

MISSISSIPPI PORT AUTHORITY

BOARD OF COMMISSIONERS

REGULAR MEETING

May 21, 2015

Minutes of the Mississippi State Port Authority Board of Commissioners Meeting,
Thursday, May 21, 2015, 2510 14th Street, Suite 1500, Gulfport, Mississippi at which the
following Commissioners and staff were present:

Commissioners: Jack Norris, President
E.J. Roberts, Vice-President
Robert J. Knesal, Secretary
John Rester, Commissioner

Staff: Jonathan Daniels, Executive Director/CEO
Matthew Wypyski, Chief Operating Officer
John Webb, Director of Engineering
Mary Bourdin, Director of Finance
Mel Arsenaault, Director of Compliance
Carlos Bell, Director of Community Relations/Marketing
Dale Waltman, Director of Operations
Nick Foto, Deputy Program Manager
Shawn Meyer, Deputy Director of Operations
Chuck Graham, Crane Manager
Gary Pitcovich, Assistant Crane Manager

David Duhe, Legal Counsel

Others: Duane Wilson, DuPont
Phillip Carter, MDA
Howard Page, Steps Coalition
Randall Love, T.L. Wallace
Glen Cobb, Pathways to the Port
Justin Ladner, Stewart Sneed Hewes
Chris Williams, BMA
John Coughlin, YAJV
Richie Ashley, Neel-Schaffer
Todd Bradford, YAJV
Maurice Manuel, YAJV
Mark McDaniel, YAJV
Stephen Saussy, T.L. Wallace
Kym Davis, YAJV
Tom Ryburn, CH2MHill
Becky Taylor, Residence Inn
Avery Windham, Hilton Garden Inn
Gary Fredericks, NAACP
Elizabeth Stanga, Dale Partners Architects
Leigh Jaunsey, Dale Partners Architects
Darius Johnson, ILA Local 1303
Bob Burns, CH2MHill
Casey McConnell, YAJV
Ben Clark, Ports America
Bill Mitchell, BMA
Greg Schruoff, SSA
Kevin Coggin, CTA

Commissioner Norris 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 Norris.

The inaugural "Friend of the Port Award" was presented to Kevin Coggin and his team at the Coast Transit Authority (CTA) for their partnership and for their assistance during the port tours. These tours have been offered to the public for approximately two years now and would not have been as successful as they are without the help of the CTA.

PUBLIC COMMENTS:

Howard Page, Steps Coalition mentioned his pleasure on events taking place on the port and with the steps being taken to have good relations with the community. Mr. Page asked for HUD memos to be released to the public regarding jobs to be provided by MDA.

Glenn Cobb, Pathways to the Port, applauded the Commissioners on their decision to rebuild the freezers. He feels they are definitely needed and he is looking forward to that happening. He questioned when that was going to take place and what would the capacity be.

Commissioner Roberts moved to approve the April 14th and April 30th Minutes. Commissioner Rester 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 14, 2015
BILLS FOR THE MONTHS OF APRIL AND MAY 2015 APPROVED AND PAID
FROM THE GROSS REVENUE FUND OF THE MS STATE PORT AUTHORITY AT GULFPORT

CHK#	VENDOR	DESCRIPTION	CHK AMT
49550	Advanced Disposal Services	Waste Removal Services	330.00
49551	AirGas Gulf States	Oxygen Cylinder Rental	33.30
49552	All Signs, Inc.	Office Supplies	290.00
49553	AT&T	Telephone Services	1,759.48
49554	Bonds Services, Inc.	Janitorial Services	1,275.00
49555	Card Services	Travel Expenses	494.20
49556	City of Gulfport	Water	11,371.80
49557	Sun Coast Business Supply	Office Supplies and Shredder	388.92
49558	E Fire	Annual Inspection of Fire Extinguishers	508.25
49559	Federal Express Corp.	Express Mail Services	46.32
49560	Fuelman	Fuel for MSPA Vehicles	384.63
49561	Great Southern Club	Monthly Dues and Business Expenses	719.32
49562	Green Marine Mngmt. Corp.	Registration Fees	1,190.00
49563	Gulfport Yacht Club	Business Expenses	42.95
49564	Hughes Supply	A/C Filters	51.60
49565	Logista	Computer Equipment and Services	1,061.25
49566	MS State Treasurer Fund 3601	Long Distance Telephone/Internet Services	754.98
49567	Newell Paper Co.	Janitorial Supplies	720.48
49568	MS Development Authority	Annual Port Administration Fee	5,000.00
49569	Lucille Morgan & Associates	Transcription Services	381.80
49570	MS Coast Coliseum & Conv. Center	Sponsorship for Crawfish Festival	5,000.00
49571	MS Dept. of Human Services CRDU	Employee Deductions	304.45
49572	MS Power Company	Electricity	35,675.65

49573	MS Pub. Employees Credit Union	Employee Deductions	400.00
49574	Ports America, Inc.	Maintenance on Cranes	23,265.13
49575	Performance Tire & Wheel, Inc.	Tire and Tube for Backhoe	152.80
49576	Region 5 Conference Fund	Sponsorship for Women in Construction	250.00
49577	Richard J. Shropshire	Music for NAVAIR Reception	225.00
49578	Stewart Sneed Hewes, Inc.	Insurance	6,235.52
49579	Swetman Security Services, Inc.	Security Guard Services	22,649.24
49580	WalMart Community	Supplies for Crawfish Festival Sponsorship	168.38
49581	WXXV TV	April Web Camera Lease	1,200.00

CHECKS DATED 5/8/15 AND RELEASED PRIOR TO SCHEDULED CHECK RUN

49546	Eluse J. Roberts	Travel Expenses	811.64
49547	Angela Shortt	Travel Expenses	1,214.95
49548	Southern Trophies	Friend of the Port Award	85.00
49549	Matthew Wypyski	Business and Travel Expenses	199.43

TRANSFERS

05/01/15	Deferred Compensation	Employee Deductions	2,149.17
05/01/15	Federal Tax Deposit	Payroll Tax Deposit	23,075.77
05/12/15	MS Department of Revenue	April Sales Tax Payment	3,048.48
05/14/15	Deferred Compensation	Employee Deductions	2,149.17
05/15/15	Federal Tax Deposit	Payroll Tax Deposit	23,043.76

Total \$ 178,107.82

Commissioner Roberts moved to approve the following progress payments: BMA (\$99,864.36); BMI (\$2,510.00); Continental Construction (\$3,764,075.75); and QES (\$8,869.00). Commissioner Rester seconded and the motion was unanimously approved.

Commissioner Rester moved to approve the following:

Cash Request #83-A - Anchor QEA (\$28,250.77); Atkins (\$28,557.30) Atwell & Gent (\$46,158.20); L&A Contracting (\$1,798,870.75); Bertucci Contracting (\$1,601,022.03); MSPA (\$42,142.92); Neel Schaffer (\$224,029.52); QES (\$26,095.00); Thompson Engineering (\$8,524.96); CDM (\$20,514.00); Tropical World (\$8,528.00); and RFB, Inc. (\$3,952.50) for a subtotal of \$3,863,502.16.

Cash Request #83-B - Southern Industrial (\$2,037,834.79)

Cash Request #83-C - ZPMC Company (\$3,092,297.65)

Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Roberts moved to approve payment of \$240,050.77 to CH2MHill (under Restoration Agreement Request #83-A). Commissioner Roberts seconded and the motion was approved with the Commission voting as follows:

Commissioner Roberts	Affirmative
Commissioner Rester	Affirmative
Commissioner Knesal	Negative
Commissioner Norris	Affirmative

Commissioner Knesal recused himself from the next item involving Necaise Brothers Construction.

Commissioner Roberts moved to approve payment of \$2,293,914.98 to Necaise Brothers (under Restoration Agreement Request #83-B) for a total of \$4,331,749.77. Commissioner Rester seconded and the motion was approved. Voting in the affirmative were Commissioners Rester, Roberts and Norris.

Commissioner Norris recused himself from the next items involving Yates Anderson Joint Venture and Balch & Bingham.

Commissioner Rester moved to approve payment of \$310,990.00 to Yates Anderson JV (under Restoration Agreement Request #83-A), for a total of \$4,414,542.93; Progress Payments to Balch & Bingham for \$16,053.00 and Yates Anderson JV for \$304,196.55. Commissioner Knesal seconded and the motion was unanimously approved. Voting in the affirmative were Commissioners Rester, Knesal and Roberts.

OLD BUSINESS:

Commissioner Roberts moved to approve Amendment No. 1 to Task Order No. 2; Contract No. 014-HUD-023 with Tropical World Landscape & Irrigation. Amendment No. 1 has an extension of 30 days with no additional costs. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Roberts moved to approve Amendment No. 4 to Task Order No. 3; Contract No. 010-HUD-012 with CDM Smith. Amendment No. 4 de-obligates costs by \$74,632.60 and completes the task order. Commissioner Rester seconded and the motion was unanimously approved.

Commissioner Knesal moved to approve Amendment No. 3 to Task Order No. 6; Contract No. 010-HUD-013; Atwell & Gent. Amendment No. 3 requests an extension of 333 days with no change in costs. Commissioner Rester seconded and the motion was unanimously approved.

Commissioner Roberts moved to approve Amendment No. 2 to Task Order No. 25; Contract No. 010-HUD-001; Neel Schaffer, Inc. Amendment No. 2 requests an extension of 539 days with no change in costs. Commissioner Rester seconded and the motion was unanimously approved.

Commissioner Knesal moved to approve Modification No. 1 with Brown, Mitchell & Alexander under Contract No. 13-EN-02. Modification No. 1 exercises the one year renewal option with a completion date of June 30, 2016. Commissioner Rester seconded and the motion was unanimously approved.

Commissioner Roberts moved to approve Modification No. 4 with Quality Engineering Services under Contract No. 13-EN-03. Modification No. 4 exercises the one year renewal option with a completion date of June 30, 2016. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Rester moved to award the DuPont Ilmenite Facility Electrical Package to Doleac Electric Company with the lowest bid of \$4,419,803.00. Five bids were received. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Rester moved to award the DuPont Ilmenite Facility Traveling Hopper Package to Shanghai Zhenhua Heavy Industries (ZPMC), subject to review from legal counsel, with the lowest bid of \$960,000. A total of two bids were received. Commissioner Roberts seconded and the motion was unanimously approved.

NEW BUSINESS:

Commissioner Rester moved to approve Task Order No. 11 under Contract No. 010-HUD-013 with Atwell & Gent. Task Order No. 11 has a not to exceed value of \$62,560.00 and duration of 365 calendar days. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Knesal moved to authorize the issuance of a RFQ for Professional Services of an Architect for full service designs for various facilities. Commissioner Roberts seconded and the motion was unanimously approved.

PORT RESTORATION UPDATE:

For Site Work Phase I, electrical construction continues; cable pulling is at about 60%; water work is complete except for a section within the port that needs to be tied in; sanitary sewer main construction is about 75% complete; water and sewer lines for future piers should be added by the end of next week; slabs for electrical platforms are being formed and the pouring will start next week.

The Commercial Small Craft Harbor project is complete and was completed 3 months ahead of schedule and on budget.

On the wharf project, production piles in Berth 4 are complete on both the Waterside Crane Beam and the Landside Crane Beam; concrete work in Berth 3 should be complete today.

A pre-construction meeting was held yesterday on the Dole M&R Project; the first advertisement for the Lighthouse Water Tank is scheduled for May 26th; approximately 800 piles have been driven to date for the new transit shed; electrical duct banks were poured yesterday.

OPERATIONS REPORT:

Matthew Wypyski reported on the maritime activity for April:

Vessel calls	Vessels	17		Truck Count	5,758
	Tugs	13		Railcar Count	670
	Barges	51		TEU's	10,682
				Tonnage (short tons)	133,891

Also of note, 462 concrete trucks came through the port in a 24 hour period between April 19th and April 20th for the DuPont site.

Gary Pitcovich, newly hired MSPA Assistant Crane Manager was introduced. We are excited to bring Gary on board with his crane knowledge and noted that Gary previously worked on the port for Ports America.

EXECUTIVE DIRECTOR'S COMMENTS:

Director Daniels welcomed Gary Pitcovich to the Port family and wanted everyone to know that Gary is a Marine Corps Veteran.

As we look at the freezer system, we continue to look at sizing. We want to be able to expand and contract as necessary. As we get additional information, we will provide an update. We know now that April of 2016 is the earliest we can make it available and with the different technology that is now present, this system will not be the same as the original freezer system.

As mentioned earlier, a huge number of concrete trucks have been on site for the DuPont project. In the middle of June, slip forms will go up for the 12-pack – the smaller silos. This is a fairly expeditious process. It will be a 24/7 operation for about a week in order to install. We are looking forward to continued construction on the DuPont site.

In talking about partnerships – it was great to recognize CTA today. We are also partnering with the Steps Coalition to work together to evaluate a joint application for some EPA funding. While we may not always agree on issues – the respect and desire to partner with one another is always there.

GENERAL COUNSEL'S COMMENTS:

David Duhe had no comments.

MDA'S COMMENTS:

Philip Carter had no comments.

COMMISSIONER COMMENTS:

Commissioners had no comments.

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

Commissioner Roberts moved to enter Executive Session to discuss a Lease Negotiation and Personnel Matters. Commissioner Knesal seconded and the motion was unanimously approved.

(THE BOARD OF COMMISSIONERS ENTERED INTO EXECUTIVE SESSION AT APPROXIMATELY 9:30 A.M.)

Commissioner Knesal moved to come out of Executive Session. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Norris stated that no action took place during Executive Session

Commissioner Rester moved to amend the agenda in order to add the consideration of the Employment Agreement of the Executive Director. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Rester moved to approve the modification of the Executive Director's Employment Agreement to extend the term through May 31, 2020 and to increase the salary to \$282,500 with no modification to the vehicle allowance. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Rester moved to adjourn. Commissioner Roberts seconded and the motion was unanimously approved.

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

Approved and Attested



Jack Norris
President



Robert J. Knesal
Secretary