attorneys for any sum whatsoever as Attorney's Fees. In addition to paying Attorney's Fees, Vinton Harbor and Terminal District agrees to pay all costs and expenses in connection with Attorney's handling of this matter in the event of a recovery. Costs and expenses shall include deposition costs, federal express charges, private investigator fees, expert witness fees, court costs, sheriff's service costs, and jury costs. If no recovery is made, Client shall not be responsible for any litigation expenses.

IT IS FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Honorable Liz Murrill, Attorney General for the State of Louisiana, for his review and approval of this resolution all pursuant to R. S. 42:263.

The above resolution was introduced on March 12, 2024 by Commissioner Bellard, seconded by Commissioner Morrow and the vote thereon was as follows:

<u>COMMISSIONER</u>	<u>YEA</u>	<u>NAY</u>	<u>ABSTAIN</u>
Commissioner Bellard	X		
Commissioner Broussard	X		
Commissioner Jennings	X		
Commissioner Merchant	X		
Commissioner Morrow	X		

ATTEST:

\_\_\_\_\_  
Mudd, Bruchhaus and Keating, L.L.C.  
Date: \_\_\_\_\_

\_\_\_\_\_  
Vinton Harbor and Terminal District  
Date: \_\_\_\_\_

\_\_\_\_\_  
Talbot Carmouche and Marcello  
Date: \_\_\_\_\_

Attorney Bruchhaus also discussed with the board a proposed option lease for Tracts 7, 10 and 11.

After discussion, it was moved by Commissioner Bellard to authorize the attorney to continue negotiations on the proposed option lease of Tract 7, 10 & 11, and authorize the president to sign a letter of intent as negotiated by the attorney. The motion was seconded by Commissioner Morrow and carried.

There being no further business to come before the Governing Authority, it was moved by Commissioner Broussard that the meeting be adjourned. The motion was seconded by Commissioner Bellard and carried.

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Jerry Merchant, President

Attest:

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Mary O. Vice, Clerk