

# MISSISSIPPI PORT AUTHORITY

## BOARD OF COMMISSIONERS

### REGULAR MEETING

**May 12, 2014**

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Minutes of the Mississippi State Port Authority Board of Commissioners Meeting,  
Monday, May 12, 2014, 2510 14<sup>th</sup> Street, Suite 1500, Gulfport, Mississippi at which the  
following Commissioners and staff were present:

Commissioners:     John Rester, President  
                          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  
                          Joe Conn, Director of Port Restoration  
                          John Webb, Director of Engineering  
                          Dale Waltman, Director of Operations  
                          Mary Bourdin, Director of Finance  
                          Mel Arsenault, Director of Compliance  
                          Carlos Bell, Director of Community Relations/Marketing  
                          Kim Purchner, Executive Assistant/HRO  
                          Kim Aguillard, Community Relations/Marketing Specialist  
                          Teri Wyly, Legal Counsel  
                          David Duhe, Legal Counsel

Others:               Denton Gibbes, The Gibbes Company  
                          Shorty Sneed, Stewart Sneed Hewes  
                          Phillip Carter, MDA  
                          Howard Page, Steps Coalition  
                          Robert Boone, RFB, LLC  
                          Lisa Hathorn, The Gibbes Company  
                          Todd Bradford, YAJV  
                          Greg Schruff, SSA Marine  
                          Duane Wilson, DuPont  
                          Cathy Mackenzie, Island View Casino Resort  
                          Brian Varnado, T.L. Wallace  
                          Randall Love, T.L. Wallace  
                          Tom Ryburn, CH2MHill  
                          Marcia Crawford, HCDC  
                          Chris Williams, BMA  
                          Darius Johnson, ILA  
                          Rebecca Ferguson, MDA  
                          Tim Lancaster, Ports America  
                          Glenn Cobb, Pathways to the Port Committee  
                          Reed Guice, The Guice Agency  
                          Jay Carney, T.L. Wallace  
                          Richie Ashley, Neel Schaffer, Inc.  
                          Heather Megehee, YAJV  
                          Bruce Newton, Digital Engineering

Jim Clayton, Page & Jones  
 S.P. Mellen, Jr., Cotton Compress

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Commissioner Rester 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 Rester.

PUBLIC COMMENTS:

Howard Page, Steps, Coalition asked about MDA's Response to the Monitoring Report.

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

Commissioner Knesal moved to approve travel (May 6-7/Daniels to Jackson/Vicksburg). Commissioner Roberts seconded and the motion was unanimously approved.

FINANCIAL REPORT:

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

FINAL CHECKLIST FOR MAY 12, 2014  
 BILLS FOR THE MONTHS OF APRIL AND MAY 2014 APPROVED AND PAID  
 FROM THE GROSS REVENUE FUND OF THE MS STATE PORT AUTHORITY AT GULFPORT

CHK #	VENDOR	DESCRIPTION	CHK AMT
48219	Kentwood Springs	Drinking Water	60.22
48220	Advanced Disposal Services	Waste Removal Services	982.00
48221	Apple, Inc.	Computer	1,759.00
48222	Melanie J. Arsenault	Travel Expenses and TWIC Card	1,077.57
48223	AT&T	Telephone Services	1,569.05
48224	Blue Skies Gallery	Dry Mount and Frame Map	248.53
48226	Bonds Services, Inc.	Janitorial Services	1,050.00
48228	Card Services	Travel Expenses	4,440.23
48229	City of Gulfport	Water	6,945.92
48230	Sun Coast Business Supply	Office Supplies	188.17
48231	Joseph Conn	Travel Expenses	898.25
48232	Cornerstone Government Affairs	Consulting Services	12,545.00
48233	Jonathan Daniels	Travel Expenses	1,070.62
48234	E Fire	Recertify Fire Extinguishers	418.85
48235	Federal Express Corp.	Express Mail Services	17.30
48236	Fuelman	Fuel for MSPA Vehicles	640.44
48237	The Gibbes Company	Professional Services	16,834.12
48238	W.W. Grainger, Inc.	Maintenance Supplies	471.50
48239	Great Southern Club	Monthly Dues and Business Expenses	383.38
48240	Gulf Coast Business Supply, Inc.	Office Supplies	283.29
48241	Gulfport Yacht Club	Business Expenses	137.87
48242	Logista	Printer and Computer Services	786.00
48243	MS State Treasure Fund 3601	Long Distance Telephone/Internet Services	1,691.72
48244	Isco Metals & Supply, LLC	Metal Sheets for Roof Repair	276.00
48245	Brooks Johnson	Travel Advance and Reimb. for Website Reg.	1,089.90
48246	JOC Group, Inc.	Marketing Data Subscriptions and Advertising	4,205.00

48247	Land Shapers, Inc.	Asphalt Patching	6,060.00
48248	Maximum Auto Parts	Tail Light for Unit # 24	135.95
48249	MS Development Authority	Annual Port Administration Fee	5,000.00
48250	MS Economic Council	Membership Dues	402.63
48251	Mississippi Utilities Supply	Plumbing Supplies	202.66
48252	MS Dept. of Human Services CRDU	Employee Deductions	117.70
48253	MS Mgmt. & Reporting System	MMRS Charges	88.83
48254	MS Power Company	Electricity	32,961.98
48255	MS Pub. Employees Credit Union	Employee Deductions	400.00
48256	New Orleans Publishing Group	Advertising	725.00
48257	Phillips Building Supply	Maintenance Supplies	110.79
48258	Ports America, Inc.	Chiquita Out of Berth	7,242.99
48260	RJ Young Company, Inc.	Isynergy Training	2,500.00
48261	Roskopf Electrical Supply Co.	Dock Levelers on Shed 53 and Supplies	314.00
48262	Rose Office Systems, Inc.	Rental for Facilities/Ops./Crowley Trailers	3,730.00
48263	Angela Shortt	Travel Expenses	822.89
48264	Shred It - Mobile	Monthly Shredding 8th & 14th Floors	123.75
48265	Sorg Printing, LLC	Business Cards	76.00
48266	Southern Pipe and Supply, Inc.	Plumbing Supplies	83.70
48267	Southern Admin. and Benefits	Monthly Service Fees	200.00
48268	Stewart Sneed Hewes, Inc.	Insurance	1,302.00
48269	The Sun Herald	Advertising	1,864.50
48270	Swetman Security Services, Inc.	Security Guard Services	22,488.62
48271	United States Postal Service	Postage for Meter	1,500.00
48273	John Webb	Travel Expenses	179.20
48274	Matthew Wypyski	Tuition Reimbursement	2,290.00
48275	Robert J. Knesal	Per Diem	80.00
48276	Jack Norris	Per Diem	40.00
48277	Eluse J. Roberts	Per Diem	80.00
48278	James C. Simpson, Jr.	Per Diem	40.00
04/28/14	Public Employment Retirement	Retirement Match and Withheld	44,759.73
05/01/14	Deferred Compensation	Employee Deductions	3,169.67
05/02/14	Federal Tax Deposit	Payroll Tax Deposit	22,682.69
		Total	\$ 221,845.21

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Commissioner Roberts moved to approve the following progress payments: BMA (\$237,342.75); BMI Environmental (\$2,951.25) QES (\$3,512.50); W.C. Fore Trucking (\$322,680.18). Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Norris moved to approve cash request #70 - MSPA (\$70,605.71); CH2MHill (\$258,019.33); QES (\$15,024.71); Neel Schaffer (\$349,733.17); Thompson Engineering (\$11,366.00); L&A Contracting (\$951,080.12); Bertucci Contracting (\$1,674,704.93); Atwell & Gent (\$57,425.56); Atkins (\$29,784.95); Michael Baker (\$11,701.41); Anchor QEA (\$55,670.07); Ruiz Contracting (\$299,489.70); Volkert (\$1,755.39) for a subtotal of \$3,786,361.05. Commissioner Roberts seconded and the motion was unanimously approved.

*Commissioner Norris recused himself and left the meeting.*

Commissioner Roberts moved to approve payment of \$165,683.90 to Yates Anderson JV (under Restoration Agreement Request #70), for a total of \$3,952,044.95 and payment to Balch & Bingham of \$22,079.78. Commissioner Knesal seconded and the motion was unanimously approved.

*Commissioner Norris returned to the meeting.*

OLD BUSINESS:

Commissioner Roberts moved to approve Amendment No. 2 to Task Order No. 6 with Atwell & Gent under Contract No. 010-HUD-013. Amendment No. 2 extends the contract by 385 days and increases costs by \$30,085.00. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Roberts moved to approve Modification No. 3 with Adjusters International under Contract No. 11-FD-16. This amendment provides services for FY 2015 with no increase in cost. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Knesal moved to approve Modification No. 4 to Contract No. 11-FD-14 with Piltz, Williams, LaRosa & Co. This amendment provides services for FY 2015 with no increase in cost. Commissioner Roberts seconded and the motion was unanimously approved.

NEW BUSINESS:

Commissioner Roberts moved to authorize the disposition of an air compressor through state auction. The compressor no longer works but has a diesel engine that might have value. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Knesal moved to approve Task Order No. 17 under Contract No. 010-HUD-011 with Anchor QEA. Task Order No. 17 has a not to exceed amount of \$169,500.00 and duration of 230 calendar days. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Knesal moved to approve Task Order No. 29 under Contract No. 010-HUD-001 with Neel Schaffer, Inc. Task Order No. 29 has a not to exceed amount of \$869,300.00 and duration of 600 calendar days. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Roberts moved to approve Task Order No. 8 under Contract No. 010-HUD-013 with Atwell & Gent. Task Order No. 8 has a not to exceed amount of \$266,035.00 and duration of 635 calendar days. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Knesal moved to approve Task Order No. 14 under Contract No. 010-HUD-002 with Thompson Engineering. Task Order No. 14 has a not to exceed amount of \$76,660.06 and duration of 365 calendar days. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Roberts moved to authorize a Memorandum of Understanding with the U.S. Army Corps of Engineers to fund expediting review and evaluation of permit application pursuant to 33 U.S.C.308. Initial funding will be \$50,000 initially and is not expected to exceed \$70,000. Commissioner Norris seconded and the motion was unanimously approved.

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COMMUNICATIONS UPDATE:

On May 15th, the Restoration Division will hold a Business Outreach Program from 2:00 – 3:30 at the Isaiah Fredericks Community Center.

Port tours will take place on June 7th from 9:00 – 12:00 with shuttles departing from P.J.'s Coffee Shop.

*Commissioner Simpson entered the meeting*

RESTORATION UPDATE:

We are up to 174 full time equivalent people working currently on the program.

We have advertised the tenant facilities, with the first advertisement in today's newspaper.

Phase I site work is on schedule and we will be advertising the water tower project some time later this summer.

L&A Contracting has greatly increased their timing and making good progress. Bertucci Contracting has completed their work.

OPERATIONS REPORT:

Matthew Wypyski reported on partial activity for the Month of April – not all counts are final to date:

Vessels	19		Truck Count	7,835
Tugs	16		Railcar Count	829
Barges	48		TEU's	
			Tonnage (short tons)	

A safety meeting is scheduled for Friday, May 16th at 10:00 a.m. in the Operations Trailer.

A hurricane preparedness meeting is scheduled for Tuesday, May 27th at 11:00 a.m. at the Great Southern Club.

EXECUTIVE DIRECTOR'S COMMENTS:

Director Daniels was pleased to announce that the House and Senate have come out of conference with a WRDA bill. The timing is good and this is a watershed moment.

We will be celebrating Dole's 50th Anniversary at the port from June 5th through June 7th.

AAPRCO will arrive near the port on May 22nd. There are 15 lavish, privately-owned rail cars that will rail here from Hattiesburg.

Green Marine representatives were on site last week and we're moving forward.

GENERAL COUNSEL'S COMMENTS:

Teri Wyly had no comments.

MDA'S COMMENTS:

Philip Carter had no comments.

COMMISSIONER COMMENTS:

There were no Commissioner's comments.

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

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

(THE BOARD OF COMMISSIONERS ENTERED INTO EXECUTIVE SESSION AT APPROXIMATELY 9:00 A.M.)

Commissioner Roberts moved to come out of Executive Session. Commissioner Simpson seconded and the motion was unanimously approved. Commissioner Rester stated that no action took place during Executive Session

Commissioner Norris moved to extend the contract of Executive Director Jonathan Daniels by 2 years, leaving a remaining contract period of 4 years with a base salary for next year, effective the next pay period, of \$250,000 with a monthly \$1,000 car allowance. Insurance payments will be considered, subject to legal counsel confirming the legality under state law. Commissioner Simpson seconded and the motion was unanimously approved. The Commissioners expressed their appreciation to Jonathon for a job well done over the past year and commended his marketing efforts to date.

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

The meeting adjourned at approximately 11:00 a.m.

Approved and Attested

  
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John Rester  
President

  
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E.J. Roberts  
Secretary