

# MISSISSIPPI PORT AUTHORITY

## BOARD OF COMMISSIONERS

### REGULAR MEETING

**November 24, 2014**

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Minutes of the Mississippi State Port Authority Board of Commissioners Meeting,  
Monday, November 24, 2014, 2510 14<sup>th</sup> Street, Suite 1500, Gulfport, Mississippi at  
which the following Commissioners and staff were present:

Commissioners: Jack Norris, Vice-President  
E.J. Roberts, Secretary  
Robert J. Knesal, Treasurer  
James C. Simpson, Jr.

Staff: Jonathan Daniels, Executive Director/CEO  
Matthew Wypyski, Chief Operating Officer  
John Webb, Director of Engineering  
Mary Bourdin, Director of Finance  
Mel Arsenault, Director of Compliance  
Dale Waltman, Director of Engineering  
Carlos Bell, Director of Community Relations/Marketing  
Kim Purchner, Executive Assistant/HRO  
Kim Aguillard, Community Relations/Marketing Specialist  
Mel Arsenault, Director of Compliance  
Nick Foto, Deputy Project Manager  
Shawn Meyer, Deputy Director of Operations

David Duhe, Legal Counsel

Others: Shorty Sneed, Stewart Sneed Hewes  
Philip Carter, MDA  
Howard Page, Steps Coalition  
Robert Boone, RFB, LLC  
Duane Wilson, DuPont  
Brian Varnado, T.L. Wallace  
Jay Carney, T.L. Wallace  
Tom Ryburn, CH2MHill  
Marcia Crawford, HCDC  
Chris Williams, BMA  
Bruce Newton, Digital Engineering  
John Coughlin, YAJV  
Richie Ashley, Neel Schaffer  
Casey McConnell, YAJV  
Chris Williams, BMA  
Darius Johnson, ILA  
Anna Gibson, Watkins Eager  
David Brand, Seaman Center  
Stephen Saussy, T.L. Wallace  
Wally Babbidge, WXXV  
Tori Bishop, WXXV  
Anthony Thompson, Kingdom ICDC  
Kym Davis, Yates Anderson

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.

PUBLIC COMMENTS:

Howard Page requested that MDA and the Governor's office release the HUD Monitoring Report and place it on the Port website.

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Commissioner Simpson moved to approve the October 13th and October 23rd minutes. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Roberts moved to approve travel (Dec 1- 4/Daniels, Wypyski to Seattle, WA). Commissioner Knesal seconded and the motion was unanimously approved.

FINANCIAL REPORT:

Commissioner Simpson moved to approve the disbursements listed below. Commissioner Knesal seconded and the motion was unanimously approved.

DISBURSEMENTS THROUGH NOVEMBER 6, 2014  
BILLS FOR THE MONTHS OF OCTOBER AND NOVEMBER 2014 APPROVED AND PAID  
FROM THE GROSS REVENUE FUND OF THE MS STATE PORT AUTHORITY AT GULFPORT

CHK#	VENDOR	DESCRIPTION	CHK AMT
48971	ABC Rental, Inc.	Equipment Rental	40.00
48972	Kentwood Springs	Drinking Water	165.12
48973	Advanced Disposal Services	Waste Removal Services	288.00
48974	Alexander, Van Loon, Sloan	Audit and Accounting Services	14,305.75
48975	AT&T	Telephone Services	1,687.15
48976	Carlos Bell	Business and Travel Expenses	196.40
48977	Mary Bourdin	Business Expense	49.36
48978	Butch Oustalet Ford, Inc.	Replacement Mirror for Unit # 24	154.22
48979	Jonathan Daniels	Travel Expenses	502.24
48980	Federal Express Corp.	Express Mail Services	175.94
48981	Fuelman	Fuel for MSPA Vehicles	388.84
48982	Great Southern Club	Monthly Dues and Business Expenses	1,236.10
48983	Gulf Coast Business Supply, Inc.	Office Supplies	73.50
48984	Robert J. Knesal	Per Diem	80.00
48985	MEDC	Annual Membership Dues	185.00
48986	MS Dept. of Human Services CRDU	Employee Deductions	304.45
48987	MS Gulf Coast Chamber of Comm.	Registration Fees	60.00
48988	MS Pub. Employees Credit Union	Employee Deductions	400.00
48989	MSPA Petty Cash Fund	Replenish Petty Cash	39.92
48990	MS State Tax Commission	Employee Deductions	10,183.00
48991	Jack Norris	Per Diem	80.00
48992	Ports America, Inc.	Maintenance on Cranes	20,924.60
48993	Eluse J. Roberts	Per Diem	80.00
48994	Rose Office Systems, Inc.	Rental for Facilities/Ops./Crowley Trailers	3,730.00
48995	Tammy Salisbury	Reimburse for Postage	19.60
48996	Shred It - Mobile	Shred Documents	485.25
48997	James C. Simpson, Jr.	Per Diem	80.00
48998	Southern Pipe and Supply, Inc.	Plumbing Supplies	260.06
48999	Southern Admin. and Benefits	Monthly Service Fee	200.00

49000	State Dept. of Audit	Statewide Testwork	4.23
49001	The Sun Herald	Advertising	174.38
49002	Swetman Security Services, Inc.	Security Guard Services	22,649.24
49003	Dale Waltman	Business Expense	92.67
49004	Matthew Wypyski	Business Expenses	679.05
CHECK DATED 10/24/14 AND RELEASED PRIOR TO SCHEDULED CHECK RUN			
48969	Cintas Corporation #240	Maintenance Uniforms	1,698.85
CHECK DATED 11/03/14 AND RELEASED PRIOR TO SCHEDULED CHECK RUN			
48970	City of Gulfport	Water and Sewer Taps	3,240.00
TRANSFERS			
10/31/14	Federal Tax Deposit	Payroll Tax Deposit	20,488.54
11/03/14	Public Employment Retirement	Retirement Match and Withheld	69,592.38
			\$ 174,993.84

FINAL CHECKLIST FOR NOVEMBER 24, 2014

BILLS FOR THE MONTHS OF NOVEMBER AND DECEMBER 2014 APPROVED AND PAID  
FROM THE GROSS REVENUE FUND OF THE MS STATE PORT AUTHORITY AT GULFPORT

CHK#	VENDOR	DESCRIPTION	CHK AMT
49017	AAE Acquisition, LLC	Parts to Repair Unit # 19	577.30
49018	AFLAC	Employee Deductions	1,234.83
49019	AIG	FY14 Additional Workers Comp. Insurance	4,397.00
49020	AirGas Gulf States	Oxygen Cylinder Rental	34.08
49021	Anytime Portables, LLC	Portable Restroom Services	600.00
49022	Neopost USA, Inc.	Postage Machine Maintenance	175.00
49024	Bonds Services, Inc.	Janitorial Services	2,100.00
49026	Card Services	Travel Expenses	7,326.97
49027	Sun Coast Business Supply	Office Supplies	241.78
49028	Joseph Conn	Reimburse for Dental Premium	91.17
49029	Copy Products Mailing Systems	Ink Cartridge for Mailing Machine	217.00
49030	Cornerstone Government Affairs	Consulting Services	12,500.00
49031	C Spire Wireless	Radio/Cell Phone Service and Equipment	1,638.77
49032	State School Insurance Fund	Employee Deductions	12,765.98
49033	East Beach Specialties, Inc.	Promotional Items	495.00
49034	Empire Truck Sales	Parts to Repair Street Sweeper	65.44
49035	Federal Express Corp.	Express Mail Services	81.56
49036	Fuelman	Fuel for MSPA Vehicles	340.65
49037	Guardian	Employee Deductions	960.97
49038	Gulf Coast Business Supply, Inc.	Office Supplies	119.41
49039	Gulf Coast Bus. Council Research	Gulf Coast Legislative Reception Sponsorship	250.00
49040	MS State Treasurer Fund 3601	Long Distance Telephone/Internet Services	767.64
49042	Lowe's Home Center, Inc.	Maintenance Supplies	77.01
49043	Maximum Auto Parts	Automotive Supplies	53.38
49044	MS Dept. of Human Services CRDU	Employee Deductions	304.45
49045	MS Gulf Coast Chamber of Comm.	Membership Dues	300.00
49046	MS Pub. Employees Credit Union	Employee Deductions	400.00
49047	MSPA Petty Cash Fund	Replenish Petty Cash	86.83
49048	Piltz, Williams, LaRosa & Co.	Grant Administration	135.00
49049	Ports America, Inc.	Maintenance on Cranes	19,030.78
49050	Legal Shield	Employee Deductions	150.46
49052	Redd Pest Solutions	Pest Control Services	271.00
49053	RJ Young Company, Inc.	Copier Maintenance Agreement	78.83
49054	Roskopf Electrical Supply Co.	Electrical Supplies	96.00

49055	Rose Office Systems, Inc.	Rental for Facilities/Ops./Crowley Trailers	3,730.00
49056	Seal Electrical, Inc.	Connect Power to Maint. And Ops. Trailers	2,333.86
49057	James C. Simpson, Jr.	Travel Expenses	935.34
49058	State Dept. of Audit	Statewide Testwork	9.19
49059	Sun Herald	One Year Subscription	187.20
49060	The Sun Herald	Advertising	575.25
49061	Swetman Security Services, Inc.	Security Guard Services	22,649.24
49062	Vision Service Plan	Employee Deductions	213.66
49064	John Webb	Reimburse for Cell Phone Case	37.44
49063	W.C. Fore Trucking, Inc.	E.P. Shed 50 Rail Expansion	277,985.10
49066	Jonathan Daniels	Travel Expenses	608.65
CHECKS DATED 11/14/14 AND RELEASED PRIOR TO THE MEETING			
49011	Advanced Disposal Services	Waste Removal Services	438.00
49012	Kim Aguillard	Reimburse for Gifts for China Trip	205.87
49013	City of Gulfport	Water	10,148.74
49014	Jonathan Daniels	Travel Expenses	813.09
49015	MS Power Company	Electricity	41,696.08
49016	Matthew Wypyski	Travel Expenses	1,195.09
TRANSFERS			
11/12/14	MS Department of Revenue	October Sales Tax Payment	6,257.48
11/13/14	Deferred Compensation	Employee Deductions	2,149.17
11/14/14	Federal Tax Deposit	Payroll Tax Deposit	19,688.79
Total			\$ 459,821.53

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

The following items were approved:

RENEWAL LICENSES:

Apprentice Pilot: Murrell W. Hilton, III  
Steamship Agent: ISS Marine Service; Maritime Endeavors Shipping

NEW LICENSES:

Apprentice Pilot: Matthew Hilton

Commissioner Simpson moved to approve Modification No. 5 to CDBG No. R-103-936-01-KED. Modification No. 5 extends the date of performance from September 28, 2014 to June 30, 2015. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Roberts moved to approve Funds Request #26 reimbursement for the rail upgrade to Piltz, Williams, LaRosa for \$943.75 (CDBG Funds). Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Roberts moved to approve progress payments to Brown, Mitchell & Alexander (\$209,708.86); BMI (\$5,895.00); L&A Contracting (\$898,243.04); QES, Inc. (\$10,913.00); and W.C. Fore Trucking (\$25,536.00). Commissioner Simpson seconded and the motion was unanimously approved.

*Commissioner Norris recused himself and left the meeting.*

Commissioner Simpson moved to approve progress payments to Balch & Bingham (\$16,105.50) and Yates Anderson Joint Venture (\$119,792.25). Commissioner Knesal seconded and the motion was unanimously approved.

OLD BUSINESS:

Commissioner Knesal moved to approve Modification No. 1 to Contract No. 14-EN-07 with Yates Anderson Joint Venture. Modification No. 1 adds \$150,000 to the Pre-Construction Phase element of the service agreement. Commissioner Simpson seconded and the motion was unanimously approved.

*Commissioner Norris returned to the meeting*

Commissioner Knesal moved to approve a Professional Service Agreement for Software and Controls System Design for the DuPont Relocation Project with Prism Systems. The proposed not to exceed cost is \$148,000. Commissioner Simpson seconded and the motion was unanimously approved.

Commissioner Knesal moved to approve Amendment No. 1 to Task Order No. 14 with Thompson Engineering under Contract No. 010-HUD-002. Amendment No. 1 increases costs by \$13,844.64. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Roberts moved to authorize the award of a miscellaneous temporary fencing contract to Can't Be Beat Fencing. Can't Be Beat Fencing's bid of \$150,159.00 was the only response received. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Simpson moved to authorize the award of a contract to Bertucci Contracting for the Commercial Small Craft Harbor Project. Five bids were received with Luhr Brothers being the lowest bidder at \$4,548,300. Luhr Brothers was found to be non-responsive in not submitting their Subcontracting Plan as required by the bid documents. Bertucci Contracting was the next lowest bidder at \$5,228,585.00. Therefore, the award goes to Bertucci Contracting. Commissioner Knesal seconded and the motion was unanimously approved.

NEW BUSINESS:

Commissioner Roberts moved to authorize an advertisement for bid for the DuPont Ilmenite Facility Conveyor Package Project. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Roberts moved to authorize an advertisement for bid for the DuPont Ilmenite Facility Civil and Site Work Package Project. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Roberts moved to amend the agenda to include a presentation by WXXV. Commissioner Simpson seconded and the motion was unanimously approved.

A presentation was given by Wally Babbidge and Tori Bishop from WXXV regarding placing a weather camera atop the Hancock Bank Building, using MSPA as a sponsor.

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RESTORATION UPDATE:

Current contractors, L&A, Southern Industrial are progressing very well. Necaise Brothers should be up and running in the next couple of days.

OPERATIONS REPORT:

Matthew Wypyski reported on activity for the Month of October:

Vessels	17		Truck Count	6,625
Tugs	21		Railcar Count	614
Barges	29		TEU's	14,751
			Tonnage (short tons)	210,110

The dredging is going very well – 30,000 feet (6 miles) of channel has been dredged to date and should be back to 36 feet by January of 2015.

EXECUTIVE DIRECTOR'S COMMENTS:

Director Daniels, Matt Wypyski and Nick Foto recently returned from China where meetings were held with ZPMC regarding the manufacturing of the purchased cranes. Delivery of the cranes is expected in March of 2016. A second trip to China is planned for July of 2015.

MSPA has a significant amount to be thankful for during this Thanksgiving season; a Dole vessel is currently working; we have L&A Contractors and Southern Industrial Contractors hard at work; the DuPont facility relocation is moving at a good pace and we currently have the channel dredging underway. Very significant work is going on.

Available space can be seen from Highway 90 and we're working diligently to fill that space – we're also looking at diversification.

GENERAL COUNSEL'S COMMENTS:

David Duhe had no comments.

MDA'S COMMENTS:

Philip Carter had no comments.

COMMISSIONER COMMENTS:

Commissioners wished everyone a Happy Thanksgiving.

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

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

(THE BOARD OF COMMISSIONERS ENTERED INTO EXECUTIVE SESSION AT APPROXIMATELY 9:05 A.M.)

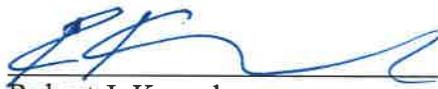
Commissioner Knesal moved to come out of Executive Session. Commissioner Simpson seconded and the motion was unanimously approved.

Commissioner Norris stated that no action took place during Executive Session

The meeting adjourned at approximately 10:30 a.m.

Approved and Attested

  
 Jack Norris  
 President

  
 Robert J. Knesal  
 Secretary