

**MISSISSIPPI PORT AUTHORITY**  
**BOARD OF COMMISSIONERS**  
**REGULAR MEETING**

**March 19, 2018**

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Minutes of the Mississippi State Port Authority Board of Commissioners Meeting,  
Monday, March 19, 2018 at 2510 14<sup>th</sup> Street, Suite 1450, Gulfport, Mississippi at which  
the following Commissioners and staff were present:

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

Staff: Jonathan Daniels, Executive Director/CEO  
Matthew Wypyski, Chief Operating Officer  
Kim Purchner, Executive Asst./HRO  
John Webb, Director of Engineering  
Mel Arsenault, Director of External Affairs  
Nick Foto, Deputy Program Manager  
John Webb, Director of Engineering  
DeeDee Wood, CFO  
Matt Gabbett, Deputy Director of Operations  
Kim Aguillard, Marketing & Media Manager  
Gary Pitcovich, Crane Manager  
Carlos Bell, Director of Community Development  
  
Ben Stone, Legal Counsel  
David Duhe, Legal Counsel

Others: Rhett Hamilton, Seaman's Center  
Philip Carter, MDA  
Brian Smith, Watkins & Eager  
Pastor Chris O'Brian, Seaman's International  
Bob Burns, CH2MHill  
Duane Wilson, Chemours, Inc.  
Bruce Newton, Digital Engineering  
Don Collins, Dan Hensarling  
Richie Ashley, Neel Schaffer  
Barbara Levine, LEVCO, LLC  
Lillian Jenkins, Horne  
Don Lancaster, Neel Schaffer  
Michael Sheely, CH2MHill  
Chris O'Brien, Seaman's Center  
Randall Love, TL Wallace

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.

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

PUBLIC COMMENTS:

There were no public comments.

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Commissioner Roberts moved to approve the February 22nd and March 1<sup>st</sup> Minutes. Commissioner Rester seconded and the motion was unanimously approved.

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

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

DISBURSEMENTS THROUGH FEBRUARY 08, 2018  
BILLS FOR THE MONTHS OF JANUARY 2018 AND FEBRUARY 2018 APPROVED AND PAID  
FROM THE GROSS REVENUE FUND OF THE MS STATE PORT AUTHORITY AT GULFPORT

CHK #	VENDOR	DESCRIPTION	CHK AMT
53014	AGJ Systems & Networks, Inc.	Computer Services and Software Licenses	\$ 4,390.57
53015	Alexander, Van Loon, Sloan	FY2017 Agreed Upon Procedures	6,598.60
53016	Anytime Portables, LLC	Portable Restroom Services	910.00
53017	Barefield Workplace Solutions, Inc.	Office Supplies	113.14
53018	AT&T	Telephone Services	2,186.60
53019	Chancellor, Inc.	Repair Parts for RPM and STS1	3,875.00
53020	Sun Coast Business Supply	Office Supplies	448.96
53021	Jonathan Daniels	Travel and Business Expenses	626.61
53022	Federal Express Corp.	Express Mail Services	18.89
53023	Fuelman	Fuel for MSPA Vehicles	425.87
53024	Grainger, Inc.	Maintenance and Repair Supplies	774.81
53025	Gulfport Yacht Club	Business Expenses	288.51
53026	Hydradyne, LLC	Repair Gottwald Crane #42 Cylinder	36,698.22
53027	Kansas City Southern Railway	Railcar Repairs	26,897.08
53028	Robert J. Knesal	Travel Expenses	531.39
53029	L.L. Bean, Inc.	Uniforms	1,670.10
53030	Lowe's Home Center, Inc.	Maintenance Supplies and Small Tools	404.18
53031	Maritime Defense Strategy, LLC	Security Training	3,650.00
53032	MS Development Authority	Services for Argentina /Peru Trade Mission	1,142.50
53033	Shawn Meyer	Travel Expenses	579.56
53034	Mississippi Ports Council	FY2018 Membership Dues	5,000.00
53035	MS Dept. of Human Services	Employee Deductions	156.00
53036	MS Gulf Coast Chamber of Comm.	2018 Annual Meeting Sponsorship	750.00
53037	MS Pub. Employees Credit Union	Employee Deductions	320.00
53038	United Rentals (North America), Inc.	Light Tower Rental for North Harbor	1,632.00
53039	Office Furniture Solutions, Inc.	Office Chairs	4,840.75
53040	Ports America, Inc.	Draying Dole Containers	28,855.04
53041	Performance Tire and Wheel	Tires for Unit 56	4,080.22
53042	RJ Young Company, Inc.	Copier and Printer Maintenance Agreements	1,546.76
53043	Rose Office Systems, Inc.	Construction Trailer Rental	3,031.00
53044	Rotary Club of Gulfport	Dues and Expenses	454.00
53045	Sage Software, Inc.	Annual Accounting Software Support	6,275.08
53046	Seal Electrical, Inc.	Electrical Repairs for Hurricane Damages	1,545.00
53047	Norma Jean Soroe	Transcription Fees	399.48
53048	Southern Printing & Silkscreen	Signage	346.50
53049	Southern Pipe and Supply, Inc.	Supplies for Water Line Repairs	376.29
53050	Southern Admin. and Benefits	Monthly Service Fee	200.00

53051	The Sun Herald	Advertisements	326.10
53052	Swetman Security Services, Inc.	Security Guard Services	29,884.17
53053	Waring Oil Company, LLC	Diesel Fuel and Oil	4,692.19
53054	Waste Management	Waste Removal Services	195.00

CHECKS DATED 02/01/18 AND RELEASED PRIOR TO SCHEDULED CHECK RUN

53007	Kim Aguiard	Business Expenses	119.50
53008	Robert J. Knesal	Travel Expenses	283.01
53009	MSPA Petty Cash Fund	Replenish Petty Cash	35.23
53010	Jack Norris	Travel Expenses	100.44
53011	Kim Purchner	Business Expenses	293.73
53012	Vision Service Plan	Employee Deductions	172.53
53013	Matthew Wypyski	Travel Expenses	1,151.47

TRANSFERS

2/2/18	Federal Tax Deposit	Payroll Tax Deposit	26,843.71
2/2/18	Deferred Compensation	Employee Deductions	990.00
		Total	<u>\$ 217,125.79</u>

FINAL CHECKLIST FOR FEBRUARY 22, 2018

BILLS FOR THE MONTHS OF JANUARY AND FEBRUARY 2018 APPROVED AND PAID  
FROM THE GROSS REVENUE FUND OF THE MS STATE PORT AUTHORITY AT GULFPORT

CHK#	VENDOR	DESCRIPTION	CHK AMT
53057	Kentwood Springs	Drinking Water	380.49
53058	AFLAC	Employee Deductions	1,376.96
53059	AirGas Gulf States	Oxygen Cylinder Rental	43.47
53060	Anytime Portables, LLC	Portable Restroom Services	740.00
53062	Card Services	Travel Expenses	772.40
53063	Card Services	Travel Expenses	944.53
53064	Card Services	Advertising	30.00
53065	City of Gulfport	Water	10,925.20
53066	C Spire Wireless	Radio/Cell Phone Services	1,206.27
53067	C Spire Business Solutions	Telephone Equipment/Services	8,301.27
53068	State School Insurance Fund	Employee Deductions	16,070.44
53070	Eagle Energy, Inc.	500 Gallon Diesel Fuel Tank	4,022.59
53071	Federal Express Corp.	Express Mail Services	220.92
53072	Fuelman	Fuel for MSPA Vehicles	320.47
53073	Grainger, Inc.	Maintenance and Repair Supplies	360.07
53074	Green Marine Mngmt. Corp.	Membership Dues	5,629.00
53075	Guardian	Employee Dental Deductions	1,741.44
53076	Hancock Bank	March Lease for Suite 1450	23,168.31
53077	Robert J. Knesal	Per Diem	240.00
53078	L.L. Bean, Inc.	Uniforms	1,283.37
53079	Lowe's Home Center, Inc.	Maintenance Supplies and Small Tools	157.64
53080	MS Dept. of Human Services CRDU	Employee Deductions	156.00
53081	MS Gulf Coast Chamber of Comm.	Membership Fee	20.00
53082	MS Power Company	Electricity	103,471.48
53083	MS Pub. Employees Credit Union	Employee Deductions	320.00
53084	MS State Tax Commission	Employee Deductions	7,063.00
53085	Jack Norris	Per Diem	160.00
53086	Pass Road Mini Storage, LLC	Rental on Storage Unit	150.00
53087	Legal Shield	Employee Deductions	30.91
53088	Raycom TV Broadcasting, Inc.	Advertising	680.00
53089	Eluse J. Roberts	Per Diem	160.00
53090	Rose Office Systems, Inc.	Trailer Rental	1,048.00
53091	James C. Simpson, Jr.	Per Diem	40.00
53092	Swetman Security Services, Inc.	Security Guard Services	29,782.54

53093	United Way of South MS, Inc.	Employee Deductions	220.26
CHECKS DATED 02/15/18 AND RELEASED PRIOR TO SCHEDULED CHECK RUN			
53055	Jonathan Daniels	Business Expense	228.03
53056	Great Southern Club	Business Expense	398.58
TRANSFERS			
2/14/18	MS Department of Revenue	January Sales Tax Payment	11,244.99
2/16/18	Federal Tax Deposit	Payroll Tax Deposit	24,526.24
2/16/18	Deferred Compensation	Employee Deductions	990.00
Total			<u>\$ 258,624.87</u>

FINAL CHECKLIST FOR MARCH 19, 2018

BILLS FOR THE MONTHS OF FEBRUARY AND MARCH 2018 APPROVED AND PAID

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

CHK#	VENDOR	DESCRIPTION	CHK AMT
53213	AirGas Gulf States	Oxygen Cylinder Rental	\$ 36.36
53214	Alexander, Van Loon, Sloan	FY2017 Financial Audit Services	1,570.00
53215	Alimak Hek, Inc.	Crane Elevator Inspections	2,100.00
53216	Ben Nelson Golf & Utility Vehicles	Golf Cart Charger and Maintenance Kit	332.66
53218	Card Services	Travel Expenses	4,997.73
53219	Card Services	Travel Expenses	1,779.53
53220	Card Services	Advertising and Uniforms	82.02
53221	City of Gulfport	Water	12,547.44
53222	Sun Coast Business Supply	Office Supplies	174.24
53223	C Spire Wireless	Radio/Cell Phone Services	1,176.22
53224	C Spire Business Solutions	Telephone Services	1,146.18
53225	Jonathan Daniels	Travel and Business Expenses	249.97
53227	Federal Express Corp.	Express Mail Services	63.50
53228	Grainger, Inc.	Maintenance Supplies and Small Tools	792.26
53229	Gulf Coast Business Supply, Inc.	Office Supplies	175.87
53230	Hancock Bank	April Lease for Suite 1450	23,168.31
53231	Robert J. Knesal	Per Diem	160.00
53232	L.L. Bean, Inc.	Uniforms	1,451.99
53233	Lowe's Home Center, Inc.	Lawn Mower	360.05
53234	MS Gulf Resort Classic	MGRC Sponsorship	15,000.00
53235	MS Power Company	Electricity	70,563.19
53236	Neopost	Postage Meter Rental	140.18
53237	Jack Norris	Per Diem	80.00
53238	Pass Road Mini Storage, LLC	Rental on Storage Unit	150.00
53239	Ports America, Inc.	Draying Dole Containers	3,296.50
53240	Legal Shield	Employee Deductions	30.91
53241	Eluse J. Roberts	Per Diem	80.00
53242	Seal Electrical, Inc.	Electrical Services Crane #STS2	460.00
53243	James C. Simpson, Jr.	Per Diem	120.00
53244	The Sun Herald	Advertising	1,400.00
53245	Swetman Security Services, Inc.	Security Guard Services	32,202.08
53246	Vacuum Truck Sales & Service, LLC	Brush-Gutter Brooms for Sweeper	261.80
53247	Weaver Electric	Repair Services	140.00
CHECK DATED 03/12/18 AND RELEASED PRIOR TO SCHEDULED CHECK RUN			
53212	Matthew Wypyski	Travel Expense	1,428.37
TRANSFERS			
03/14/18	MS Department of Revenue	February Sales Tax	7,679.40
03/21/18	Federal Tax Deposit	Payroll Tax Deposit	24,222.95
Total			<u>\$209,619.71</u>

Commissioner Rester 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:

Vendors: Louis Smith Welding & Construction

Steamship Agent: Transmarine Navigation Corp.; Tricon Steamship Agency, Inc.

Stevedore: SSA Gulf

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Commissioner Knesal moved to approve the following progress payments: Balch & Bingham (\$234,712.48); BMA, Inc. (\$40,074.25); and Digital Engineering (\$26,325.00). Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Rester moved to approve Cash Request #204 – Anchor QEA (\$2,349.50); Atkins (\$36,345.98); Atwell & Gent (\$73,927.02); CH2MHill (\$192,233.66); Neel Schaffer (\$68,680.74); and QES (\$43,486.31); RFB, LLC (\$9,201.25); and Thompson Engineering (\$4,518.70) for a sub-total of \$430,743.16. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Knesal moved to approve Cash Request #205 – J.O. Collins (\$523,675.06); Necaize Brothers (\$2,239,899.41); and Wharton Smith (\$1,268,205.02) for a total of \$4,031,779.49. Commissioner Rester seconded and the motion was unanimously approved.

Commissioner Roberts moved to approve Cash Request #206 to Necaize Brothers for \$4,757,692.96. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Norris moved to approve Cash Request #207 to MSPA for \$483,723.55. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Rester moved to approve Cash Request #208 – MSPA (\$68,362.95); and Travelers as Surety (\$591,994.00) for a total of \$660,356.95. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Roberts moved to approve a payment correction to Travelers as Surety in the amount of \$370.58 (increase) on RFC #203. RFC #203 was previously approved at the February 22, 2018 Board Meeting. Commissioner Norris seconded and the motion was unanimously approved.

*Commissioner Knesal left the meeting for the following items:*

Commissioner Rester moved to approve payment of \$24,626.00 to Eley, Guild Hardy, which was included in RFC #204, totaling \$455,369.16. Commissioner Roberts seconded and the motion was unanimously approved.

*Commissioner Knesal returned to the meeting.*

OLD BUSINESS:

Commissioner Rester moved to approve the following Amendments that de-obligate funds to close out the task orders.

- Amendment 7 to Task Order 30 with Neel Schaffer under Contract No. 010-HUD-001 for <\$6,235.33>
- Amendment 3 to Task Order 41 with Neel Schaffer under Contract 010-HUD-001 for <\$74,125.32>
- Amendment 2 to Task Order 47 with Neel Schaffer under Contract 010-HUD-001 for <\$7,805.15>
- Amendment 2 to Task Order 23 with Anchor QEA under Contract 010-HUD-011 for <\$130,577.46>

Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Rester moved to approve Amendment 7 to Contract No. 010-HUD-011 with Anchor QEA. Amendment 7 adds 184 days with no change in cost. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Roberts moved to approve Amendment 2 to Task Order 49 with Neel Schaffer under Contract No. 010-HUD-001. Amendment 2 adds 91 days with no change in cost. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Rester moved to approve Amendment 3 to Task Order 10 with QES, Inc. under Contract No. 010-HUD-003. Amendment 3 adds 669 days with no change in cost and is retroactive to December 31, 2016. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Roberts moved to approve Amendment 1 to Task Order 21 with QES, Inc. under Contract No. 010-HUD-003. Amendment 3 adds 60 days with no change in cost and is retroactive to March 7, 2018. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Norris moved to approve Amendment 2 to Task Order 18 with Atwell & Gent under Contract No. 010-HUD-013. Amendment 2 adds 91 days with no change in cost. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Rester moved to approve Amendment 3 to with RFB, LLC under Contract No. 013-HUD-017. Amendment 3 de-obligates \$43,200.00 and all work is has been completed and accepted. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Rester moved to approve Change Order No. 3 with Travelers as Surety under Contract No. 015-HUD-025. Change Order No. 3 has an increase of \$962,169.53 with no change in schedule. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Roberts moved to approve Change Order No. 3 to J.O. Collins under Contract No. 017-HUD-042. Change Order 3 has an increase of \$15,085.01 with no change in schedule. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Roberts moved to approve Change Order No. 2 to J.O. Collins under Contract No. 018-HUD-044. Change Order 2 has an increase of \$8,631.27 with no change in schedule. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Rester moved to approve Change Order No. 15 to Necaie Brothers under Contract No. 015-HUD-026. Change Order 15 has an increase of \$422,594.16 and adds 136 days from the time of suspension. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Knesal moved to approve Change Order No. 16 to Necaie Brothers under Contract No. 015-HUD-026. Change Order 16 has an increase of \$2,264,471.35 with no change in schedule. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Knesal move to approve Change Order No. 14 to Necaise Brothers under Contract No. 016-HUD-033. Change Order 14 has an increase of \$1,058,464.00 and adds 230 calendar days. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Norris moved to approve Change Order No. 15 to Necaise Brothers under Contract No. 016-HUD-033. Change Order 15 has an increase of \$862,935.53 with no change in schedule. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Roberts moved to approve Change Order No. 4 to Necaise Brothers under Contract No. 017-HUD-037. Change Order 4 has an increase of \$99,394.56 with no change in schedule. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Knesal moved to approve Change Order No. 2 to Necaise Brothers under Contract No. 018-HUD-043. Change Order 2 has an increase of \$107,303.50 and adds 50 calendar days. Commissioner Norris seconded and the motion was unanimously approved.

*Commissioner Simpson left the meeting.*

NEW BUSINESS:

Commissioner Norris moved to authorize the advertisement for bid the Mitigation Property Project. Commissioner Rester seconded and the motion was unanimously approved.

Commissioner Norris moved to approve Task Order No. 27 with Anchor QEA. Task Order No. 27 has duration of 288 days and a not to exceed budget of \$36,539.00. Commissioner Roberts seconded and the motion was unanimously approved.

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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 the month of February:

Vessels	24		Vehicles	13,637
Tugs	21		Railcar Count	800
Barges	16		TEU's	14,032
			Tonnage (short tons)	182,009

Maintenance dredging began early in January and continued for eight weeks. It has since ceased due to lack of funding from the Corps of Engineers but they have notified us that they are hopeful to begin again in another couple of weeks.

Community tours were held last Thursday, and we had a great turnout – approximately 260 people attended.

EXECUTIVE DIRECTOR'S COMMENTS:

Continuing with the tours, many thanks go to our External Affairs Staff and to all Directors for their participation. Many great questions were asked and the public has moved from Construction questions to Operations questions.

Military activity will kick off this year with additional usage. The first week of May will bring the MS 155<sup>th</sup>, a National Guard unit.

MSPA played a role in the recent Governor's Homeland Security Conference. A large group from Israel took part in the conference.

It's great to see us approaching close-outs on a good many of our projects. We will now be gearing up for off-site property projects.

GENERAL COUNSEL'S COMMENTS:

Ben Stone had no comments.

MDA'S COMMENTS:

Philip Carter had no comments.

COMMISSIONER COMMENTS:

There were no Commissioner comments.

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

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Back in open session, Commissioner Roberts moved to enter Executive Session to discuss legal matters - litigation with SIC. Commissioner Knesal seconded and the motion was unanimously approved.

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

Commissioner Norris moved to come out of executive session and return to open meeting. Commissioner Knesal seconded and the motion was unanimously approved.

The Commission re-entered open session and Commissioner Rester noted that no action was taken during executive session.

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

The meeting adjourned at approximately 10:15 a.m.

Approved and Attested

  
James C. Simpson, Jr.  
President

  
Jack Norris  
Secretary