

MISSISSIPPI PORT AUTHORITY

BOARD OF COMMISSIONERS

REGULAR MEETING

October 28, 2021

Minutes of the Mississippi State Port Authority Board of Commissioners Meeting, Thursday, October 28, 2021, at 2510 14th Street, Suite 1450, Gulfport, Mississippi at which the following Commissioners and staff were present:

Commissioners: E.J. Roberts, President
James C. Simpson, Jr., Secretary (via telephone)
John Rester, Treasurer

Staff: Jon Nass, CEO
Matthew Wypyski, Deputy Director/COO
Nick Foto, Deputy Program Manager
John Webb, Director of Engineering
Kim Purchner, Exec. Asst./HRO
DeeDee Wood, CFO
Errol LaRue, Govt. & Legal Affairs Manager
Kim Aguillard, Marketing & Media Manager
Shawn Meyer, Director of Operations
Mel Arsenault, Director of Grant/Workforce Dev.
Allison Chimenya, Marketing Specialist
Carlos Bell, Director of Public Engagement
Angie Shortt, Purchasing Specialist
Lisa Mussa, A/P Specialist
Tammy Salisbury, Assistant Comptroller
Michelle Freeman, A/R Specialist

Ben Stone, Legal Counsel
David Duhe, Legal Counsel

Others: Philip Carter, MDA (via telephone)
Michael Sheely, Jacobs Engineering
Dr. Kelly Lucas, USM
Joey Beattie, BSX Insurance
Michael Costelli, Simpkins & Costelli
Maddie Pettry Simpkins & Costelli
Frank Morton, Retired
Kim Marmalich, AVL
Deborah Akins, AVL
Chris O'Brien, Seaman's Center

Commissioner Roberts noted the presence of a quorum and called the meeting to order at approximately 1:00 p.m.

The Pledge of Allegiance was led by Commissioner Roberts.

The invocation was given by Pastor Chris O'Brien, International Seaman's Center

PUBLIC COMMENTS:

Pastor Chris O'Brien, International Seaman's Center invited all to their Christmas luncheon scheduled for December 10th.

A presentation was provided by Kim Marmalich of Alexander, Van Loon & Levens regarding the FY21 Audit.

Commissioner Rester moved to approve the Minutes from September 23, 2021. Commissioner Simpson seconded, and the motion was unanimously approved.

Commissioner Rester moved to approve travel (Nov. 3-5) Gabbett to Houston, TX. Commissioner Simpson seconded and the motion was unanimously approved.

Commissioner Rester moved to authorize the acceptance of the FY20 Audit as presented. Commissioner Simpson seconded and the motion was unanimously approved.

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

DISBURSEMENTS THROUGH OCTOBER 13, 2021
BILLS FOR THE MONTHS OF SEPTEMBER AND OCTOBER 2021 APPROVED AND PAID
FROM THE GROSS REVENUE FUND OF THE MS STATE PORT AUTHORITY AT GULFPORT

CHK#	VENDOR	DESCRIPTION	CHK AMT
57670	A-1 Elevator Service, LLC	Quarterly Elevator Maintenance	4,002.00
57671	AGJ Systems & Networks, Inc.	Computer Maintenance	4,640.50
57672	All Safe Technologies, LLC	Fire Alarm Monitoring	159.80
57673	Best Buy Stores, L.P.	Computer Equipment	3,525.97
57674	Collection Services Center	Employee Deductions	90.06
57675	C Spire Wireless	Cell Phone Services	1,020.46
57676	Eagle Energy, Inc.	Diesel Fuel	1,604.91
57677	East Beach Specialties, Inc.	Promotional Supplies	1,697.00
57678	Emerald TC, LLC	Software Support	92.50
57679	Federal Express Corp.	Express Mail Services	44.59
57680	Foliage Design Systems, Inc.	Interior Plant Maintenance	253.78
57681	Fuelman	Fuel for MSPA Vehicles	1,004.54
57682	Global Equipment Co., Inc.	Hand Drill	241.59
57683	Grainger, Inc.	Sports Drinks	725.52
57684	Great Southern Club	Monthly Dues and Business Expenses	538.92
57685	Hammett's Auto Electric, Inc.	Replacement Starter for Tractor	350.00
57686	Whitney Bank Trust & Asset Management	Investment Advisory Service Fees	24,691.63
57687	Harbor Square Parking Garage	Parking Garage Quarterly Rent	3,185.25
57688	Hughes Supply	Replacement Parts for A/C on Electrical Platform 4	320.57
57689	Industrial & Crane Services, Inc.	Fabricate and Install 2 Reeving Drums for Crane #3	17,600.00
57690	MS State Treasurer Fund 3360900000	Telephone/Internet Services	200.97
57691	Newell Paper Co.	Office Supplies	917.40
57692	Kalmar USA, Inc.	Proximity Switches for Spreaders	2,278.97
57693	Keeling Co. - Gulfport	Grounds Maintenance Supplies	1,194.15
57694	Lowe's Home Center, Inc.	Replacement Ladders and Maintenance Supplies	289.70
57695	Mobile Services & Equipment	Replacement Belt for Shuttlewagon	291.47
57696	MS Dept. of Human Services CRDU	Employee Deductions	156.00
57697	MS Power Company	Electricity	142,510.95

57698	MS Pub. Employees Credit Union	Employee Deductions	445.00
57699	Jon T. Nass	Travel Expenses	207.76
57700	Necaise Locksmith	Customs Booth Door Lock and Keypad Replacement	1,855.00
57701	The Port Employees Assoc.	Employee Deductions	140.00
57702	Legal Shield	Employee Deductions	102.66
57703	PTW	Tire for Utility Trailer	68.25
57704	Kim Purchner	Business Expenses	55.64
57705	Redd Pest Solutions	Pest Control Services	70.00
57706	RJ Young Company, Inc.	Printer Maintenance	660.36
57707	Eluse J. Roberts	Travel Expenses	801.85
57708	Rotolo Consultants, Inc. dba RCI	Landscape Services	2,272.35
57709	Seal Electrical, Inc.	Electrical Services	6,049.00
57710	South Mississippi Business Machines	Copier Maintenance	569.00
57711	Norma Jean Soroe	Transcription Services	489.48
57712	Southern Exteriors Fence Co.	Gate Repairs at Cotton Compress	1,850.00
57713	Southern Admin. and Benefits	Monthly Service Fee	200.00
57714	SSA Gulf Inc.	Office Trailer Rent for Cotton Compress	850.00
57715	Swetman Security Services, Inc.	Security Guard Services	32,064.94
57716	United Way of South MS, Inc.	Employee Deductions	262.76
57717	Waste Management	Waste Removal Services	274.90
57718	Wright National Flood Ins.	Insurance	34,776.00
57719	Zoro Tools, Inc.	Small Hand Tools, Janitorial and Maintenance Supplies, Replacement Faucets	4,826.89

CHECKS DATED 10/06/21 AND RELEASED PRIOR TO SCHEDULED CHECK RUN

57659	Sparklight	Internet Services	91.18
57660	Card Services	Repair Parts, Office Equipment, Subscription, Software Renewal	2,668.51
57661	CenterPoint Energy	Natural Gas Services	30.77
57662	CenterPoint Energy	Natural Gas Services	30.77
57663	City of Gulfport	Water	9,999.84
57664	Collection Services Center	Employee Deductions	90.06
57665	MS Dept. of Human Services CRDU	Employee Deductions	156.00
57666	MS Pub Employees Credit Union	Employee Deductions	445.00
57667	Angela Shortt	TWIC Card Renewal	125.25
57668	Sun Herald	Subscription	416.00
57669	Waste Management	Waste Removal Services	1,379.76

TRANSFERS

09/24/21	Deferred Compensation	Employee Deductions	1,682.50
09/29/21	Federal Tax Deposit	Payroll Tax Deposit	31,759.34
10/05/21	State School Insurance Fund/DFA	10/2021 Employee Health and Life Insurance	19,233.72
10/05/21	Public Employment Retirement	Retirement Match and Withheld	67,330.81
10/08/21	MS Department of Revenue	Employee Deductions	8,957.00
10/08/21	Deferred Compensation	Employee Deductions	1,682.50
10/13/21	Federal Tax Deposit	Payroll Tax Deposit	29,078.93
		Total	<u>\$477,678.98</u>

FINAL CHECKLIST FOR OCTOBER 28, 2021

BILLS FOR THE MONTHS OF SEPTEMBER AND OCTOBER 2021 APPROVED AND PAID FROM THE GROSS REVENUE FUND OF THE MS STATE PORT AUTHORITY AT GULFPORT

CHK#	VENDOR	DESCRIPTION	CHK AMT
57730	Kentwood Springs	Drinking Water	330.59
57731	AFLAC	Employee Deductions	1,683.06
57732	Kim Aguiard	Travel Expenses	22.40
57733	AirGas Gulf States	Acetylene, Oxygen and Argon Cylinders	125.49
57734	Alexander, Van Loon, Sloan	Audit Services	28,164.40

57735	All Safe Technologies, LLC	Fire Alarm Monitoring	159.80
57736	Battery Sales & Service	Batteries for Crowley Fire Alarm System	60.00
57737	Chancellor, Inc.	Repair Supplies for Perimeter Lights	582.29
57738	Allison Chiminya	Travel Expenses	29.12
57739	City of Gulfport	Water	6,028.30
57740	City Electric Supply	Circuit Breaker for Chiller	250.00
57741	Collection Services Center	Employee Deductions	90.06
57742	William A. Colgin II	Drone Stills and Video	900.00
57743	Consolidated Electrical Distributors, Inc	Shed 50 Lights	43,690.00
57745	Deluxe Cleaners, Inc.	Clean Table Cloths and Table Banner	86.67
57747	Gulf Eagle Supply	Cement for Metal Repairs	81.80
57748	Federal Express Corp.	Express Mail Services	130.31
57749	Foliage Design Systems, Inc.	Interior Plant Maintenance	253.78
57750	Fuelman	Fuel for MSPA Vehicles	445.03
57751	Guardian	Employee Deductions	1,814.92
57752	Gulf Hydraulics & Pneumatics	Reseal Shuttlewagon Rail Cylinders	464.20
57753	Gulf Coast Business Council	2022 Gulf Coast Legislative Reception Sponsorship	500.00
57754	Hancock Bank	November Lease for Suite 1450	25,316.64
57755	MS State Treasurer Fund 3360900000	Telephone/Internet Services	189.61
57756	Kalmar USA, Inc.	Replacement Height Sensors For Cranes	3,986.51
57758	Robert J. Knesal	Per Diem	80.00
57759	Lowe's Home Center, Inc.	Supplies to Renovate New Parts Container	864.05
57760	McClatchy Company, LLC	Advertising	186.70
57761	MS State Agencies S/I Workers Comp Trust	FY22 Workers Compensation Insurance	21,522.00
57762	MS Dept. of Human Services CRDU	Employee Deductions	156.00
57763	MS Pub. Employees Credit Union	Employee Deductions	445.00
57764	MSPA Petty Cash Fund	Replenish Petty Cash	19.57
57765	Jack Norris	Per Diem	40.00
57766	Pass Road Mini Storage, LLC	Storage Unit Rent	335.00
57767	Phillips Building Supply	Shed 50 Roof Repair Supplies and Hand Tool	362.32
57768	The Port Employees Assoc.	Employee Deductions	134.00
57770	Redd Pest Solutions	Pest Control Services	90.00
57771	RJ Young Company, Inc.	Printer Maintenance	76.82
57772	Eluse J. Roberts	Per Diem	200.00
57773	James C. Simpson, Jr.	Per Diem	40.00
57774	Munro Products, Inc.	Drill Bits for Metal Work	156.00
57776	Southern Admin. and Benefits	Monthly Service Fee	200.00
57777	Stuart C. Irby Co.	LCD Monitors for Cranes	3,150.00
57778	Swetman Security Services, Inc.	Security Guard Services	32,972.28
57779	Southern Tire Mart, LLC	Tire For Shuttlewagon	965.00
57780	United Way of South MS, Inc.	Employee Deductions	257.76
57781	Union Auto Parts	Maintenance Supplies	332.02
57782	Vision Service Plan	Employee Deductions	234.88
57783	Waring Oil Company, LLC	Hydraulic Oil for Shuttlewagon	275.00
57784	Waste Management	Waste Removal Services	24.90
57785	Zoro Tools, Inc.	Maintenance Supplies	291.40
CHECKS DATED 10/21/21 AND RELEASED PRIOR TO SCHEDULED CHECK RUN			
57720	AT&T Corp	Website Hosting	89.96
57721	Sparklight	Cable Services	178.96
57722	Card Services	Travel Expenses	2,288.75
57723	Card Services	Travel Expenses	3,978.39
57724	Card Services	Repair Parts and Supplies	1,320.40
57725	C Spire Business Solutions	Cell Phone Services	2,839.47
57726	Federal Express Corp.	Express Mail Services	144.40
57727	Pass Road Mini Storage, LLC	Storage Unit Rent	180.00

CHECKS DATED 10/26/21 AND RELEASED PRIOR TO SCHEDULED CHECK RUN

57728	Harbor Square Parking Garage	Parking Garage Quarterly Rent	3,185.25
57729	Monster Subs & Sandwiches, Inc	Working Lunch Meeting	78.49
TRANSFERS			
10/15/21	MS Department of Revenue	Sales Tax Payment	18,918.65
10/21/21	USACE	Channel Study	90,000.00
10/22/21	Deferred Compensation	Employee Deductions	1,682.50
10/27/21	Federal Tax Deposit	Payroll Tax Deposit	27,530.96
Total			<u>\$331,211.86</u>

Commissioner Rester 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: Mike's Wholesale Tire Repair

Steamship Agent: Seagull Marine, Inc.

Commissioner Rester moved to approve the following progress payments: Balch & Bingham (\$36,289.13); Cypress Environment & Infrastructure (\$28,405.00); Digital Engineering (\$67,688.60); Kirk Ladner Excavating Contractors (\$28,530.00); Ray C. Weaver Mechanical Contractors (\$53,773.32); and Southern Exteriors Fence Co. (\$56,684.03). Commissioner Simpson seconded, and the motion was unanimously approved.

Commissioner Rester moved to approve Cash Request #298 to Eley Guild Hardy (\$53,149.70); MSPA (\$13,676.90) and Wharton Smith (\$946,128.53) for a total of \$1,012,955.13. Commissioner Simpson seconded and the motion was unanimously approved.

Commissioner Rester moved to approve Cash Request #299 to CH2MHill for a total of \$41,037.42. Commissioner Simpson seconded and the motion was unanimously approved.

Commissioner Rester moved to approve Cash Request #300 to Wharton Smith for a total of \$110,008.18. Commissioner Simpson seconded and the motion was unanimously approved.

OLD BUSINESS:

Commissioner Rester moved to award a contract to Mark Dunning Industries, Inc. for trash disposal services. The contract amount will be based on amounts listed on their proposal form (Page 5) and will fluctuate from time to time. Payments will be passed on actual quantities used. Commissioner Simpson seconded and the motion was unanimously approved.

Commissioner Rester moved to approve Change Order No. 9 for Wharton Smith, Inc. under Contract No. 020-HUD-049. Change Order No. 9 increases costs by \$11,638.36 with no change to the schedule. Commissioner Simpson seconded and the motion was unanimously approved.

Commissioner Rester moved to approve Change Order No. 1 with Southern Exteriors Fence Co. under Contract No. 021-EN-07. Change Order No. 1 decreases costs by \$795.70 due to the adjustment of the final quantities. Commissioner Simpson seconded and the motion was unanimously approved.

Commissioner Rester moved to approve a Notice of Completion to Contract No. 021-EN-07 with Southern Exteriors Fence Company for the Hurricane Zeta Fencing Repair Project. Commissioner Simpson seconded and the motion was unanimously approved.

Commissioner Rester moved to approve Change Order No. 1 with Ray C. Weaver Mechanical Contractors under Contract No. 021-EN-06. Change Order No. adds 59 days to the project with no change in cost. Commissioner Simpson seconded and the motion was unanimously approved.

Commissioner Rester moved to approve a Notice of Completion to Contract No. 021-EN-06 with Ray C. Weaver Mechanical Contractors for the East Pier Utilities Repair Project. Commissioner Simpson seconded and the motion was unanimously approved.

Commissioner Rester moved to approve Modification No. 1 to Work Order No. 18 with Digital Engineering under Contract No. 017-EN-04. Modification No. 1 increases the scope of work for a Phase II Environmental Site Assessment with a not to exceed amount of \$217,746.00. Commissioner Simpson seconded and the motion was unanimously approved.

Commissioner Rester moved to approve Modification No. 2 to Work Order No. 2 with Digital Engineering under Contract No. 017-EN-04. Modification No. 2 closes out the work order and decreases costs by \$23,720.50. Commissioner Simpson seconded and the motion was unanimously approved.

Commissioner Rester moved to approve Modification No. 2 to Work Order No. 3 with Digital Engineering under Contract No. 017-EN-04. Modification No. 2 closes out the work order and decreases costs by \$87,867.50. Commissioner Simpson seconded and the motion was unanimously approved.

Commissioner Rester moved to approve Modification No. 1 to Work Order No. 6 with Digital Engineering under Contract No. 017-EN-04. Modification No. 1 closes out the work order and decreases costs by \$88,872.75. Commissioner Simpson seconded and the motion was unanimously approved.

Commissioner Rester moved to approve Modification No. 1 to Work Order No. 8 with Digital Engineering under Contract No. 017-EN-04. Modification No. 1 closes out the work order and decreases costs by \$50,457.00. Commissioner Simpson seconded and the motion was unanimously approved.

NEW BUSINESS:

Commissioner Rester moved to authorize an advertisement for bid for the warehouse rollup door replacement project. Commissioner Simpson seconded and the motion was unanimously approved.

Commissioner Rester moved to approve Work Order No. 20 with Digital Engineering under Contract No. 17-EN-04. Work Order No. 20 has a not to exceed amount of 221,536.00 for repairs to the north harbor and west pier shorelines damaged by Hurricane Zeta. Commissioner Simpson seconded and the motion was unanimously approved.

Commissioner Rester moved to authorize an advertisement for bid for elevator maintenance service. Commissioner Simpson seconded and the motion was unanimously approved.

PORT RESTORATION/ENGINEERING UPDATE:

Nick Foto gave an update on the OEF construction and John Webb gave updates on the current engineering projects. Michael Sheely, Jacobs Engineering gave an update on the channel dredging with the US Army Corps of Engineers.

OPERATIONS REPORT:

Shawn Meyer, Director of Operations, reported on the maritime activity for the month of September 2021:

Vessels	20		Vehicles	12,803
TEU's	17,726		Railcar Count	1,006
Tonnage (short tons)	204,235			

The TEU number was a 9% increase over last year while the Tonnage Count was a 6% increase.

Matt Wypyski gave updates on the dredging, military cargo and Shed 50 cargo.

EXECUTIVE DIRECTOR'S COMMENTS:

Director Jon Nass gave updates on current legislative bills in the U.S. Senate and House (Infrastructure Investment & Jobs Act, Budget Reconciliation/Social Spending Bill, and the Appropriations Bill for FY22.

He also explained the current supply chain crisis and what could happen long-term.

Director Nass thanked the Finance Department for their hard work and effort towards another great audit result.

Kim Aguillard reported on upcoming events:

- November 16, 2021 Legislative Briefing that will be hands-on at port facilities.
- March 7-20, 2022 Port Security Summit

GENERAL COUNSEL'S COMMENTS:

Ben Stone had no comments.

MDA'S COMMENTS:

Philip Carter had no comments.

COMMISSIONERS' COMMENTS:

Commissioners Rester and Roberts commended the Finance Department for a no-findings audit.

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

Commissioner Rester moved to enter Executive Session to discuss legal matters (lease negotiations). Commissioner Simpson seconded and the motion was unanimously approved.

(THE BOARD OF COMMISSIONERS ENTERED INTO EXECUTIVE SESSION AT APPROXIMATELY 2:15 P.M.)

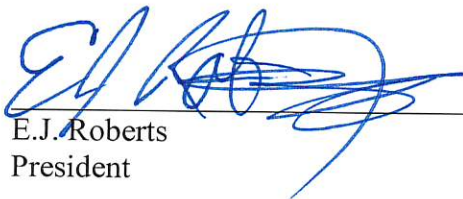
Commissioner Rester moved to come out of Executive Session. Commissioner Simpson seconded and the motion was unanimously approved.

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

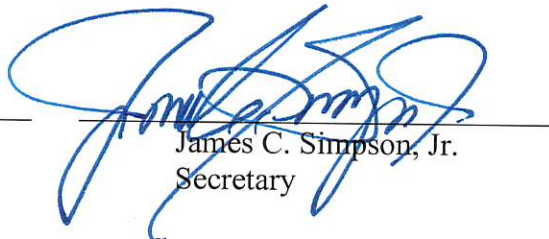
Commissioner Rester moved to adjourn.

The meeting adjourned at approximately 3:10 p.m.

Approved and Attested



E.J. Roberts
President



James C. Simpson, Jr.
Secretary