

# MISSISSIPPI PORT AUTHORITY

## BOARD OF COMMISSIONERS

### REGULAR MEETING

**September 19, 2018**

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Minutes of the Mississippi State Port Authority Board of Commissioners Meeting,  
Wednesday, September 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  
Jack Norris, Secretary  
E.J. Roberts, Treasurer  
Robert Knesal, Commissioner

Staff: Jonathan Daniels, Executive Director  
Kim Purchner, Executive Asst./HRO  
John Webb, Director of Engineering  
Nick Foto, Deputy Program Manager  
Mel Arsenault, Director of External Affairs  
DeeDee Wood, CFO  
Carlos Bell, Director of Community Development  
Kim Aguillard, Marketing & Media Manager  
Matt Gabbett, Deputy Operations Director  
Heather Fountain, Grant Mgmt/Admin. Coordinator

Ben Stone, Legal Counsel  
David Duhe, Legal Counsel

Others: Philip Carter, MDA  
Brian Smith, Watkins & Eager  
Donna Brooks, Residence Inn  
Michael Sheely, CH2MHill  
Rebecca Grist, Residence Inn  
Mark Lishen, EGH Architects  
Joey Beattie, SSH  
Don Collins, Dan Hensarling Inc.  
Lillian Jenkins, Horne  
Chris O'Brien, Seaman's Center  
Thomas Adams, T.L. Wallace  
Michael Costelli, Simpkins & Costelli  
Greg Schruoff, SSA Maritime

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 Carlos Bell.

#### PUBLIC COMMENTS:

There were no public comments.

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Commissioner Roberts moved to approve the August 23<sup>rd</sup> Minutes. Commissioner Knesal seconded, and the motion was unanimously approved.

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

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

FINAL CHECKLIST FOR SEPTEMBER 10, 2018  
 BILLS FOR THE MONTHS OF AUGUST AND SEPTEMBER 2018 APPROVED AND PAID  
 FROM THE GROSS REVENUE FUND OF THE MS STATE PORT AUTHORITY AT GULFPORT

CHK#	VENDOR	DESCRIPTION	CHK AMT
53799	AGJ Systems & Networks, Inc.	Computer Services	4,601.99
53800	All Signs, Inc.	Sign for Port Office Lobby	3,190.00
53801	All Seasons Farm Equipment Inc.	Maintenance Supplies	259.50
53802	Carlos Bell	Travel Expenses	37.16
53803	CDW Government	Software Subscription Renewal	983.64
53804	City of Gulfport	Water	1,441.63
53805	Sun Coast Business Supply	Office Supplies	132.16
53806	Collection Services Center	Employee Deductions	108.06
53807	Jonathan Daniels	Travel Expenses	42.42
53808	DLA Printing & Promo's	Office Supplies	352.52
53809	Eagle Energy, Inc.	Maintenance Supplies for Cranes	245.00
53810	Federal Express Corp.	Express Mail Services	56.37
53811	Fuelman	Fuel for MSPA Vehicles	261.05
53812	Gleem Paint Center	Paint for Dock	959.40
53813	Grainger, Inc.	Maintenance Supplies and Tools	4,200.15
53814	Great Southern Club	Monthly Dues and Business Expenses	360.00
53815	Isco Metals & Supply, LLC	Repair Parts for Portable Restrooms	2,926.00
53816	Konecranes, Inc.	Damage Inspection of Crane #94	2,975.94
53817	Lowe's Home Center, Inc.	Maintenance Supplies and Tools	1,022.35
53818	MS State Agencies S/I Workers Comp	FY 2019 Insurance	25,186.00
53819	MS Dept. of Human Services CRDU	Employee Deductions	156.00
53820	MS Pub. Employees Credit Union	Employee Deductions	320.00
53821	RJ Young Company, Inc.	Copier and Printer Maintenance Agreements	1,455.93
53822	Rose Office Systems, Inc.	Construction Trailer Rent	1,983.00
53823	Shred-It USA, LLC	Shredding Services	70.98
53824	Norma Jean Soroe	Transcription Services	484.48
53825	Southern Printing & Silkscreen	Promotional Supplies	445.00
53826	Munro Products, Inc.	Repair Supplies	225.00
53827	Southern Admin. and Benefits	Monthly Service Fee	200.00
53828	Specialty Hose & Fabrication	Part for Backhoe	29.83
53829	United Way of South MS, Inc.	Employee Deductions	220.26
53830	Waring Oil Company, LLC	Diesel Fuel	885.18
53831	Waste Management	Waste Removal Services	382.82
53832	Wright National Flood Ins.	Flood Insurance	14,176.00
53833	Matthew Wypyski	Business Expense	125.25
CHECKS DATED 08/23/18 AND RELEASED PRIOR TO CHECK RUN			
53796	Kim Aguillard	Travel Expenses	37.06
53797	Biloxi Baseball LLC	Sponsorship	500.00
53798	Sam's Wholesale	Supplies for Port Appreciation Day	532.18
TRANSFERS			
08/03/18	Deferred Compensation	Employee Deductions (Corrected Amount)	1,040.00
09/05/18	Federal Tax Deposit	Payroll Tax Deposit	25,935.78

09/05/18	Public Employment Retirement	Retirement Match Withheld	83,448.15
09/10/18	MS Department of Revenue	Employee Deductions	<u>12,038.00</u>
		Total	<u>\$194,032.24</u>

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CHK#	VENDOR	DESCRIPTION	CHK AMT
53834	Kentwood Springs	Drinking Water and Sports Drinks	946.98
53835	AFLAC	Employee Deductions	1,523.29
53836	Kim Aguillard	Business Expenses	37.15
53837	AirGas Gulf States	Oxygen and Cylinder Rentals	101.32
53838	Anytime Portables, LLC	Portable Restrooms	315.00
53839	B.E.A.R.	Crane Repair Parts	4,852.00
53840	AT&T	Telephone Services	921.38
53841	Carlos Bell	Travel Expenses	43.42
53842	Card Services	Travel Expenses	3,461.89
53843	Card Services	Travel Expenses	9,668.23
53844	Card Services	Software Subscriptions	629.55
53845	City of Gulfport	Water	13,286.28
53846	Collection Services Center	Employee Deductions	108.06
53847	C Spire Wireless	Radio and Cell Phone Services	1,118.84
53848	C Spire Business Solutions	Telephone and Internet Services	1,742.27
53849	Jonathan Daniels	Business Expenses	225.19
53850	Deluxe Cleaners, Inc.	Cleaning Services for Tableclothes	32.10
53852	ESL Power Systems, Inc.	Receptacles for Reefer Plugs	1,207.06
53853	Federal Express Corp.	Express Mail Services	177.11
53854	Fuelman	Fuel for MSPA Vehicles	421.44
53855	Gleem Paint Center	Paint for Dock	959.40
53856	Gulfport Main St. Association	Sponsorship	2,500.00
53857	Hancock Bank	October Lease for Suite 1450	23,168.31
53858	Robert J. Knesal	Per Diem	160.00
53859	MS Dept. of Human Services CRDU	Employee Deductions	156.00
53860	MS Power Company	Electricity	143,852.46
53861	MS Pub. Employees Credit Union	Employee Deductions	320.00
53862	Naylor, LLC	Advertising	2,599.50
53863	Neopost	Postage Meter Rent	140.18
53864	New Wave Media Int'l	Advertising	3,000.00
53865	Jack Norris	Per Diem	80.00
53866	Office Depot Card Plan	Office Chair	174.99
53867	Pass Road Mini Storage, LLC	Storage Unit Rent	150.00
53868	Legal Shield	Employee Deductions	30.91
53869	It's Promo Time	Promotional Supplies and Name Badges	954.31
53871	Redd Pest Solutions	Pest Control Services	90.00
53872	Eluse J. Roberts	Per Diem	80.00
53873	James C. Simpson, Jr.	Per Diem	80.00
53874	Norma Jean Soroe	Transcription Services	434.48
53875	Southern Printing & Silkscreen	Logos for Employee Uniforms	45.00
53876	BXS Insurance, Inc.	Insurance	1,073,695.74
53877	Sun Herald	Subscription	395.20
53879	Weaver Electric	Outlet Installation for Lobby Port Sign	350.00

TRANSFERS

09/14/18	MS Department of Revenue	August 2018 Sales Tax	13,591.72
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09/17/18	Deferred Compensation	Employee Deductions	1,040.00
09/19/18	Federal Tax Deposit	Payroll Tax Deposit	<u>25,767.12</u>
		Total	<u>\$ 1,334,633.88</u>

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Commissioner Roberts 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:

Vendors: Ship Supply of FL dba Alliance Supply Management; Vulcan Materials

Steamship Agents: Christian Bay Shipping dba Fillette, Green Shipping Services; Wilhelmsen Ship Service

Tug Company: Matthews Brothers, Inc.

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Commissioner Roberts moved to approve the following progress payments: Balch & Bingham (\$67,576.37); Digital Engineering (\$107,633.75); QES, Inc. (\$1,887.50) and Walters Diving & Marine (\$50,450.03). Commissioner Norris seconded, and the motion was unanimously approved.

Commissioner Roberts moved to approve Cash Request #235 – MSPA (\$410,848.94); and YAJV for (\$6,355.00) for a total \$417,203.94. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Knesal moved to approve Cash Request #236 – Anchor QEA (\$6,465.00); Atwell & Gent (\$37,355.11); Drace Construction (\$40,194.65); MSPA (\$132,665.81); Necaise Brothers (\$598,795.94); Neel Schaffer (\$32,096.00); and QES (\$23,946.58) for a total \$871,519.09. Commissioner Norris seconded, and the motion was unanimously approved.

OLD BUSINESS:

Commissioner Norris moved to approve de-obligated amounts in order to close out completed and accepted work with the following:

- 010-HUD-010/MICHAEL BAKER-Amendment 5 – <\$226,340.77>
- 010-HUD-001/NEEL SCHAFFER-Amendment 3/Task Order 46 - <\$28,377.41>
- 010-HUD-001/NEEL SCHAFFER-Amendment 3/Task Order 48 - <\$51,093.72>
- 010-HUD-006/YAJV-Amendment 2/Task Order 29 - <\$605.00>
- 010-HUD-013/ATWELL & GENT-Amendment 3/Task Order 15 - <\$108.66>
- 010-HUD-013/ATWELL & GENT-Amendment 3/Task Order 19 - <\$.33>

Commissioner Roberts seconded, and the motion was unanimously approved.

Commissioner Knesal moved to approve Amendment 9 with Thompson Engineering under Contract No. 010-HUD-002. Amendment 9 de-obligates \$2,480,397.14 from the contract and all work has been completed and accepted. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Roberts moved to approve the following Amendments for closeout with YAJV under Contract 010-HUD-006:

Amendment 2 to Task Order 21 – Marine Research Facility project  
Amendment 2 to Task Order 27 – Perimeter Landscape project

Commissioner Roberts seconded, and the motion was unanimously approved.

Commissioner Norris moved to approve Amendment 7 to Contract 010-HUD-013 with Atwell & Gent. Amendment 7 increases costs by \$61,000.00 with no change to the schedule. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Knesal moved to approve Amendment 2 to Task Order 22 with Atwell & Gent under Contract No. 010-HUD-013. Amendment 2 increases costs by \$58,080 with no change in schedule. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Norris moved to approve Amendment 3 to Task Order 7 with Eley Guild & Hardy under Contract No. 016-HUD-031. Amendment 3 adds 199 days to the schedule and has an increase in cost of \$2,004,362.78. The Amendment is retroactive to June 15, 2018. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Knesal moved to approve de-obligated amounts in order to reconcile the final quantities used on the projects with Necaise Brothers:

017-HUD-037 - \$267,002.77 – North Harbor West Paving & Electrical Improvements  
018-HUD-043 - \$1,211,995.05 – West Pier Site Work & Infrastructure – Phase 3

Commissioner Roberts seconded, and the motion was unanimously approved.

Commissioner Norris moved to approve Change Order No. 1 with Drace Construction under Contract No. 018-HUD-047 for Site Security. This change order increases costs by \$17,728.99 with no change to the schedule. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Norris moved to approve Change Order No. 2 with Drace Construction under Contract No. 018-HUD-047 for Site Security. This change order increases costs by \$23,987.35 with no change to the schedule. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Roberts moved to approve Change Order No. 3 with Drace Construction under Contract No. 018-HUD-047 for Site Security. This change order increases costs by \$7,858.73 with no change to the schedule. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Knesal moved to approve Modification No. 1 to Work Order 2 with Digital Engineering under Contract No. 017-EN-04. Modification 1 adds \$61,654.50 and adds scope to the contract, as well as extends the performance period to one year. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Roberts moved to approve Modification No. 1 to Work Order 3 with Digital Engineering under Contract No. 017-EN-04. Modification 1 adds \$92,480.00 and adds scope to the contract with no change in schedule. Commissioner Norris seconded and the motion was unanimously approved.

NEW BUSINESS:

Commissioner Norris moved to approve Task Order 55 with Neel Schaffer, Inc. under Contract No. 010-HUD-001. Task Order No. 55 has duration of 40 days and a not to exceed amount of \$35,283.00 for West Pier Utility Mapping of the port. Commissioner Knesal 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.

EXTERNAL AFFAIRS REPORT:

Mel Arsenault gave a presentation on MSPA’s Workforce Development Program and the Smart Start pilot program.

OPERATIONS REPORT:

Matthew Gabbett, Deputy Director of Operations, reported on the maritime activity for the month of August:

Vessels	25		Vehicles	13,122
Tugs	Not reported		Railcar Count	763
Barges	Not reported		TEU’s	15,948
			Tonnage (short tons)	198,850

The dredging operation had a four-day setback due to Hurricane Gordan but they are estimating 100% completion by the end of October.

EXECUTIVE DIRECTOR’S REPORT:

Staff appropriately prepared for Hurricane Gordan and we get better each and every time. We were totally prepared even though we ended up not in the path.

Friday is the ribbon cutting with USM for the Marine Research Facility. This is an exceptional facility and Dr. Ballard, who gained much fame from his Titanic discovery, was here last week noted the huge impact that this facility will have on oceanographic research and study.

We have fully executed our Agreement with SeaOne and February 11, 2019 is the cut-off date for full funding for the project.

November 30<sup>th</sup> and December 1<sup>st</sup> are date that we will be celebrating the completion of the Port of Gulfport Restoration Program. This has been a long time coming and we certainly look forward to that day.

GENERAL COUNSEL’S COMMENTS:

Ben Stone had no comments.

MDA’S COMMENTS:

Philip Carter had no comments.

COMMISSIONER COMMENTS:

Commissioner Knesal was glad to see all the construction winding down and wanted to thank all the Contractors for their effort during the restoration program.

Commissioner Norris appreciated the pictures of the restoration progress from 2009 through today – so much more realistic with those before and after photos.

Commissioner Simpson had planned to attend the Friday ribbon-cutting event but is now regrettably unavailable. He also congratulated Nick Foto, Deputy Program Director for his tenacity during the restoration progress and a job well done.

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Commissioner Roberts moved to close the meeting to discuss the need for an Executive Session.

Back in open session, Commissioner Roberts moved to enter Executive Session to discuss legal matters (pending litigation) and real estate matters (negotiations on acquisition of property). Commissioner Knesal seconded and the motion was unanimously approved.

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

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

*Commissioner Norris left Executive Session at approximately 10:00 a.m.*

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

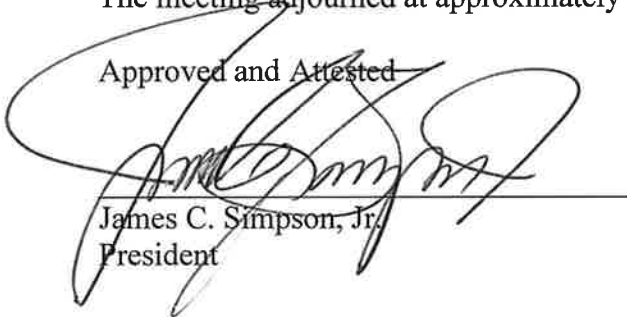
Commissioner Roberts moved to amend the agenda to add the authorization of further investigation by MSPA General Counsel, Balch & Bingham regarding the purchase of property. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Knesal moved to authorize Balch & Bingham to engage Digital Engineering to perform additional tasks to determine remediation costs associated with the potential acquisition of the Cotton Compress site, as such tasks are outlined in the June 21, 2018 proposal for a Supplemental Phase II and Site Remediation Plan from Digital Engineering with a total cost not to exceed \$145,057.00. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Roberts moved to adjourn.

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

Approved and Attested



James C. Simpson, Jr.  
President



Jack Norris  
Secretary