

# MISSISSIPPI PORT AUTHORITY

## BOARD OF COMMISSIONERS

### REGULAR MEETING

**June 13, 2013**

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Minutes of the Mississippi State Port Authority Board of Commissioners Meeting, Thursday, June 13, 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  
Jack Norris, Secretary  
E.J. Roberts, Treasurer  
Robert J. Knesal, Commissioner

Staff: Jonathan Daniels, Executive Director/CEO  
Matt Wypyski, Chief Operating Officer  
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  
Kelly Ellison, Administrative Assistant  
Angie Shortt, Contract Administrator  
Sharon Hodge, Compliance Officer

Ben Stone, Legal Counsel  
Teri Wyly, Legal Counsel

Others: Lisa Hathorn, The Gibbes Company  
Lon Elledge, CH2MHill  
Todd Stockberger, CH2MHill  
Brian Varnado, T.L. Wallace  
Chuck Graham, Chiquita  
Duane Wilson, DuPont  
John Oliver, QES  
Christine Brice, Election Committee  
Michael Costelli, Simpkins & Costelli, Inc.  
Christiana Hassin, Watkins & Eager  
Phillip Carter, MDA  
Randall Love, T.L. Wallace  
Greg Schruff, SSA Marine  
Roy Anderson, IV, Roy Anderson Corp.  
Howard Page, Steps Coalition  
Shorty Sneed, Stewart Sneed Hewes  
Daron Wilson, MDA  
Rusty Hilton, MS State Pilots  
Violetta Cisotto, Digital Engineering  
Robert Boone, RFB, LLC  
Heather Megehee, Yates Anderson JV  
Barbara Johnson, Crowley

Brian Geisl, AWC  
 Anthony Thompson, Kingdon ICDC/COAAC  
 J. Caldwell  
 Christiana Hassin, Watkins & Eager  
 Melissa Powell, Horne, LLP  
 Mark Schloegel, Stewart Sneed Hewes  
 Jay Carney, T.L. Wallace  
 Wade Foster, Archer Western  
 Larry Lewis, BMI Environmental  
 Roy Anderson, III, Yates Anderson JV  
 Shane Imbert, Yates Anderson JV  
 Mark McDaniel, Yates Anderson JV  
 Terry Green, Gulfside Casino  
 Richard Bennett, State Representative  
 Jim Peckenpough, Lanier & Associates  
 Todd Bradford, Yates Anderson JV  
 Don Hall, Digital Engineering  
 Cathy Mackenzie, Island View  
 Glenn Cobb, Pathways Committee  
 Inessa Ramsey, CH2MHill  
 Bruce Newton, Digital Engineering

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.

PUBLIC COMMENTS:

Christine Brice, Election Commissioner addressed the Board regarding her concern about jobs.

Howard Page of the Steps Coalition had questions regarding MDA's response to the HUD letter concerning jobs; meeting with the port and having a global discussion about a number of issues; complaints about the port of the future website regarding jobs; questions regarding a number given for TEU's. Mr. Page also asked the Commission to move the public comments to the end of the meeting.

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Commissioner Roberts moved to approve the May 1st, 9th, 15th and 28th minutes. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Rester moved to approve travel (Grundmann to Atlanta; Conn to Destin). Commissioner Roberts seconded and the motion was unanimously approved.

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

DISBURSEMENTS THROUGH MAY 22, 2013  
 BILLS FOR THE MONTHS OF MAY AND JUNE 2013 APPROVED AND PAID  
 FROM THE GROSS REVENUE FUND OF THE MS STATE PORT AUTHORITY AT GULFPORT

CHK #	VENDOR	DESCRIPTION	CHK AMT
46906	AFLAC	Employee Deductions	1,020.46
46907	Apple, Inc.	iPad	499.00
46908	AssetWorks, Inc.	Software Renewal	2,525.00
46909	RJ Young	Copier Machine Maintenance Agreement	1,128.00
46910	C Spire Wireless	Radio/Cell Phone Service	1,453.74

46911	State School Insurance Fund	Employee Deductions	12,343.44
46912	Eagle Energy, Inc.	Diesel	9,316.20
46913	Emerald TC. LLC	Accounting Software Conversion Services	46.25
46914	Federal Express Corp	Express Mail Services	167.24
46915	Ferguson Enterprises, Inc.	Plumbing Supplies	187.00
46916	Fuelman	Fuel for MSPA Vehicles	575.71
46917	The Gibbes Company	Professional Services	22,529.42
46918	Van Grundmann	Travel Expenses	1,118.49
46919	Hancock Bank	June Lease 14th Floor	14,432.24
46920	Hancock Bank	June Lease 8th Floor	5,241.35
46921	Logista	Computer Services	5,334.93
46922	Maritime Defense Strategy, LLC	Security Training	3,450.00
46923	Lucille Morgan & Associates	Transcription Fees	431.50
46924	MS Department of Revenue	Employee Deductions	820.71
46925	MS Dept. of Human Services	Employee Deductions	117.70
46926	MS Pub. Employees Credit Union	Employee Deductions	480.00
46927	MSPA Petty Cash Fund	Replenish Petty Cash	113.27
46928	MS Society of CPAs	Continuing Education	700.00
46929	The Network	Reportline Annual Service Fee	700.00
46930	Airgas USA, LLC	Oxygen Cylinder Rental	41.90
46931	Ports America, Inc.	Maintenance on Cranes	42,239.72
46932	Legal Shield	Employee Deductions	14.96
46933	Ronnie's Automotive & Tow Ser.	Tires and Alignment Unit # 25	863.07
46934	Simplex Grinnell	Annual Fire Pump Test Shed # 16	525.00
46935	Munro Products Inc.	Maintenance Supplies	300.00
46936	Stewart Sneed Hewes, Inc.	FY 2013 Ins. Chiquita & Crowley Buildings	3,726.12
46937	Lucy Stevens	Cases for iPads	213.96
46938	Swetman Security Services, Inc.	Security Guard Services	22,052.06
46939	Texas Assoc. of School Boards	Board Book Software	3,000.00
46940	United Concordia, Inc.	Employee Deductions	821.92
46941	WalMart Community	Office Supplies	59.52

CHECK DATED 5/14/13 AND RELEASED PRIOR TO SCHEDULED CHECK RUN

46905	Matthew Wypyski	Tuition Reimbursement	2,112.00
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TRANSFERS

5/10/13	MS Department of Revenue	April Sales Tax Payment	3,881.00
5/17/13	Deferred Compensation	Employee Deductions	3,099.67
5/17/13	Federal Tax Deposit	Payroll Tax Deposit	20,375.42

Total \$ 188,057.97

FINAL CHECKLIST FOR JUNE 13, 2013

BILLS FOR THE MONTHS OF MAY AND JUNE 2013 APPROVED AND PAID

FROM THE GROSS REVENUE FUND OF THE MS STATE PORT AUTHORITY AT GULFPORT

CHK#	VENDOR	DESCRIPTION	CHK AMT
46944	American Assoc. of Port Auth.	Annual Dues	8,812.00
46945	Kentwood Springs	Drinking Water	199.26
46946	Neopost USA Inc.	Postage Machine Rental	133.50
46947	A T & T Mobility	Cellular Phone Service	98.97
46948	B.E.A.R.	Parts and Labor to Repair Lift Station	789.10

46949	AT&T	Telephone Service	1,669.80
46950	Birmingham Rail & Locomo. Inc.	Parts to Repair Rail Road	627.11
46952	Bonds Services, Inc.	Janitorial Service	1,050.00
46954	City of Gulfport	Water	6,592.28
46955	Sun Coast Business Supply	Office Supplies	995.47
46956	RJ Young	Printer Maintenance Agreement	58.56
46957	Danny Miller Plumbing, Inc.	Pump Lift Station Shed 53	500.00
46958	Jonathan Daniels	Consulting Services	15,000.00
46959	Delta Sanitation of MS., LLC	Waste Removal/Portable Restroom Services	708.00
46960	E Fire	Annual Fire Extinguisher Inspections	221.00
46961	Federal Express Corp	Express Mail Services	40.27
46962	Fuelman	Fuel for MSPA Vehicles	799.32
46963	The Gibbes Company	Professional Services	24,928.75
46964	W.W. Grainger, Inc.	Air Compressor and Maint. Supplies	1,170.82
46965	Great Southern Club	Monthly Dues and Business Expenses	913.21
46966	Gulf Coast Business Supply Inc.	Office Supplies	172.92
46967	Gulfport Industrial Supply, Inc.	Herbicide for Grounds and Maint. Supplies	2,456.50
46968	Gulfport Yacht Club	Business Expenses	33.35
46969	Logista	Computer Equipment	1,891.06
46970	MS State Treasure Fund 3601	Long Distance Telephone/Internet Services	732.41
46971	Isco Metals & Supply LLC	Materials for Warehouse Roofing Repairs	264.00
46972	UBM Global Trade, Inc.	Marketing Data Subscriptions	2,705.00
46973	The Journal of Commerce	Annual Membership	315.00
46974	Robert J. Knesal	Per Diem and Travel Expenses	703.42
46975	Land Shapers, Inc.	Asphalt Patching	12,600.00
46976	Lowe's Home Center, Inc.	Maintenance Supplies	133.99
46977	Rick Maldonado & Assoc., Inc.	May Services	8,333.33
46978	Martin Smith Services, LLC	Repair Gutters Shed 16	645.00
46979	MEDC	Conference Registration Fees	295.00
46980	MS Dept. of Human Services	Employee Deductions	117.70
46981	MS Mgmt. & Reporting System	MMRS Charges	92.50
46982	MS Power Company	Electricity	24,490.22
46983	MS Pub. Employees Credit Union	Employee Deductions	480.00
46984	MSPA Petty Cash Fund	Replenish Petty Cash	38.21
46985	MS State Tax Commission	Employee Deductions	8,238.00
46986	MS Windstorm Underwriting Assoc.	FY 2014 Insurance	73,300.00
46987	Northern Tool & Equipment Co.	Part to Repair Tractor	61.98
46988	Jack Norris	Per Diem	160.00
46989	Ports America, Inc.	Maintenance on Cranes	17,238.81
46990	Kim Purchner	Mileage Reimbursement	9.04
46992	Redd Pest Solutions	Pest Control Services	365.00
46993	Eluse J. Roberts	Per Diem and Travel Expenses	650.81
46995	Rose Office Systems, Inc.	Rental for Facilities/Ops./Crowley Trailers	6,946.43
46996	Sorg Printing	Print Brochures	2,130.50
46997	James C. Simpson, Jr.	Per Diem	160.00
46998	Norma Jean Soroe	Transcription Fees	394.48
46999	Southern Printing & Silkscreen	Promotional Items	2,588.00
47000	Southern Admin. and Benefits	Monthly Service Fees	200.00
47001	Lucy Stevens	Mileage Reimbursement	78.54
47002	Stuart C. Irby Co.	Lamps for Marker Lights on West Pier	272.88
47003	Swetman Security Services, Inc.	Security Guard Services	44,481.28
47004	United States Postal Service	Post Office Box Rental	140.00
47005	Waste Oil Collectors, Inc.	Disposal of Waste Oil	80.00

47006	Matthew Wypyski	Business Expenses	57.50
CHECKS DATED 6/7/13 AND RELEASED PRIOR TO THE MEETING			
46942	American Express - BTA	Travel Expenses	369.80
46943	Van Grundmann	Travel Expenses	2,001.96
TRANSFERS			
05/31/13	Federal Tax Deposit	Payroll Tax Deposit	21,798.25
06/05/13	Public Employment Retirement	Retirement Match and Withheld	53,694.68
06/12/13	MS Department of Revenue	May Sales Tax Payment	3,950.00
			Total
			\$ 361,174.97

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Commissioner Knesal moved to approve the following cash request:

#55 MSPA (\$97,534.49); RFB, LLC (\$5,525.00); Archer Western (\$5,022,410.21); Neel Schaffer (\$218,475.93); QES (\$5,605.00); Thompson Engineering (\$13,769.70); Atwell & Gent (\$65,876.12); Atkins (\$46,078.93); Anchor QEA (\$198,231.75); CH2MHill (\$271,454.32) for a sub-total of \$5,944,961.45. Commissioner Rester seconded and the motion was unanimously approved.

Commissioner Rester moved to approve the following progress payments: BMA (\$28,919.82); BMI Environmental (\$432.50); QES (\$3,363.00); Rod Cooke Construction (\$202,033.20). Commissioner Roberts seconded and the motion was unanimously approved.

*Commissioner Norris recused himself and left the meeting.*

Commissioner Rester moved to approve payment of \$157,751.09 to Yates Anderson JV (under Restoration Agreement Request #55), for a total of \$6,102,712.54; Progress Payment to Balch & Bingham of \$42,741.63. Commissioner Roberts seconded and the motion was unanimously approved.

*Commissioner Norris returned to the meeting.*

OLD BUSINESS:

Commissioner Knesal moved to approve Modification No. 3 to Contract No. 09-EN-03; BMI Environmental Services, LLC. This modification extends the agreement for one year with no additional funding. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Knesal moved to approve the award of the replacement forklift bid to Dailey Equipment. Two bids were received and the low bidder (Deep South Equipment at \$63,411.00) did not meet the advertised specifications. The bid submitted by Deep South was for a 4 cylinder turbo-charged motor instead of a 6 cylinder diesel motor as the ad specified. Therefore, the award went to Dailey Equipment at \$66,713.00. Commissioner Rester seconded and the motion was unanimously approved.

Commissioner Rester moved to approve Modification No. 1 to Contract No. 11-FD-04 with RMA & Associates, Inc. Modification No.1 places the agreement on a month to month basis. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Roberts moved to approve Amendment No. 2 to Task Order No. 11 under Contract No. 010-HUD-002 with Thompson Engineering (Geotechnical Design). This

Amendment closes out Task Order No. 11. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Knesal moved to table the approval of Amendment No. 2 to Task Order No. 8 under Contract No. 010-HUD-007 with Volkert, Inc. (Environmental Services). Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Knesal moved to table the approval of Amendment No. 3 to Task Order No. 2 under Contract No. 010-HUD-010 with Michael Baker, Jr. (Coastal Engineering Design). Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Roberts moved to approve Change Order No. 9 under Contract No. 012-HUD-016; Archer Western (24 Acre Dredge & Fill). Change Order No. 9 adds a 45 day time extension. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Rester moved to direct staff to send correspondence denying the request of Stone County Engineer for funds to repair Stone County roads. Commissioner Roberts seconded and the motion was unanimously approved.

#### NEW BUSINESS:

Commissioner Rester moved to approve the FY14 Operating Budget in the amount of \$14,191,669. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Rester moved to approve Resolution No. 13-02, authorizing bank signatures. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Rester moved to approve Task Order No. 24 under Contract No. 10-HUD-001 with Neel Schaffer (General Engineering & Design). The duration of this task is 165 days with a not to exceed cost of \$27,429.00. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Rester moved to approve Task Order No. 10 under Contract No. 10-HUD-007 with Volkert, Inc. (Environmental Services). The duration of this task is 150 calendar days with a not to exceed cost of \$32,093.52. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Rester moved to authorize the advertisement for the purchase of three (3) cranes for the West Pier, once performance specifications are complete. Commissioner Roberts seconded and the motion was unanimously approved.

*Commissioner Norris recused himself and left the meeting.*

Commissioner Rester moved to approve Task Order No. 11 under Contract No. 010-HUD-006 with Yates Anderson Joint Venture (Construction Management). This task order has a not to exceed amount of \$82,975.00 and a duration of 150 calendar days. Commissioner Knesal seconded and the motion was unanimously approved.

*Commissioner Norris returned to the meeting.*

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#### PORT RESTORATION UPDATE:

L&A has received their notice to proceed and will begin the initial phase of work on June 20th. Commissioner Simpson directed staff to make sure L&A does their part with their hiring process and hires locally when possible.

EXECUTIVE DIRECTOR'S COMMENTS:

Commissioner Simpson welcomed Jonathan Daniels as the new Executive Director/CEO to the Port. Executive Director Daniels thanked the Commissioners and Staff for the warm welcome he has received. He expressed his excitement at being here in Gulfport, knows this is a critical time for the Port and is ready to move forward.

GENERAL COUNSEL'S COMMENTS:

Ben Stone had no comments and welcomed Jonathan Daniels.

MDA'S COMMENTS:

Daron Wilson had no comments and welcomed Jonathan Daniels.

COMMISSIONERS' COMMENTS:

Commissioner Knesal recently attended the AAPA Commissioners' Seminar in Ft. Lauderdale, FL and was excited to hear many fresh ideas. He gained a great deal of knowledge during the conference and will share with fellow Commissioners.

Commissioner Roberts echoed Commissioner Knesal's comments and took a great deal of information away from the conference by finding out what other ports are doing.

Commissioner Simpson responded to Howard Page's request to move Public Comments to the end of the Board Meeting. The purpose of the Port Authority's monthly Board Meetings is to conduct business. While our meetings are open to the public and we welcome the attendance and comments, there is no place for dialogues.

As to the community meeting that took place on the 6th of June at the Isaih Fredericks Community Center, Commissioner Simpson apologized for the short notice but there were a good number of people in attendance.

Commissioner Simpson mentioned that Bill Hessell, Interim Executive Director of the Harrison County Development Center is very interested in partnering with the Port regarding economic development issues.

Commissioner Rester announced that the Pathways to the Port Committee will meet this afternoon at 1:00 p.m. on the 14th floor for anyone interested in fully understanding the efforts all are making to comply with the job regulations.

COMMUNICATIONS UPDATE:

There were 57,946 visitors to the Port of the Future website last month and there is a great deal of information regarding current projects on the website.

There will be a HUD Section 3 Business Certification Workshop on June 20th from 4:00 – 5:00 p.m. in the MSPA 14th floor Boardroom. Anyone interested can contact Sharon Hodge at 228.865.4300 for additional information.

An EIS Public Scoping meeting was held in late May. Comments are due on June 17th.

Thanks to the Sun Herald, WLOX and the Mississippi Business Journal for the great articles and publication regarding the arrival of Executive Director Daniels.

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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.

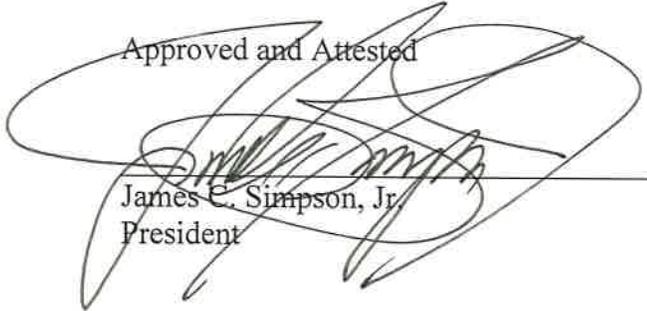
Commissioner Rester moved to enter Executive Session to discuss personnel matters and real estate matters (Island View). Commissioner Roberts seconded and the motion was unanimously approved.

(THE BOARD OF COMMISSIONERS ENTERED INTO EXECUTIVE SESSION AT APPROXIMATELY 9:15 A.M.)

Commissioner Simpson stated that no action took place during Executive Session

The meeting adjourned at approximately 10:50 a.m.

Approved and Attested



James C. Simpson, Jr.  
President



Jack Norris  
Secretary