

# MISSISSIPPI PORT AUTHORITY

## BOARD OF COMMISSIONERS

### REGULAR MEETING

**September 25, 2014**

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Minutes of the Mississippi State Port Authority Board of Commissioners Meeting,  
Thursday, September 25, 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

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  
                          Shawn Meyer, Deputy Director of Operations  
                          Nick Foto, Finance Manager, Restoration  
                          Angie Shortt, Contract Administrator, Restoration  
                          Kelly Ellison, Administrative Asst., Restoration  
                          Lucy Stevens, PR/Administrative Asst.  
                          Tammy Salisbury, Comptroller  
                          Debra Peterson, Accounting Specialist  
                          Malinda Dumal, Accounting Specialist

                          Ben Stone, Legal Counsel  
                          David Duhe, Legal Counsel

Others:                Jerry Levens, AVL  
                          Mark Schloegel, 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  
                          Chris Williams, BMA  
                          Rebecca Ferguson, MDA  
                          Bruce Newton, Digital Engineering  
                          Courtney Haggerty, Residence Inn  
                          Avery Windham, Hilton Garden Inn  
                          Todd Bradford, YAJV  
                          Randall Love, T.L. Wallace  
                          John Coughlin, YAJV

Steve Twedt, Neel Schaffer  
 Casey McConnell, YAJV  
 Glenn Cobb, Pathways to the Port  
 Todd Stockberger, CH2MHill  
 Inessa Ramsey, CH2MHill  
 Dan Johnson, ILA  
 Anna Gibson, Watkins Eager  
 Scott Moody, Moody Electric  
 Steven Warren, Warren Paving, Inc.  
 David Machado, Machado/Patano  
 James Necaise, Necaise Brothers Construction  
 Jim Brashier, Insurance Center  
 Michael Costelli, Simpkins & Costelli, Inc.  
 Jeremy Patterson, Warren Paving  
 Stephen Saussi, T.L. Wallace  
 Horice McKnight, Design Precast  
 Colin Macpherson, Gulfport Towing  
 Maurice Manuel, Yates Anderson  
 Warren Poarch, S&B Infrastructure, Ltd.  
 Cathy Mackenzie, Island View Resort & Casino  
 Cotton Fore, W.C. Fore Trucking  
 D. Veale, W.C. Fore Trucking  
 Tina Gillich, Attorney for W.C. Fore Trucking  
 Shorty Sneed, Stewart Sneed Hewes

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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:

Tina Gillich, on behalf of W.C. Fore Trucking Company, Inc. spoke to the Commission regarding a bid that Mr. Fore presented (item 8K on the agenda).

Howard Page requested the February HUD Monitoring Report be placed on the website for public review.

The annual audit report/presentation was given by Jerry Levens of Alexander, Van Loon & Levens regarding Fiscal Year 2014.

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Commissioner Roberts moved to approve the August 28th minutes. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Norris moved to approve travel (Nov. 9-13/Daniels, Wypyski + BOC to Houston, TX. Commissioner Roberts seconded and the motion was unanimously approved.

FINANCIAL REPORT:

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

DISBURSEMENTS THROUGH SEPTEMBER 10, 2014

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

CHK#	VENDOR	DESCRIPTION	CHK AMT
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48771	AirGas Gulf States	Oxygen Cylinder Rental and Regulator Gauge	120.24
48772	Melanie J. Arsenault	Travel Expenses	233.52
48773	Neopost USA, Inc.	Postage Meter Rental	140.18
48774	AT&T	Telephone Services	1,691.22
48775	Carlos Bell	Business Expense	20.00
48776	Bonds Services, Inc.	Janitorial Services	1,050.00
48777	City of Gulfport	Water	6,349.46
48778	Joseph Conn	Reimbursement for TWIC Card Renewal	60.00
48779	Cornerstone Government Affairs	Consulting Services	12,500.00
48780	C Spire Wireless	Radio/Cell Phone Services and Equipment	1,723.62
48781	Edward Currie	CSCH Deposit Refund	200.00
48782	Jonathan Daniels	Travel Expenses and Conf. Registration Fee	733.69
48783	Emerald TC, LLC	Software Maintenance Renewal	399.00
48784	Federal Express Corp.	Express Mail Services	132.52
48785	Nick Foto	Reimbursement for TWIC Card Renewal	60.00
48786	Fuelman	Fuel for MSPA Vehicles	624.14
48787	W.W. Grainger, Inc.	Maintenance Supplies	281.33
48788	Great Southern Club	Dues and Business Expenses	804.82
48789	Gulf Coast Business Supply, Inc.	Office Chair	523.80
48790	Gulfport Main St. Association	Anchor Fest Sponsorship	5,000.00
48791	Gulfport School District	Sponsorships	2,500.00
48792	J.H. Haynes Electric Co., Inc.	Repair Wiring to High Mast Lights	1,297.66
48793	Logista	Computer Services	65.00
48794	MS State Treasure Fund 3601	Long Distance Telephone/Internet Services	745.25
48795	Jerry's Lawn Mower Sales	Replacement Parts for Weedeaters & Supplies	807.19
48796	MS Dept. of Human Services CRDU	Employee Deductions	304.45
48797	MS Power Company	Electricity	28,505.02
48798	MS Pub. Employees Credit Union	Employee Deductions	400.00
48799	Northern Tool & Equipment Co.	Grounds Maintenance Supplies	165.56
48800	Raycom TV Broadcasting, Inc.	Advertising	3,220.00
48801	John Rester	Travel Expenses	181.07
48802	Rose Office Systems, Inc.	Rental for Facilities/Ops./Crowley Trailers	3,730.00
48803	Sam's Wholesale	Membership Renewal	45.00
48804	Seal Electrical, Inc.	Electrical Svcs. Relocate Cranes/Tire Shop	9,364.73
48805	SEMPAC	Conference Registration Fees	355.00
48806	Sorg Printing, LLC	Business Cards	38.00
48807	Southern Printing & Silkscreen	Promotional Supplies	142.00
48808	Southern Pipe and Supply, Inc.	Plumbing Supplies	32.31
48809	State Dept. of Audit	Statewide Testwork	10.61
48810	Swetman Security Services, Inc.	Security Guard Services	22,649.24
48811	US Department of Education	Employee Deductions	326.72
48812	Dale Waltman	Business and Travel Expenses	263.54
48813	Waste Oil Collectors, Inc.	Disposal of Waste Oil	80.00
48814	Waterways Journal, Inc.	Subscription	70.00
CHECKS DATED 9/3/14 AND RELEASED PRIOR TO SCHEDULED CHECK RUN			
48768	MS Pub. Employees Credit Union	Employee Deductions	400.00
48769	National Flood Insurance Program	MT-2 Application Additional Fees	300.00
48770	Rose Office Systems, Inc.	Costs to Relocate Maintenance Trailer	3,035.00
TRANSFERS			
9/4/14	Deferred Compensation	Employee Deductions	3,069.67
9/5/14	Federal Tax Deposit	Payroll Tax Deposit	21,076.66
Total			\$ 135,827.22

FINAL CHECKLIST FOR SEPTEMBER 25, 2014

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

CHK#	VENDOR	DESCRIPTION	CHK AMT
48819	Kentwood Springs	Drinking Water	390.17
48820	AFLAC	Employee Deductions	1,234.83
48821	AirGas Gulf States	Oxygen Cylinder Rental	34.08
48822	Alexander, Van Loon, Sloan	FY2014 Financial Audit Services	25,000.00
48823	Alliance Supply Management, LTD	License Refund	120.00
48824	Anytime Portables, LLC	Portable Restroom Services	360.00
48828	Cintas Corporation No.2	Maintenance Uniforms	1,698.85
48829	Sun Coast Business Supply	Office Supplies	207.13
48830	Joseph Conn	Business and Travel Expenses	512.35
48831	Jonathan Daniels	Travel Expenses	1,841.18
48832	State School Insurance Fund	Employee Deductions	11,760.98
48833	Federal Express Corp.	Express Mail Services	227.45
48834	Fuelman	Fuel for MSPA Vehicles	512.15
48835	W.W. Grainger, Inc.	Maintenance Supplies	847.87
48836	Guardian	Employee Dental Deductions	1,052.14
48837	Gulf Coast Business Supply, Inc.	Office Supplies	152.88
48838	Hancock Bank	October Lease 14th Floor	14,432.24
48839	Hancock Bank	October Lease 8th Floor	5,241.35
48840	Robert J. Knesal	Per Diem	120.00
48842	Lowe's Home Center, Inc.	Maintenance Supplies	72.78
48843	Maximum Auto Parts	Equipment Maintenance Supplies	1,436.53
48844	MS Dept. of Human Services CRDU	Employee Deductions	304.45
48845	MS Pub. Employees Credit Union	Employee Deductions	400.00
48846	MSPA Petty Cash Fund	Replenish Petty Cash	40.21
48847	MS State Tax Commission	Employee Deductions	6,261.00
48848	New Orleans Publishing Group	Advertising	1,425.00
48849	Jack Norris	Per Diem	120.00
48850	Phillips Building Supply	Maintenance Supplies	432.45
48851	Legal Shield	Employee Deductions	150.46
48853	RJ Young Company, Inc.	Copier Maintenance Agreements	1,156.00
48854	Eluse J. Roberts	Per Diem	280.00
48855	Rose Office Systems, Inc.	Rental for Facilities/Ops./Crowley Trailers	3,730.00
48856	Sam's Wholesale	Office Supplies	269.61
48857	James C. Simpson, Jr.	Per Diem	200.00
48858	Southern Printing & Silkscreen	Uniform Embroidery & Thank You Cards	476.91
48859	Southern Pipe and Supply, Inc.	Plumbing Supplies	297.95
48860	State Dept. of Audit	Statewide Testwork	3.88
48861	The Sun Herald	Advertising	30.06
48862	Swetman Security Services, Inc.	Security Guard Services	22,629.74
48863	Tidewater Marine LLC	License Refund	30.00
48864	Vision Service Plan	Employee Deductions	200.11
48866	Wright National Flood Ins.	Insurance	62,450.00
CHECKS DATED 9/11/14 AND RELEASED PRIOR TO THE MEETING			
48815	Advanced Disposal Services	Waste Removal Services	438.00
48816	Card Services	Travel Expenses	4,042.57
48817	Jonathan Daniels	Travel Expenses	316.99
48818	East Beach Specialties, Inc	Promotional Items	4,053.51

TRANSFERS

9/12/14	MS Department of Revenue	August Sales Tax Payment	5,403.96
9/18/14	Deferred Compensation	Employee Deductions	3,067.67
9/19/14	Federal Tax Deposit	Payroll Tax Deposit	21,354.01
9/19/14	Public Employment Retirement	Retirement Match and Withheld	44,412.19
Total			\$ 251,231.69

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

The following items were approved:

RENEWAL LICENSES:

Vendor: Alliance Supply Management, LTD

Steamship Agent: Christian Bay Shipping (dba Fillete-Green Shipping Services); Wilhelmsen Ship Service

NEW VENDORS: Henry Marine Service, Inc.

Commissioner Roberts moved to approve progress payments to Brown, Mitchell & Alexander (\$96,871.98); BMI Environmental (\$5,985.63); Can't Be Beat Fence Company (\$18,220.91); L&A Contracting (\$530,522.03); QES, Inc. (\$4,979.50); and W.C. Fore Trucking (\$83,968.64). Commissioner Norris seconded and the motion was unanimously approved.

*Commissioner Norris recused himself and left the meeting.*

Commissioner Knesal moved to approve payments of \$101,192.74 to Yates Anderson JV and \$9,331.12 to Balch & Bingham. Commissioner Roberts seconded and the motion was unanimously approved.

OLD BUSINESS:

Commissioner Roberts moved to approve Amendment No. 1 to Task Order No. 12 under Contract No. 010-HUD-006 with Yates Anderson Joint Venture. Amendment No. 1 closes out Task Order 12 with all work completed and accepted. Commissioner Knesal seconded and the motion was unanimously approved.

*Commissioner Norris returned to the meeting*

Commissioner Knesal moved to table Amendment No. 9 to Contract No. 518-C with CH2MHill. This amendment would establish a new rate category of "Construction Manager" for subcontractor T.L. Wallace Construction, Inc. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Norris moved to approve Amendment No. 10 to Contract No. 518-C with CH2MHill. This amendment extends the period of performance by 2 years with a not-to-exceed amount of \$6,132,621.22. Commissioner Roberts seconded and the motion was approved with the Commissioners voting as follows:

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

Commissioner Knesal moved to approve Amendment No. 1 to Task Order No. 16 under Contract No. 010-HUD-011 with Anchor QEA, LLC. This amendment increases costs by \$178,421.00 with a 70 day extension. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Roberts moved to approve Amendment No. 1 to Task Order No. 7 under Contract No. 010-HUD-003 with QES. Amendment No. 1 de-obligates \$25,268.71 and closes out Task Order 7 with all work completed and accepted. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Roberts moved to approve Amendment No. 1 to Task Order No. 9 under Contract No. 010-HUD-013 with Atwell & Gent. This amendment includes a 114 day extension and no change in costs. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Knesal moved to approve Amendment No. 1 to Task Order No. 27 under Contract No. 010-HUD-001 with Neel Schaffer. Amendment No. 1 de-obligates \$39.91 and closes out Task Order 27 with all work completed and accepted. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Roberts moved to approve Amendment No. 4 to Task Order No. 23 under Contract No. 010-HUD-001 with Neel Schaffer. Amendment No. 4 de-obligates \$3,248.91 and closes out Task Order 23 with all work completed and accepted. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Roberts moved to approve Amendment No. 1 to Task Order No. 8 under Contract No. 010-HUD-003 with QES. Amendment No. 1 de-obligates \$47,955.72 and closes out Task Order 8 with all work completed and accepted. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Roberts moved to approve Change Order No. 5 with L&A Contracting, Contract No. 013-HUD-018. This change order increases costs by \$117,119.86 and adds 4 days to the contract. Commissioner Norris seconded and the motion was unanimously approved.

The award of Project 302 – Infrastructure and Utilities, Construction Phase 1 was tabled.

#### NEW BUSINESS:

Commissioner Roberts moved to approve the FY14 Audit as presented earlier in the meeting. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Roberts moved to table the request from Island View for an extension of the ad valorem tax (excluding school taxes) for calendar year 2015. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Norris moved to authorize Jonathan Daniels and MSPA's Corporate Representative at the AAPA Annual Convention. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Norris moved to approve Task Order No. 30 under Contract No. 010-HUD-001 with Neel Schaffer, Inc. Task Order No. 30 has duration of 645 calendar days and a not to exceed amount of \$1,739,524.00. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Knesal moved to authorize an advertisement for bid for Project 311. Project 311 is the Commercial Small Craft Harbor West Pier Shoreline, Protection and Breakwater project. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Knesal moved to authorize an advertisement for bid for fencing around the temporary construction contractor trailer location, north of Highway 90. Commissioner Norris seconded and the motion was unanimously approved.

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RESTORATION UPDATE:

Staffing increased by a small amount. These numbers will jump next month once we have completed the design on a couple of projects.

The Small Craft Harbor Shore Protection and Breakwater project was just approved and we will advertise this on October 1st and 8th with a pre-bid meeting on October 15th.

We had very successful technical meetings this week with ZPMC.

OPERATIONS REPORT:

Matthew Wypyski reported on activity for the Month of August:

Vessels	13		Truck Count	6,244
Tugs	6		Railcar Count	754
Barges	6		TEU's	14,900
			Tonnage (short tons)	119,772

Operations and maintenance dredging began on our channel on September 7th. As of yesterday, approximately 7,000 feet of the channel has been dredged. Completion should be at the end of 2014 and we should be at our authorized depth of 36'.

Phase A of the wharf upgrade project on the west side has been completed and west pier, berth one is actively being used.

EXECUTIVE DIRECTOR'S COMMENTS:

Director Daniels thanked the Finance team for their work during the audit.

A trip was recently made to Japan for the SEUS –Japan Conference. Director Daniels was a panelist and represented all port directors regarding transportation opportunities. The delegation was led by Governor Bryant with Williams Yates as the Chairman.

On September 8th, the Gulf Coast Shipyard's first vessel has arrived. The vessel was produced on Seaway Road and towed here. They will spend 2-3 months outfitting this vessel.

McDermott and members of their team will be here next week. We're working together with them on their schedule.

We had the opportunity to tour the Island View yesterday. The speed at which they are working is phenomenal. The quality of the work that is going on over there is exciting.

On October 18th, we will again offer port tours to the public from 9 – 12.

This Friday, on Sept. 26th, we will hold a press conference at 11:30 to announce our certification as a Green Marine Port. We are 1 of 2 saltwater ports in the United States, joining the Port of Seattle.

GENERAL COUNSEL'S COMMENTS:

Ben Stone had no comments.

MDA'S COMMENTS:

Daron Wilson had no comments.

COMMISSIONER COMMENTS:

Commissioner Norris commented on the audit presentation and how impressive it was to have such positive audits for 21 years. Commissioner Rester echoed Commissioner Norris' comments regarding the audit and thanked the staff.

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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 Roberts moved to enter Executive Session to discuss Personnel Matters, Lease Matters with a prospective tenant and potential litigation. Commissioner Knesal seconded and the motion was unanimously approved.

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

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

Commissioner Rester stated that no action took place during Executive Session

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

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

Approved and Attested

  
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John Rester  
President

  
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E.J. Roberts  
Secretary