

# MISSISSIPPI PORT AUTHORITY

## BOARD OF COMMISSIONERS

### REGULAR MEETING

**January 14, 2013**

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Minutes of the Mississippi State Port Authority Board of Commissioners Meeting,  
Monday, January 14, 2013, 2510 14<sup>th</sup> Street, Suite 1500, Gulfport, Mississippi at which  
the following Commissioners and staff were present:

Commissioners: James C. Simpson, Jr., President  
John Rester, Vice-President  
E.J. Roberts, Treasurer  
Robert J. Knesal, Commissioner

Staff: Matt Wypyski, Interim Executive Director & C.E.O.  
Joe Conn, Director of Port Restoration  
John Webb, Deputy Director - Engineering  
Dale Waltman, Deputy Director - Operations  
Bill McGhee, Deputy Director - Facilities  
Mary Bourdin, Deputy Director - Finance  
Van Grundmann, Chief Commercial Officer  
Kim Purchner, Executive Assistant/HRO  
Angie Shortt, Contract Administrator  
Nick Foto, Finance Manager  
Sharon Hodge, Compliance Manager

David Duhe, Legal Counsel

Others: Denton Gibbes, The Gibbes Company  
Lisa Hathorn, The Gibbes Company  
Lon Elledge, CH2MHill  
Jay Carney, T.L. Wallace  
Howard Page, Steps Coalition  
John Oliver, QES  
Chuck Graham, Chiquita  
Duane Wilson, DuPont  
Bruce Newton, Digital Engineering  
Violetta Cisotto, Digital Engineering  
David Bowman, Neel-Schaffer  
Mark McDaniel, Yates Anderson  
Anthony Thompson, Kingdom ICDC/COAAC  
Shane Imbert, Yates Anderson  
Gary Pitcovich, Ports America  
Bo Etheridge, Shoreline Development  
Christine Brice, Election Committee  
Richard Marsh, North Gulfport Civic Club  
Christiana Hassin, Watkins & Eager  
Roberta Avila, Steps Coalition  
Michael Wren, MWA  
Derek Barrentine, S&B Infrastructure  
Randall Love, T.L. Wallace  
Brian Varnado, T.L. Wallace  
Warren Poarch, S&B Infrastructure  
Phillip Carter, MDA  
Todd Stockberger, CH2MHill  
Daron Wilson, MDA

Rick Singley, Singley Maritime Consulting  
Greg Schruoff, SSA Marine  
Cathy McKenzie, Island View  
Priscilla Loenbenberg, Sun Herald  
Truck Casey, Gulfport Councilman

Commissioner Simpson noted the presence of a quorum and called the meeting to order at approximately 8:30 a.m.

The Pledge of Allegiance was led by Commissioner Simpson.

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PUBLIC COMMENTS:

Michael Wren gave statistics about the history of freezers on the port. Mr. Wren was employed with the company who built the first freezer and was really happy to hear the new discussion regarding the erection of a freezer.

Howard Page, Steps Coalition likes to hear talk of building a freezer but does not want it located on the 33rd Street property. Mr. Page also doesn't want that property used as an evacuation site and spoke of environmental issues on the 33rd Street property.

Ken "Truck" Casey, Councilman for the City of Gulfport commented that a public meeting should take place before a decision is made regarding location of a freezer on the 33rd Street property. He asked that the city appointed Commissioner, E.J. Roberts let him know beforehand when issues come up regarding neighborhoods in his ward. He also requested a TWIC escort card.

Richard Marsh, NAACP & Gulfport Civic Club stated that in 1998, it was suggested that the inland port was suggested to be north of I-10 and he would like to know why that can't be the case today.

Christine Brice, Election Commissioner commented on her concern for the 20,000 people in her district and doesn't want a decision be made today regarding the location of the freezer.

Bishop Thompson, Coalition of African Americans would like a committee formed where experts and community members get together to come to a mutual decision regarding the freezer/evacuation property.

Roberta Avila, STEPS & Port Coalition also asked the Commission to not vote today on putting a freezer on the 33rd Street property. She also stressed that the STEPS Coalition is not against the restoration of the port but wants it done in a safe, healthy way.

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Commissioner Roberts moved to approve the December 19th and January 3rd minutes. Commissioner Rester seconded and the motion was unanimously approved.

Commissioner Rester moved to approve the travel request (Wypyski, Knesal, Simpson, Roberts to Jackson, MS; Wypyski, Grundmann, Waltman & Rester to Tampa, FL). Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Roberts moved to approve the disbursements listed below. Commissioner Rester seconded and the motion was unanimously approved.

DISBURSEMENTS THROUGH DECEMBER 21, 2012

BILLS FOR THE MONTHS OF DECEMBER 2012 AND JANUARY 2013 APPROVED AND PAID  
FROM THE GROSS REVENUE FUND OF THE MS STATE PORT AUTHORITY AT GULFPORT

CHK#	VENDOR	DESCRIPTION	CHK AMT
46469	AFLAC	Employee Deductions	998.58

46470	State School Insurance Fund	Employee Deductions	11,943.44
46471	Emerald TC. LLC	Accounting Software Conversion Services	185.00
46472	Hancock Bank	January Lease 14th Floor	14,432.24
46473	Harbor Square Parking Garage	Quarterly Parking 14th Floor	2,666.34
46474	Harrison County Tax Collector	2012 Property Taxes	4,675.05
46475	Hancock Bank	January Lease 8th Floor	5,241.35
46476	Harbor Square Parking Garage	Quarterly Parking 8th Floor	672.90
46477	Bob Wortel	Payroll Advance	300.00
46478	MS Department of Human Services	Employee Deductions	117.70
46479	MS Pub. Employees Credit Union	Employee Deductions	440.00
46480	Legal Shield	Employee Deductions	14.96
46481	Kim Purchner	Mileage Reimbursement	23.10
46482	Roskopf Electrical Supply Co.	Replacement Bulbs for High Mast Lights	972.00
46483	United Concordia, Inc.	Employee Deductions	805.37
46484	Matthew Wypyski	Tuition Reimbursement & Business Expense	1,173.60
Total			<u>\$ 44,661.63</u>

FINAL CHECKLIST FOR JANUARY 14, 2013

BILLS FOR THE MONTHS OF DECEMBER 2012 AND JANUARY 2013 APPROVED AND PAID  
FROM THE GROSS REVENUE FUND OF THE MS STATE PORT AUTHORITY AT GULFPORT

CHK#	VENDOR	DESCRIPTION	CHK AMT
46485	American Assoc. of Port Auth.	Registration Fees	1,190.00
46486	Kentwood Springs	Drinking Water	124.72
46487	Donald R. Allee	Consulting Services	20,865.00
46488	American Express - BTA	Travel Expenses	1,952.40
46489	AT&T Mobility	Cell Phone Services	101.15
46490	Battery Sales & Service	Battery for Unit # 25	58.43
46491	AT&T	Telephone Services	1,882.78
46493	Bonds Services, Inc.	Janitorial Services	1,050.00
46495	City of Gulfport	Water	5,057.74
46496	RJ Young	Copier Maintenance Agreements	1,063.17
46497	C Spire Wireless	Radio/Cell Phone Service	1,131.07
46499	Delta Sanitation of MS., LLC	Waste Removal/Portable Restroom Services	953.00
46500	Federal Express Corp.	Express Mail Services	577.51
46501	Fuelman	Fuel for MSPA Vehicles	234.93
46502	G-Neil Company	Office Supplies	65.16
46503	Great Southern Club	Monthly Dues and Business Expenses	575.13
46504	Gulf Coast Business Supply, Inc.	Office Supplies	16.95
46505	Gulfport Yacht Club	Business Expenses	64.03
46506	J. H. Haynes Electric Company, Inc.	Repair East Pier Lift Station	84.00
46507	UBM Global Trade, Inc.	Marketing Data Subscriptions	2,705.00
46508	Robert J. Knesal	Per Diem and TWIC Card Reimbursement	209.75
46510	Lockheed Martin	TWIC Card for Sharon Hodge	129.75
46511	Lowe's Home Center, Inc.	Supplies for New Operations Trailer	175.53
46512	Traffic & Transportation Club	Membership Dues	50.00
46513	Modular Space Corporation	Chiquita Trailer Rental and Final Charges	924.80
46514	Lucille Morgan, CSR	Transcription Fees	546.50
46515	MS Department of Human Services	Employee Deductions	117.70
46516	MS Mgmt. & Reporting System	MMRS Charges	92.50
46517	MS Power Company	Electricity	24,387.48
46518	MS Pub. Employees Credit Union	Employee Deductions	440.00
46519	MS Power Company	Electricity	73.41
46520	MS State Tax Commission	Employee Deductions	5,066.00

46522	Eluse J. Roberts	Per Diem	40.00
46524	Roskopf Electrical Supply Co.	Parts to Repair Lift Station Shed 53	188.00
46525	Rose Office Systems, Inc.	Crowley and Maintenance Trailer Rentals	1,847.00
46526	Seal Electrical, Inc.	Connect Power to New Operations Trailer	468.20
46527	Security Blanket, Inc.	Move Phone Equipment to New Ops. Trailer	935.00
46528	James C. Simpson, Jr.	Per Diem	80.00
46529	Southern Admin. and Benefits	2013 Unreimbursed Medical	650.00
46530	Southern Admin. and Benefits	Monthly Service Fee	200.00
46531	State Dept. of Audit	Statewide Testwork	53.40
46532	The Sun Herald	Advertising	766.08
46533	Swetman Security Services, Inc.	Security Guard Services	44,307.64
46534	The Tree House, Inc.	Toner Cartridges for Printers	601.96
46535	WalMart Community	Maintenance Supplies	80.64
46536	Matthew Wypyski	Business Expense	35.92

TRANSFERS

12/26/12	Deferred Compensation	Employee Deductions	4,141.67
12/27/12	Public Employment Retirement	Retirement Match and Withheld	34,649.17
12/28/12	Federal Tax Deposit	Payroll Tax Deposit	16,427.74
01/10/13	Deferred Compensation	Employee Deductions	2,641.67
01/11/13	Federal Tax Deposit	Payroll Tax Deposit	20,174.05
01/11/13	MS Department of Revenue	December Sales Tax Payment	3,964.00

Total \$ 204,217.73

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Commissioner Knesal moved to approve the Port User Licenses, pending receipt of all fees and insurance documents. Commissioner Roberts seconded and the motion was unanimously approved.

The following items were approved:

RENEWAL LICENSES:

Vendors: Aztec Maritime Services, Inc. (SSA); Midstream Fuel Service; Americas Escort Service

Commissioner Rester moved to approve the following cash request:

#49 - MSPA (\$109,645.23); Archer Western (\$2,233,197.66); W. C. Fore (\$1,259,823.41); Neel Schaffer (\$404,245.42); QES (\$40,568.53); Yates Anderson JV (\$133,375.36); Thompson Engineering (\$61,905.82); Michael Baker (\$5,889.94); Atkins (\$40,338.46); Anchor QEA (\$162,761.96); CH2MHill (\$298,995.30) for a total of \$4,750,747.09. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Roberts moved to approve the following progress payments: Balch & Bingham (\$40,078.65); BMA (\$10,504.50); BMI Environmental Services (\$5,635.00); Dan Hensarling, Inc. (\$26,616.65); Lanier & Associates (\$24,902.35); QES (\$1,981.00); Rod Cooke Construction (\$170,290.65). Commissioner Rester seconded and the motion was unanimously approved.

OLD BUSINESS:

Commissioner Rester moved to approve a Notice of Completion for Contract No. 12-EN-01 with Dan Hensarling, Inc. for work associated with the new Chiquita M&R and Office Building project. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Rester moved to approve Amendment No. 2 to Contract No. 010-HUD-011 with Anchor QEA (Dredging Design & Services). Amendment No. 2 escalates the contracted rates by approximately 2.5%. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Rester moved to approve Change Order No. 6 to Contract No. 012-HUD-016; Archer Western (24 Acre Dredge & Fill). This modification is to reallocate the funding of unused quantities listed on the project schedule towards a new line item that allows for sand fill material to delivered and placed via truck. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Rester moved to cancel previously approved Change Order No. 4 to Contract No. 012-HUD-016; Archer Western (24 Acre Dredge & Fill). Change Order No. 4 was to predrill and install 2,300,000 LF of prefabricated vertical drain on the West Pier. Commissioner Roberts seconded and the motion was unanimously approved.

#### NEW BUSINESS:

Commissioner Rester moved to approve Task Order No. 11 with Anchor QEA; Contract No. 010-HUD-011 (Dredging Design & Services). The task order value is \$90,700.00 and the task order duration is 182 days. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Rester moved to approve Change Order No. 7 to Contract No. 012-HUD-016; Archer Western (24 Acre Dredge & Fill). Change Order No. 7 adds 20 days to the contract and increases the cost by \$1,540,855.15. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Roberts moved to approve Task Assignment No. 3 to Contract No. 13-EN-02 with Brown, Mitchell & Alexander. Proposed funding for this task assignment is not to exceed \$24,500.00. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Rester moved to authorize the initiation of preliminary planning and engineering for a proposed evacuation site on the 33rd Street property. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Rester moved to authorize the initiation of preliminary planning and engineering for a proposed freezer storage facility on the 33rd Street property. Commissioner Roberts seconded and the motion was unanimously approved.

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#### PORT RESTORATION UPDATE:

An elevation update was given and there are plans to meet with the DFA flood plain manager regarding said elevation. We are proceeding with a maximum elevation of 14 feet with tapering in areas.

Meetings have been held with all tenants and site layouts have been discussed with each.

A large number of responses have been received for the Workforce Development Coordinator RFP. The deadline is January 22nd. We will have a special meeting if necessary.

The wharf upgrade is now at 100% design and expect for that to go out on the street in April. The Shoreline Protection package should go out before next Hurricane Season. The Fill Material contract should come to a close sometime prior to the next Board Meeting.

A report was given on Gulf Sturgeon tagging. Monitoring will continue monthly, year-round. Tagging will begin again in the spring when the fish migrate back into the rivers.

EXECUTIVE DIRECTOR'S COMMENTS:

Maintenance dredging began on December 9th and by the completion date of December 26th, 4.2 miles of the channel were at the authorized depth of 36'. The remaining channel is at approximately 33 feet.

Commissioner Simpson and Director Wypyski met with the House and Senate Port Committees in Jackson, prior to the Gulf Coast Legislative Reception. A port update was provided to each group. A meeting was also held with Lt. Gov. Tate Reeves.

The AAPA Shifting International Trade Lanes Conference will take place January 23-25 in Tampa, FL. Various staff will attend, along with Commissioner Rester.

GENERAL COUNSEL'S COMMENTS:

David Duhe had no comments.

MDA'S COMMENTS:

Daron Wilson had no comments.

COMMISSIONERS' COMMENTS:

Commissioner Rester and staff met with Washington consultant, Rick Maldonado for several hours last Friday about what is going on in the capitol city and how it affects our dredging. Commissioner Rester has requested an outline of where we are now and what we need to do as it relates to have continuing discussions with Washington, DC Corps of Engineers, as well as our U.S. Delegation. This is an important issue and relates to where we are now and where we will be in the future.

Commissioner Knesal thanked the staff and Commissioners on getting him prepared to serve as Port Commissioner and to help him become more knowledgeable regarding port issues.

Commissioner Roberts encouraged citizens to speak with legislators about the importance of dredging with regard to the MSPA.

Commissioner Simpson asked the community to be patient and not to always assume the worst when they hear what's happening at the Port. Commissioners and staff are working very hard to involve the community in decision making. He also reported that the PEER Committee is reviewing the Restoration Program and we're glad for that. Commissioner Simpson also stated that a search firm has been hired for the Executive Director search.

COMMUNICATIONS UPDATE:

Several questions and answers have been posted regarding the Workforce Development RFP. The Q&A will close within 10 days of the due date, which is January 22nd at 10:00 a.m.

There were 32,700 visitors to the Port of the Future website last month.

January 31, 2013 is the date for a Port Community Meeting at the Courtyard by Marriott, set for 6:00 – 7:30 p.m. There will also be a Networking and Jobs Fair event and Pathways to the Port Job Program overview from 11:00 a.m. – 2:00 p.m. on that same day.

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Commissioner Rester moved to close the meeting to determine the need for Executive Session. Commissioner Roberts seconded and the motion was unanimously approved.

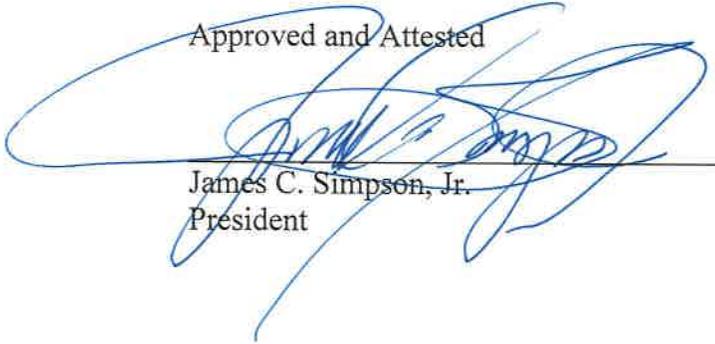
Commissioner Rester moved to enter Executive Session to discuss personnel matters. Commissioner Knesal seconded and the motion was unanimously approved.

(THE BOARD OF COMMISSIONERS ENTERED INTO EXECUTIVE SESSION AT APPROXIMATELY 9:40 A.M.)

Commissioner Simpson stated that no action took place during Executive Session

The meeting adjourned at approximately 11:20 a.m.

Approved and Attested



A large, stylized handwritten signature in blue ink, written over a horizontal line. The signature is highly cursive and difficult to read.

James C. Simpson, Jr.  
President



A handwritten signature in blue ink, written over a horizontal line. The signature is cursive and appears to read 'Jack Norris'.

Jack Norris  
Secretary