

# MISSISSIPPI PORT AUTHORITY

## BOARD OF COMMISSIONERS

### REGULAR MEETING

**July 27, 2017**

---

Minutes of the Mississippi State Port Authority Board of Commissioners Meeting,  
Thursday, July 27, 2017 at 2510 14<sup>th</sup> Street, Suite 1450, Gulfport, Mississippi at which  
the following Commissioners and staff were present:

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

Staff: Jonathan Daniels, Executive Director/CEO  
Matthew Wypyski, Chief Operating Officer  
John Webb, Director of Engineering  
Kim Purchner, Executive Asst./HRO  
Mel Arsenault, Director of External Affairs  
Nick Foto, Deputy Program Manager  
DeeDee Wood, CFO  
Shawn Meyer, Director of Operations  
Kim Aguiard, Marketing & Media Manager  
Chuck Graham, Crane Manager

Ben Stone, Legal Counsel

Others: Richie Ashley, Neel-Schaffer  
Robert Boone, RLB, LLC  
Bailey Fair, Watkins & Eager  
Damon Torricelli, Neel Schaffer, Inc.  
Pastor Chris O'Brian, Seaman's International  
Bruce Newton, Digital Engineering  
Cindy Lamb, Pickering  
Michael Sheely, CH2MHill  
Bob Burns, CH2MHill  
Kym Davis, YAJV  
Dax Alexander, BMA, Inc.  
Marcia Crawford, HCDC  
Don Collins, Dan Hensarling  
Casey McConnell, YAJV  
Rusty Hilton, MS State Pilots  
Howard Page, Steps Coalition  
Maddie Costelli, Simpkins & Costelli  
Michael Costelli, Simpkins & Costelli  
James Necaise, Necaise Brothers Construction  
Lillian Jenkins, Horne  
Megan Rowe, Residence Inn, Gulfport Airport  
Tom Wells, Waldemar S. Nelson Co.  
Todd Bradford, YAJV

Commissioner Knesal 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 Knesal.

The invocation was led by Pastor Chris O'Brian, Seaman's Center.

PUBLIC COMMENTS:

Howard Page, Steps Coalition had comments regarding the final EIS comments. Although MDA representatives were not present, he requested a document from them that shows the present vision or the Action Plan.

\*\*\*\*\*

Commissioner Simpson moved to approve the June 19th, June 26th and July 6th Minutes. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Roberts moved to approve travel requests as submitted. Commissioner Simpson seconded and the motion was unanimously approved.

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

DISBURSEMENTS THROUGH JULY 14, 2017  
BILLS FOR THE MONTHS OF JUNE AND JULY 2017 APPROVED AND PAID  
FROM THE GROSS REVENUE FUND OF THE MS STATE PORT AUTHORITY AT GULFPORT

CHK#	VENDOR	DESCRIPTION	CHK AMT
52305	AGJ Systems & Networks, Inc.	Computer Services	3,000.00
52306	AICPA	Membership Dues	265.00
52307	AirGas Gulf States	Oxygen Cylinder Rental	35.50
52308	Allen Purvis & Associates	Property Appraisal	2,400.00
52309	Anytime Portables, LLC	Portable Restroom Services	420.00
52310	Barefield Workplace Solutions, Inc.	Office Supplies	431.50
52311	AT&T	Telephone Services	1,789.65
52312	Boys & Girls Clubs	Sponsorship Career Development	500.00
52313	Butch Oustalet Ford, Inc.	2017 Ford Explorer	25,191.00
52314	Card Services	Travel Expenses and Registration Fees	1,561.60
52315	Card Services	Travel Expenses and Registration Fees	3,590.67
52316	Card Services	Promotional Items and Advertising	210.81
52317	City of Gulfport	Water	14,811.34
52318	Sun Coast Business Supply	Office Supplies	90.75
52319	Crews Culinary Investments, Inc.	Sponsorship MS Seafood Cook-Off	500.00
52320	C Spire Wireless	Radio/Cell Phone Services	1,138.28
52321	Federal Express Corp.	Express Mail Services	137.95
52322	Fuelman	Fuel for MSPA Vehicles	254.19
52323	Grainger, Inc.	Maintenance Supplies & Small Tools	2,052.33
52324	Great Southern Club	Monthly Dues and Business Expenses	1,080.36
52325	Gulfport Main St. Association	Membership Dues	250.00
52326	Gulf Coast Community Foundation	Sponsorship Pathways 2 Possibilities	500.00
52327	Gulfport Yacht Club	Business Expenses	11.70
52328	Gulfport Business Club	Membership Dues	25.00
52329	Logista	Computer Services	312.50
52330	Innovate Mississippi	Sponsorship Support Economic Dev.	5,000.00
52331	Kalmar USA, Inc.	Replacement Parts for STS Cranes	568.18

52332	M2 Media Corp.	Advertising	1,500.00
52333	MAP	Sponsorship Children of Hancock County	500.00
52334	Meltwater News US Inc.	Media Monitoring Services	5,000.00
52335	MS Dept. of Human Services	Employee Deductions	156.00
52336	MS Gulf Coast Chamber of Comm.	Sponsorship State of the County Address	500.00
52337	MS Power Company	Electricity	81,479.54
52338	MS Pub. Employees Credit Union	Employee Deductions	320.00
52339	MSPA Petty Cash Fund	Replenish Petty Cash	43.15
52340	MS Power Company	Electricity	100.22
52341	One Coast for Jackson County	Sponsorship One Coast	1,000.00
52342	Pass Road Mini Storage, LLC	Rental on Storage Unit	150.00
52343	Ports America, Inc.	Draying Dole Containers	20,570.19
52344	It's Promo Time	Name Tags for Port Employees	203.00
52345	Performance Tire & Wheel, Inc.	Tires for Unit # 3	500.60
52346	Redd Pest Solutions	Pest Control Services	90.00
52347	RJ Young Company, Inc.	Copier Maintenance Agreements	879.24
52348	Rose Office Systems, Inc.	Construction Trailer Rentals	3,031.00
52349	The Sun Herald	Advertising	3,924.71
52350	Swetman Security Services, Inc.	Security Guard Services	76,584.61
52351	The Focus Group	Website Development	10,661.00
52352	United States Postal Service	Postage for Meter	1,000.00
52353	Waste Management	Waste Removal Services	345.00
CHECK DATED 6/26/17 AND RELEASED PRIOR TO SCHEDULED CHECK RUN			
52298	Jonathan Daniels	Travel Expense	179.22
CHECK DATED 6/29/17 AND RELEASED PRIOR TO SCHEDULED CHECK RUN			
52299	Matthew Wypyski	Retirement Dinner - Dale Waltman	775.84
CHECKS DATED 7/7/17 AND RELEASED PRIOR TO SCHEDULED CHECK RUN			
52300	Melanie J. Arsenaault	Travel and Business Expenses	1,159.55
52301	MS Department of Revenue	Employee Deductions	12.00
52302	MS Dept. of Human Services	Employee Deductions	156.00
52303	MS Pub. Employees Credit Union	Employee Deductions	320.00
CHECK DATED 7/10/17 AND RELEASED PRIOR TO SCHEDULED CHECK RUN			
52304	MEDC	Registration for Annual Conference	355.00
TRANSFERS			
07/07/17	Deferred Compensation	Employee Deductions	970.00
07/10/17	Public Employment Retirement	Retirement Match and Withheld	43,646.92
07/12/17	Federal Tax Deposit	Payroll Tax Deposit	
			<u>28,918.70</u>
			<u>\$ 351,159.80</u>

FINAL CHECKLIST FOR JULY 27, 2017

BILLS FOR THE MONTHS OF JULY AND AUGUST 2017 APPROVED AND PAID

FROM THE GROSS REVENUE FUND OF THE MS STATE PORT AUTHORITY AT GULFPORT

CHK#	VENDOR	DESCRIPTION	CHK AMT
52354	Kentwood Springs	Drinking Water	349.88
52355	AFLAC	Employee Deductions	1,227.20
52356	AGJ Systems & Networks, Inc.	July Computer Services	3,840.00
52358	Cable One, Inc.	Cable Services	105.82
52359	Certex USA, Inc.	Grease for Cranes	657.63
52360	Sun Coast Business Supply	Office Supplies	136.57
52361	State School Insurance Fund	Employee Deductions	13,255.50
52362	Eagle Energy, Inc.	Diesel	717.64

52363	Emerald TC, LLC	Computer Services	92.50
52364	Federal Express Corp.	Express Mail Services	129.79
52365	Fuelman	Fuel for MSPA Vehicles	326.98
52366	Grainger, Inc.	Sand Bags and Maintenance Supplies	2,394.33
52367	Guardian	Employee Dental Deductions	1,231.22
52368	Hancock Bank	August Lease 14th Floor	23,168.31
52370	Jackson Cty. Chamber of Comm.	Membership Dues	155.00
52371	Robert J. Knesal	Per Diem	80.00
52372	Louis Smith Construction	Chemours Facility Modifications	48,858.37
52374	Lucille Morgan & Associates	Transcription Fees	521.05
52375	MS Dept. of Human Services	Employee Deductions	156.00
52376	MS Pub. Employees Credit Union	Employee Deductions	320.00
52377	MS State Tax Commission	Employee Deductions	7,565.00
52378	Jack Norris	Per Diem	40.00
52379	Ports America, Inc.	Draying Dole Containers	48,222.32
52380	Legal Shield	Employee Deductions	30.91
52381	Redd Pest Solutions	Pest Control Services	90.00
52382	John Rester	Reimburse for TWIC Card	125.25
52383	Eluse J. Roberts	Per Diem	40.00
52384	James C. Simpson, Jr.	Per Diem	80.00
52385	Southern Printing & Silkscreen	Port Decals for Unit 13	52.00
52386	Southern Admin. and Benefits	Monthly Service Fee	200.00
52387	Stewart Sneed Hewes, Inc.	Insurance	684.26
52388	Swetman Security Services, Inc.	Security Guard Services	24,759.24
52389	Terex Global GmbH	Recalibrate Load Cells on Gottwald Cranes	2,106.50
52390	United Way of South MS, Inc.	Employee Deductions	221.00
52391	Vision Service Plan	Employee Deductions	174.68
52393	Waste Management	Waste Removal Services	195.00
TRANSFERS			
7/14/17	MS Department of Revenue	June Sales Tax Payment	9,077.75
7/21/17	Deferred Compensation	Employee Deductions	970.00
7/21/17	Federal Tax Deposit	Payroll Tax Deposit	24,957.19
BILLS APPROVED AND PAID FROM THE EARNINGS FUND			
1102	Treasurer - State of MS	Port Improvement Bond	<u>3,090,546.25</u>
		Total	<u>\$3,307,861.14</u>

\*\*\*\*\*

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

The following items were approved:

**RENEWAL LICENSES:**

Vendor: Coast Coca-Cola Bottling Co.; J.C. Ehrich Co. dba Presto X; Tire Center, LLC; Industrial Corrosion Control; Mid-Gulf Shipping; Mike Matthews Enterprises formerly A&M Petroleum; Aplas RTD USA Inc.; Vacuum Service Group, LLC; Airgas USA, LLC

\*\*\*\*\*

Commissioner Simpson moved to approve the following progress payments: Balch & Bingham (\$52,286.13); BMA (\$44,196.50); Hayden Wrecking Corp. (\$62,073.00); Walters Marine & Diving (\$263,262.10); and YAJV (\$112,154.19). Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Simpson moved to authorize the renumbering of Southern Industrial Contractors' Pay App #15 from RFC #159 to RFC #170 (originally approved on September 22, 2016). Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Norris moved to approve RFC #171 - Southern Industrial Contractors' Pay App #16 for \$2,896,760.70 with \$2,170,097.27 to be withheld or setoff which nets to \$726,663.43 for RFC #171 per the Takeover Agreement with Travelers, MDA and MSPA. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Norris moved to approve RFC # 172 for payment of \$16,952.50 to Yates Anderson Joint Venture. Commissioner Simpson seconded and the motion was unanimously approved.

Commissioner Simpson moved to approve Cash Request #173 – Anchor QEA (\$52,432.63); Atkins (\$25,989.53); Atwell & Gent (\$74,371.22); CH2MHill (\$224,736.50); Dan Hensarling (\$1,051,160.18); J.O. Collins (\$386,213.43); MSPA (\$61,970.44); Neel Schaffer (\$107,043.05); QES (\$29,090.58); and RFB, LLC (\$2,635.00) for a sub-total of \$2,015,645.56. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Norris moved to approve Cash Request #174 to Necaise Brothers for \$1,378,239.10. Commissioner Roberts seconded and the motion was unanimously approved.

*Commissioner Knesal left the room for the following discussion and action.*

Commissioner Roberts moved to approve payment of \$23,804.00 to Eley, Guild, Hardy Architects under Cash Request #173. The total for Cash Request #173 is \$2,039,449.56. Commissioner Norris seconded and the motion was unanimously approved.

#### OLD BUSINESS:

Commissioner Roberts moved to approve Amendment No. 1 to Contract No. 016-HUD-031 with Eley Guild Hardy Architects. Amendment No. 1 adds 397 days with no change in costs. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Roberts moved to approve Amendment No. 3 to Task Order No. 3 with Eley Guild Hardy Architects under Contract No. 016-HUD-031. Amendment No. 3 decreases costs by \$780.67 and all work has been completed and accepted. Commissioner Norris seconded and the motion was unanimously approved.

*Commissioner Knesal returned to the meeting.*

Commissioner Simpson moved to approve Amendment No. 8 to Contract No. 010-HUD-001 with Neel Schaffer. Amendment No. 8 adds 304 days with no change in costs. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Roberts moved to approve Amendment No. 8 to Contract No. 010-HUD-002 with Thompson Engineering. Amendment No. 8 adds 304 days with no change in costs. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Simpson moved to approve Amendment No. 15 to Contract No. 010-HUD-014 with Atkins North America. Amendment No. 15 adds 122 days with no change in costs. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Simpson moved to approve Amendment No. 2 to Task Order No. 41 with Neel Schaffer under Contract No. 010-HUD-001. Amendment No. 2 adds 73 days with no change in costs. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Roberts moved to approve the action items listed below that have cost deductions and no change to schedule. All work has been completed and accepted and the task orders will be closed for the following:

Neel Schaffer (010-HUD-001)	Amendment 3 to Task Order 38	<\$13,480.25>
YAJV (010-HUD-006)	Amendment 5 to Task Order 9	<245.40>
Volkert (010-HUD-007)	Amendment 3 to Task Order 13	<1,416.72>
Volkert (010-HUD-007)	Amendment 3 to Task Order 14	<2,224.30>

Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Simpson moved to approve Change Order No. 1 with Hayden Wrecking Corp. under Contract No. 17-EN-02. Change Order No. 1 has an increase of \$34,990.00 with no change in schedule. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Roberts moved to approve Modification No. 4 with YAJV under Contract No. 14-EN-07. Modification No. 4 adds 30 days to the contract with no additional costs. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Norris moved to approve a Notice of Completion with Doleac Electric Co. under Contract No. 015-EN-08. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Roberts moved to approve a Notice of Completion with Hayden Wrecking Corp. under Contract No. 017-EN-02. Commissioner Simpson seconded and the motion was unanimously approved.

Commissioner Simpson moved to approve Amendment No. 1 to Task Order No. 15 with QES, Inc. under Contract No. 010-HUD-003. Amendment No. 1 adds 98 days and is retroactive to July 25, 2017. There is no change in costs. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Norris moved to approve Amendment No. 1 to Task Order No. 23 with Anchor QEA under Contract No. 010-HUD-011. Amendment No. 1 adds 128 days with no change to costs. Commissioner Simpson seconded and the motion was unanimously approved.

Commissioner Norris moved to approve Change Order No. 1 to Contract No. 017-HUD-037 with Necaise Brothers. Change Order No. 1 adds 41 days and increases costs by \$1,838,088.16. Commissioner Simpson seconded and the motion was unanimously approved.

Commissioner Roberts moved to approve Change Order No. 2 to Contract No. 016-HUD-035 with Dan Hensarling, Inc. Change Order No. 2 decreases costs by \$62,629.19 and adds 28 days. Commissioner Simpson seconded and the motion was unanimously approved.

Commissioner Simpson moved to award the West Pier Shed 16 Renovations project to J.O. Collins, Inc. Four bids were received with J.O. Collins, Inc. being the apparent low and responsive bidder at \$731,200.00. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Simpson moved to award the Terminal 1 Electrical Improvements project to Necaise Brothers Construction. Three bids were received with Necaise Brothers

Construction being the apparent low and responsive bidder at \$5,993,870.08. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Roberts moved to award the West Pier Site Utilities and Infrastructure Phase 3 project to Necaise Brothers Construction. Three bids were received with Necaise Brothers Construction being the apparent low and responsive bidder at \$4,000,000.00. Commissioner Norris seconded and the motion was unanimously approved.

NEW BUSINESS:

Commissioner Simpson moved to approve the FY18 LBO Budget in the amount of \$137,138,376.00. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Simpson moved to approve a credit memorandum in the amount of \$83,950.00 to Dole Fresh Fruit for reimbursement expenses related to their move to the West Terminal. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Roberts moved to approve Task Order No. 51 with Neel Schaffer, Inc. under Contract No. 010-HUD-001. Task Order No. 51 has duration of 243 days and a not to exceed amount of \$38,319.00. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Norris moved to approve Task Order No. 25 with QES, Inc. under Contract No. 010-HUD-003. Task Order No. 25 has duration of 210 days and a not to exceed amount of \$5,912.45. Commissioner Simpson seconded and the motion was unanimously approved.

\*\*\*\*\*

PORT RESTORATION UPDATE:

Nick Foto, Deputy Program Manager gave a status update on current projects.

OPERATIONS REPORT:

Matthew Wypyski, Chief Operating Officer, reported on the maritime activity for June:

Vessels	25		Vehicles	15,149
Tugs	16		Railcar Count	818
Barges	23		TEU's	16,753
			Tonnage (short tons)	156,278

Congratulations to Shawn Meyer as he has been promoted to the position of Director of Operations.

EXECUTIVE DIRECTOR'S COMMENTS:

Tonnage numbers are increasing and this is a trend that is moving in the right direction. Some of that has to do with Chemours and the new facility. They are discussing the potential moving of product via barges to an inland location on the Ohio River.

We are making steps toward the return of a freezer and have a preliminary design for the proposed Northport area.

It was a momentous occasion last Saturday morning on the port as the military vessel Spearhead arrived. Military equipment that used to travel from Virginia was loaded from our docks and the crew was deployed from the Port of Gulfport as well.

GENERAL COUNSEL'S COMMENTS:

Ben Stone had no comments.

MDA'S COMMENTS:

No representatives from MDA were present.

COMMISSIONER COMMENTS:

Commissioner Simpson commented on how important environmental issues are to us and also appreciated Director Daniels' attention to our rail issues. Congratulations were sent out for the strategic port event and the importance of being a partner to the military.

Commissioner Roberts was extremely happy to see the closeout of so many projects.

\*\*\*\*\*

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

Commissioner Simpson moved to enter Executive Session to discuss a legal matter (pending litigation with SIC and lease negotiations). Commissioner Roberts seconded and the motion was unanimously approved.

(THE BOARD OF COMMISSIONERS ENTERED INTO EXECUTIVE SESSION AT APPROXIMATELY 9:40 A.M.)


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

Commissioner Knesal stated that no action took place during Executive Session.

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

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

Approved and Attested

  
\_\_\_\_\_  
Robert J. Knesal  
President

  
\_\_\_\_\_  
John Rester  
Secretary