

# MISSISSIPPI PORT AUTHORITY

## BOARD OF COMMISSIONERS

### REGULAR MEETING

**November 19, 2013**

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Minutes of the Mississippi State Port Authority Board of Commissioners Meeting,  
Tuesday, November 19, 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  
Robert J. Knesal, Commissioner

Staff: Jonathan Daniels, Executive Director/CEO  
Matthew Wypyski, Chief Operating Officer  
Joe Conn, Director of Port Restoration  
John Webb, Deputy Director - Engineering  
Mary Bourdin, Deputy Director - Finance  
Kim Purchner, Executive Assistant/HRO

David Duhe, Legal Counsel

Others: Denton Gibbes, The Gibbes Company  
Todd Stockberger, CH2MHill  
Brian Varnado, T.L. Wallace  
John Oliver, QES  
Phillip Carter, MDA  
Robert Boone, RFB, LLC  
Jay Carney, T.L. Wallace  
Marcia Crawford, HCDC  
Melissa Powell, MDA-Horne  
Cathy B. Mackenzie, Island View Casino & Resort  
Lisa Hathorn, The Gibbes Company  
Randall Love, T.L. Wallace  
Richie Ashley, Neel-Schaffer  
Bill Mitchell, Brown, Mitchell, Alexander  
Rev. Chris O'Brien, Seamen Center  
Elizabeth Stanga, Neel Schaffer  
David Bowman, Neel Schaffer  
Courtney Haggerty, Residence Inn  
Cathy Burgess, Hilton Garden Inn  
Rusty Hilton, MS State Pilots Assoc.  
Michael Costelli, Simpkins & Costelli  
Bishop Anthony Thompson  
Glenn Cobb, Pathways to the Port  
Steve Simpson, SBS Solutions  
Anna Gibson, Watkins & Eager  
Jeff Helstram, CH2MHill

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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:

Bishop Anthony Thompson expressed his appreciation and gratitude to Jonathan Daniels and Joe Conn for their participation in the Community Outreach Event and the Teen Dream Teen Center Fundraising Events that were recently held. He praised the Port for their continued interest towards the community.

Glenn Cobb, Pathways to the Port Committee member, had questions regarding the beautification of the port property along Highway 90.

Pastor Chris O'Brien of the Seamen's Center invited the Commissioners and those in attendance to their annual Christmas luncheon on December 6th at the Great Southern Club.

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Commissioner Rester moved to approve the October 24th minutes. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Rester moved to approve travel (Nov. 20-21 – Daniels to Jackson; Nov. 22-23 – Daniels to New Jersey/New York; Nov. 24-25 - Daniels, Norris to Wash DC; Dec. 10-13 - Daniels, Wypyski, Simpson to Los Angeles, CA; Jan. 8-9 - Commissioners, Daniels, Wypyski to Jackson). Commissioner Norris seconded and the motion was unanimously approved.

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

DISBURSEMENTS THROUGH NOVEMBER 7, 2013  
BILLS FOR THE MONTHS OF OCTOBER AND NOVEMBER 2013 APPROVED AND PAID  
FROM THE GROSS REVENUE FUND OF THE MS STATE PORT AUTHORITY AT GULFPORT

CHK #	VENDOR	DESCRIPTION	CHK AMT
47554	Kentwood Springs	Drinking Water	134.33
47555	Advanced Disposal Service	Waste Removal/Portable Restroom Svcs.	1,016.00
47556	The Advocate	Advertising	312.72
47557	American Express - BTA	Travel Expenses	1,948.80
47558	A T & T Mobility	Cellular Phone Service	67.74
47559	Barefield & Co., Inc.	Office Supplies	101.16
47560	AT&T	Telephone Services	1,579.82
47561	Bonds Services, Inc.	Janitorial Services	1,050.00
47562	Cintas Corporation No.2	Maintenance Uniforms	2,018.52
47563	Sun Coast Business Supply	Office Supplies and Flags for West Gate	539.75
47564	Copy Products Mailing Systems	Ink Cartridge for Postage Machine	217.00
47565	Jonathan Daniels	Travel Expenses	456.98
47566	Deep South Equipment	Repair Part for Warehouse 53 Dock Leveler	326.23
47567	DLA Printing & Promo's	A/P Checks	505.26
47568	Express Services, Inc.	Temporary Labor	2,261.60
47569	Fuelman	Fuel for MSPA Vehicles	423.36
47570	The Gibbes Company	Professional Services	29,991.05
47571	W.W. Grainger, Inc.	Tools, Maintenance and Plumbing Supplies	2,063.36
47572	Great Southern Club	Monthly Dues and Business Expenses	743.92
47573	Gulf Coast Business Supply, Inc.	IT Supplies	501.72
47574	Gulfport Industrial Supply, Inc.	Maintenance Supplies	215.40
47575	Huntoon's, Inc.	Photo Mountings	60.00
47576	Logista	Scanner	947.00

47577	Isco Metals & Supply LLC	Steel Plates for Maintenance Repairs	813.00
47578	Newell Paper Co.	Janitorial Supplies	917.89
47579	JOC Group, Inc.	Marketing Data Subscriptions	2,705.00
47580	Thomas Miller	Reimbursement for TWIC Card	129.75
47581	Mississippi Utilities Supply	Plumbing Supplies	1,169.40
47582	MS Dept. of Human Services CRDU	Employee Deductions	117.70
47583	MS Power Company	Electricity	28,468.38
47584	MS Pub. Employees Credit Union	Employee Deductions	480.00
47585	MSPA Petty Cash Fund	Replenish Petty Cash	187.96
47586	Mississippi Surge	Sponsorship	4,200.00
47587	MS Water Resources	Membership Dues	500.00
47588	MS World Trade Center	Annual Meeting	55.00
47589	Ports America, Inc.	Chiquita Out of Berth	40,516.76
47590	The Sign Shop	Security Signs	672.00
47591	Puckett Machinery Company	Maintenance Supplies	31.67
47592	Kim Purchner	Reimbursement for Meeting Supplies	22.44
47593	Redd Pest Solutions	Pest Control Services	365.00
47594	Eluse J. Roberts	Re-issue Check for Per Diem	40.00
47595	Ronnie's Automotive & Tow Ser.	Inspection Stickers	130.00
47596	Rose Office Systems, Inc.	Rental for Facilities/Ops./Crowley Trailers	3,830.00
47597	James C. Simpson, Jr.	Re-issue Check for Per Diem	80.00
47598	Simplex Grinnell	Labor to Test Fire Pumps	330.00
47599	Southern Admin. and Benefits	Monthly Service Fee	200.00
47600	State Dept. of Audit	Statewide Testwork	9.32
47601	Sun Herald	One Year Subscription	185.64
47602	Swetman Security Services, Inc.	Security Guard Services	22,353.38
TRANSFERS			
11/1/13	Deferred Compensation	Employee Deductions	3,169.67
11/1/13	Federal Tax Deposit	Payroll Tax Deposit	20,624.36
Total			<u>\$ 179,786.04</u>

FINAL CHECKLIST FOR NOVEMBER 19, 2013

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

CHK #	VENDOR	DESCRIPTION	CHK AMT
47603	AAE Acquisition, LLC	Equipment Rental	1,610.00
47604	AFLAC	Employee Deductions	1,020.46
47605	Alexander, Van Loon, Sloan	Accounting Services	372.00
47606	Barefield & Co., Inc.	Office Supplies	114.02
47609	City of Gulfport	Water	6,092.08
47610	Clarion Ledger	Advertising	1,102.62
47611	C Spire Wireless	Radio/Cell Phone Service and Equipment	1,424.82
47612	State School Insurance Fund	Employee Deductions	11,802.52
47613	Eagle Energy, Inc.	Diesel	10,187.43
47614	Emerald TC. LLC	Accounting Software Conversion Services	46.25
47615	Express Services, Inc.	Temporary Labor	1,130.80
47616	Federal Express Corp.	Express Mail Services	14.59
47617	The Gibbes Company	Professional Services	1,300.00
47618	Gulfport Industrial Supply, Inc.	Safety Boots	95.00
47619	Hancock Bank	December Lease 14th Floor	14,432.24
47620	Hancock Bank	December Lease 8th Floor	5,241.35
47621	Logista	Computer Equipment	1,735.00
47622	MS State Treasure Fund 3601	Long Distance Telephone/Internet Services	878.95
47623	Robert J. Knesal	Per Diem	40.00

47624	Maritime Defense Strategy, LLC	Security Training	3,450.00
47625	MS Dept. of Human Services CRDU	Employee Deductions	117.70
47626	MS Gulf Coast Chamber of Comm.	Annual Dues	300.00
47627	MS Pub. Employees Credit Union	Employee Deductions	400.00
47628	Jack Norris	Per Diem	80.00
47629	Ports America, Inc.	Maintenance on Cranes	21,557.25
47630	Legal Shield	Employee Deductions	14.96
47632	Eluse J. Roberts	Per Diem	120.00
47634	Shred It - Mobile	Monthly Shredding 14th & 8th Floor	122.65
47635	James C. Simpson, Jr.	Per Diem	120.00
47636	Swetman Security Services, Inc.	Security Guard Services	22,353.38
47637	United Concordia, Inc.	Employee Deductions	752.70
47639	John Webb	Travel Expenses	1,341.62
Transfers			
11/08/13	MS Department of Revenue	October Sales Tax Payment	4,898.13
11/14/13	Deferred Compensation	Employee Deductions	3,169.67
11/15/13	Federal Tax Deposit	Payroll Tax Deposit	19,760.06
Total			\$ 137,198.25

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

The following items were approved:

**RENEWAL LICENSES:**

Steamship Agent: ISS Marine Service; Maritime Endeavors Shipping

Apprentice Pilot: Murrell W. Hilton, III

Commissioner Rester moved to approve cash request #63 - MSPA (\$71,242.90); L&A Constructing (\$696,578.14); RFB, LLC (\$9,095.00); U.S. Wicks (\$601,753.37); Atwell & Gent (\$81,809.49); CDM (\$215,430.32) Anchor QEA (\$623.00); Archer Western (\$1,712,750.12) for a subtotal of \$3,396,397.64. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Rester moved to approve the following progress payments: BMA (\$247,316.05); BMI Environmental (\$1,300.00); QES (\$62,073.50); Rod Cooke Construction (\$134,613.10); W.C. Fore Trucking (\$773,674.24). Commissioner Norris seconded and the motion was unanimously approved.

*Commissioner Norris recused himself and left the meeting.*

Commissioner Knesal moved to approve payment of \$80,707.50 to Yates Anderson JV (under Restoration Agreement Request #63), for a total of \$3,477,105.14; Progress Payment to Balch & Bingham of \$22,491.75. Commissioner Rester seconded and the motion was unanimously approved.

*Commissioner Norris returned to the meeting.*

**OLD BUSINESS:**

Commissioner Knesal moved to approve Amendment No. 2 to Task Order No. 23 under Contract No. 010-HUD-001; Neel Schaffer (Construction Management). Amendment No. 2 increases costs by \$64,161.00 with no change in schedule. Commissioner Rester seconded and the motion was unanimously approved.

Commissioner Rester moved to approve Amendment No. 5 to Task Order No. 3; Contract No. 010-HUD-003 with QES, Inc. (Construction Materials Testing). Amendment No. 5 decreases costs by \$61,008.39 and closes out Task Order No. 3. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Rester moved to approve Amendment No. 4 to Task Order No. 7; Contract No. 010-HUD-011 with Anchor QEA, LLC for construction services for the 24 Acre Fill Project. Amendment No. 4 decreases costs by \$5.05 and closes out Task Order No. 7. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Rester moved to approve a Notice of Completion for Contract No. 012-HUD-016 with Archer Western for the 24 Acre Dredge & Fill project. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Rester moved to approve Change Order No. 2 to Contract No. 13-EN-01; Rod Cooke Construction, Inc. – West Pier Gate Facility. Change Order No. 2 increases contract value by \$24,110.00. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Rester moved to approve a Notice of Completion for the West Pier Gate Facility to Contract No. 13-EN-01 with Rod Cooke Construction, Inc. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Rester moved to approve Modification No. 1 to Contract No. 13-EN-03; QES, Inc. Modification No. 1 adds a new unit line item price to the contract for “restrikes” at \$1,000 per test. Commissioner Knesal seconded and the motion was unanimously approved.

#### NEW BUSINESS:

Commissioner Rester moved to approve Task Order No. 2 to Contract No. 013-HUD-018 with L&A Contracting. Task Order No. 2 contains additional funding towards new line items CO 002-1 Debris Removal in the amount of \$187,281.33 and CO 002-2 Out of Location Pilings in the amount of \$25,388.37 for a total increase in contract value of \$212,669.70. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Rester moved to approve Task Order No. 14 to Contract No. 010-HUD-011 with QEA, LLC. Task Order No. 14 has a not to exceed value of \$79,300.00 and duration of 132 calendar days. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Knesal moved to approve Task Order No. 4 to Contract No. 010-HUD-010 with Michael Baker, Inc. Task Order No. 4 has a not to exceed value of \$43,495.00 and duration of 193 calendar days. Commissioner Rester seconded and the motion was unanimously approved.

Commissioner Rester moved to approve Task Order No. 5 to Contract No. 010-HUD-010 with Michael Baker, Inc. Task Order No. 5 has a not to exceed value of \$29,012.25 and duration of 365 calendar days. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Rester moved to approve Task Order No. 1 to Contract No. 014-HUD-021; W.C. Fore Trucking, Inc. Task Order No. 1 has a not to exceed value of \$70,330.00 and duration of 90 calendar days. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Rester moved to authorize the purchase of one replacement vehicle for the Operations Department – one Ford Explorer. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Rester moved to approve a Professional Service Agreement with Cornerstone Government Services, LLC for consulting services. The purpose of the

agreement is to provide strategic counsel and connectivity primarily to the Executive and Legislative government branches associated with the port development initiatives. Commissioner Norris seconded and the motion was unanimously approved.

*Commissioner Norris recused himself and left the meeting.*

Commissioner Rester moved to approve the request of Island View Resort & Casino for a partial ad valorem tax exemption for the calendar year 2014, excluding school taxes. Commissioner Knesal seconded and the motion was unanimously approved.

*Commissioner Norris returned to the meeting.*

Commissioner Rester moved to approve Task Assignment No. 7 under contract No. 13-EN-02; Brown, Mitchell & Alexander. Task Assignment No. 7 provides for civil engineering support preliminary architectural planning and the preparation of a market analysis and study related to a proposed new Maritime Commerce Center with a not to exceed amount of \$74,500. Commissioner Norris seconded and the motion was unanimously approved.

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COMMUNICATIONS UPDATE:

The Gibbes Company is currently working on a number of collateral marketing pieces.

Thanks to everyone that attended last month's ribbon cutting ceremony for the West Gate Security Complex.

Joe Conn represented the port and the Pathways Program at a community outreach event; Director Daniels recently spoke to the Westside Community Center and to a group of teens in the community.

The gantry crane information will be emailed once the package is ready.

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PORT RESTORATION UPDATE:

All contractors are working overtime so that all packages are ready in a timely manner.

The crane package should be ready by December 2nd.

The wharf upgrade is proceeding very well.

Wick work should be completed by Thanksgiving.

OPERATIONS REPORT:

Matthew Wypyski reported on the monthly maritime activity:

Vessel calls	Vessels	16		Truck Count	6,499
	Tugs	6		Railcar Count	605
	Barges	16		TEU's	15,805
				Tonnage (short tons)	166,398

On October 31st, the Port Safety Committee met for the first time in approximately 2 years. The meeting was very well attended and the group will get together again in January. Rusty Hilton with the Pilots Association is in attendance today and he is a part of that Committee.

The port will have 3 additional vessels next week. The military is bringing equipment in for the CB Base and we will have a couple of ore vessels. These will bring additional work for the pilots and for the ILA.

EXECUTIVE DIRECTOR'S COMMENTS:

In response to Mr. Cobb's question under public comments: at last month's meeting, the Commissioners approved the issuance of an RFP to allow landscape architects the opportunity to design new fencing, lighting, etc. towards beautifying the entryway on Highway 90.

Military cargo is coming to the port next week and staff is working hard towards having the MSPA designated as a strategic military port.

Representatives with CH2MHill are on site today to evaluate our security needs. We are looking to integrate a number of security components into future port activities.

With regard to the WRDA Bill, there were 26 amendments accepted as part of the recent passage. We continue to monitor that bill as it continues through Committee.

The Commission recently approved a Letter of Intent to the Corps of Engineers regarding a cost sharing possibility for dredging. We received notice that this letter has moved from Mobile to Atlanta and will then go forward to Washington for congressional evaluation.

The SEUS Japan Conference was held in Biloxi this week and port representatives were in attendance. This conference provided business opportunities and developed relations with counterparts from Asia and Japan. There were 431 in attendance and the stage was set for future conferences.

We continue to work to have representatives of Green Marine visit the MSPA and make a presentation to see how MSPA can become the first gulf port to be certified in this program.

The President and Vice-President have been working there way around east coast ports and gulf ports enhancing interest to invest in infrastructure and in ports. Investments need to continue our investments because of the level of future growth that is expected in trade.

Director Daniels has now been with the MSPA for five months and wanted to thank port staff members for their professionalism, dedication and for their efforts during this period.

GENERAL COUNSEL'S COMMENTS:

David Duhe had no comments.

MDA'S COMMENTS:

Daron Wilson had no comments.

COMMISSIONER COMMENTS:

Commissioner Simpson commented on the importance of the WRDA bill and thanked Director Daniels and Commissioner Norris for their efforts towards this issue.

This meeting is the last meeting with Commissioner Simpson serving as Commission President. Commissioner Simpson thanked everyone for the past year and will turn the gavel over to Commissioner Rester at the December meeting.

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

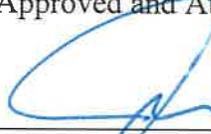
Commissioner Rester moved to enter Executive Session to discuss Real Estate Matters (potential lease) and Personnel Matters. Commissioner Knesal seconded and the motion was unanimously approved.

(THE BOARD OF COMMISSIONERS ENTERED INTO EXECUTIVE SESSION AT APPROXIMATELY 9:35 A.M.)

Commissioner Simpson stated that no action took place during Executive Session

The meeting adjourned at approximately 11:05 a.m.

Approved and Attested

  
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John Rester  
President

  
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E.J. Roberts  
Secretary