

# MISSISSIPPI PORT AUTHORITY

## BOARD OF COMMISSIONERS

### REGULAR MEETING

**December 18, 2017**

---

Minutes of the Mississippi State Port Authority Board of Commissioners Meeting,  
Monday, December 18, 2017 at 2510 14<sup>th</sup> Street, Suite 1450, Gulfport, Mississippi at  
which the following Commissioners and staff were present:

Commissioners: 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  
Mel Arsenault, Director of External Affairs  
Nick Foto, Deputy Program Manager  
DeeDee Wood, CFO  
Shawn Meyer, Director of Operations  
Kim Aguiard, Marketing & Media Manager  
Gary Pitcovich, Crane Manager

Ben Stone, Legal Counsel

Others: Philip Carter, MDA  
Brian Smith, Watkins & Eager  
Pastor Chris O'Brian, Seaman's International  
Bob Burns, CH2MHill  
Lillian Jenkins, Horne  
Duane Wilson, Chemours  
Randall Love, TL Wallace  
Don Collins, Dan Hensarling, Inc.  
Bruce Newton, Digital Engineering  
Glenn Cobb, Port Campaign Coalition  
Howard Page, Steps Coalition  
Daron Wilson, Horne (formerly MDA)  
Shorty Sneed, Stewart, Sneed, Hewes  
Robert Boone, RLB, LLC  
Richie Ashley, Neel Schaffer  
David Bowman, Neel Schaffer  
Cindy Lamb, Pickering Engineering

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.

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

In accordance with Article IV of the Bylaws as amended, the rotation of Officers occurs at the December meeting of the Board of Commissioners:

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

Commissioner Rester presented Commissioner Knesal a framed and engraved port photo of a project that was completed during Commissioner Knesal's tenure.

PUBLIC COMMENTS:

Glenn Cobb, Port Campaign Coalition, had questions regarding the fencing on the port and casino jobs.

Brynn Joachim, Focus Group, addressed the Commission about working with Port staff on the new website and commented on their professionalism.

\*\*\*\*\*

Commissioner Norris moved to approve the November 13<sup>th</sup> and November 27<sup>th</sup> Minutes. Commissioner Roberts 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 Knesal moved to approve the disbursements listed below. Commissioner Norris seconded and the motion was unanimously approved.

DISBURSEMENTS THROUGH NOVEMBER 30, 2017  
 BILLS FOR THE MONTHS OF NOVEMBER AND DECEMBER 2017 APPROVED AND PAID  
 FROM THE GROSS REVENUE FUND OF THE MS STATE PORT AUTHORITY AT GULFPORT

CHK#	VENDOR	DESCRIPTION	CHK AMT
52785	Kentwood Springs	Drinking Water	215.44
52786	Sage Abra	Tax Forms	173.52
52787	AFLAC	Employee Deductions	1,147.64
52788	AGI Systems & Networks, Inc.	Install Software	4,100.00
52789	Alexander, Van Loon, Sloan	FY2017 Financial Audit Services	14,300.00
52790	Anytime Portables, LLC	Portable Restroom Services	785.00
52791	Barefield Workplace Solutions, Inc.	Office Supplies	103.50
52792	Cable One, Inc.	Cable Services	105.80
52793	Card Services	Travel Expenses	2,614.27
52794	Card Services	Reg. Fees/Advertising/Uniforms/Office Sup.	717.14
52795	Chancellor, Inc.	Supplies to Repair USM & DMR Piers	20,160.00
52796	City of Gulfport	Water	13,138.44
52797	Sun Coast Business Supply	Office Supplies	182.46
52798	Crane Inspection Services, Inc.	Crane Lifting Gear Inspection	1,625.00
52799	C Spire Wireless	Radio/Cell Phone Services	1,139.62
52800	State School Insurance Fund	Employee Deductions	15,466.28
52801	Eagle Energy, Inc.	Grease for Cranes	288.40
52802	Federal Express Corp.	Express Mail Services	256.09
52803	Foliage Design Systems, Inc.	Interior Plant Maintenance	

52804	Fuelman	Fuel for MSPA Vehicles	253.78
52805	Grainger, Inc.	Maintenance Supplies & Turf Sprayer	560.84
52806	Guardian	Employee Deductions	2,339.88
52807	Gulf Coast Business Supply, Inc.	Promotional Items	1,446.48
52808	Hancock Bank	December Lease 14th Floor	744.00
52809	Hancock Bank	Employee Badge	23,168.31
52810	Hotard Coaches, Inc.	Tour Bus Rental for Port Tours	10.00
52811	HRdirect	Payroll Attendance Cards	1,574.20
52812	Newell Paper Co.	Office Supplies	63.39
52813	J.E.M., LLC	Labor & Material to Repair Water Leak	695.70
52814	Lowe's Home Center, Inc.	Materials to Repair Piers/Maint. Supplies	7,100.00
52815	Shawn Meyer	Business Expense	1,852.86
52816	MS Dept. of Human Services CRDU	Employee Deductions	54.69
52817	MS Power Company	Test Vibratoin Levels for STS Cranes 2 & 3	156.00
52818	MS Pub. Employees Credit Union	Employee Deductions	500.00
52819	MS State Tax Commission	Employee Deductions	420.00
52820	Parents & Kids Magazine	Advertising	7,267.00
52821	Pass Road Mini Storage, LLC	Rental on Storage Unit	957.00
52822	Ports America, Inc.	Drying Dole Containers	150.00
52823	Legal Shield	Employee Deductions	63,569.97
52824	Redd Pest Solutions	Pest Control Services	30.91
52825	RJ Young Company, Inc.	Copier and Printer Maint. Agreements	90.00
52826	Rose Office Systems, Inc.	Construction Trailer Rentals	1,634.50
52827	Seal Electrical, Inc.	Electrical Repairs for Hurricane Damage	3,031.00
52828	Angela Shortt	Travel Expenses	9,263.00
52829	Shred-It USA, LLC	Document Shredding Services	51.73
52830	Norma Jean Soroee	Transcription Fees	67.60
52831	Southern Printing & Silkscreen	Promotional Items/Banners for Outreach	449.48
52832	Southern Admin. and Benefits	Monthly Service Fee	760.00
52833	Stuart C. Irby Co.	Electrical Repair Supplies for Tug Boat Pier	200.00
52834	The Sun Herald	Advertising	1,827.00
52835	Swetman Security Services, Inc.	Security Guard Services	2,707.40
52836	Trac-Work, Inc	Repairs to Railroad	85,548.32
52837	United Way of South MS, Inc.	Employee Deductions	5,371.00
52838	Vision Service Plan	Employee Deductions	226.26
52839	Waste Management	Waste Removal Services	193.62
52840	DecDee Wood	Annual Accounting License Renewal	390.00
52841	Wright National Flood Ins.	Flood Insurance for Transit Shed	115.49
52842	Matthew Wypyski	Business Expense	32,486.00
CHECK DATED 11/17/17 AND RELEASED PRIOR TO SCHEDULED CHECK RUN			100.00
52784	Jonathan Daniels	Travel Expense	579.78
	TRANSFERS		

11/10/17	Deferred Compensation	Employee Deductions	890.00
11/10/17	Federal Tax Deposit	Payroll Tax Deposit	23,506.93
11/14/17	MS Department of Revenue	October Sales Tax Payment	8,712.83
11/24/17	Deferred Compensation	Employee Deductions	890.00
11/24/17	Federal Tax Deposit	Payroll Tax Deposit	24,052.28
	Total		<u>\$392,577.83</u>

FINAL CHECKLIST FOR DECEMBER 18, 2017  
 BILLS FOR THE MONTHS OF NOVEMBER AND DECEMBER 2017 APPROVED AND PAID  
 FROM THE GROSS REVENUE FUND OF THE MS STATE PORT AUTHORITY AT GULFPORT

CHK#	VENDOR	DESCRIPTION	CHK AMT
52843	American Assoc. of Port Auth.	Registration Fees	3,575.00
52844	AFLAC	Employee Deductions	1,102.14
52845	AGJ Systems & Networks, Inc.	Computer Services	4,251.00
52846	Kim Aguilard	Business Expenses	136.83
52847	AirGas Gulf States	Oxygen Cylinder Rental	38.00
52848	Alimak Hek, Inc.	Quarterly Inspections for STS Cranes	2,100.00
52849	Battery Sales & Service	Battery for Gottwald Crane #42	639.80
52850	AT&T	Telephone Services	1,813.99
52851	Carlos Bell	Business Expense	8.69
52853	Card Services	Travel Expenses	955.90
52854	Card Services	Travel Expenses	1,083.85
52855	Card Services	Uniform Samples	141.85
52856	Cintas Corporation	Maintenance Uniforms	554.31
52857	City of Gulfport	Water	17,498.38
52858	C Spire Wireless	Radio/Cell Phone Services	1,250.60
52859	Danny Miller Plumbing, Inc.	Annual Certification for Backflow Preventers	1,280.00
52860	Jonathan Daniels	Business Expense	100.00
52862	Eagle Energy, Inc.	Diesel	1,001.75
52863	Emerald TC, LLC	Computer Services	416.25
52864	Federal Express Corp.	Express Mail Services	110.38
52865	Nick Foto	Reimbursement for TWIC Card Renewal	125.25
52866	Fuelman	Fuel for MSPA Vehicles	316.82
52867	Grainger, Inc.	Maintenance Supplies and Small Tools	2,167.87
52868	Great Southern Club	Monthly Dues and Business Expenses	965.62
52869	Gulf Coast Business Supply, Inc.	Office Supplies	39.30
52870	Gulf Ports Association	Membership Dues	400.00
52871	Hancock Bank	January Lease Suite 1450	23,168.31
52872	Newell Paper Co.	Janitorial Supplies	449.48
52873	Robert J. Knesal	Per Diem	120.00
52874	Lowe's Home Center, Inc.	Maintenance Supplies and Small Tools	1,233.05
52875	Mayer Electric Supply Co., Inc.	Electrical Supplies for Perimeter Light Repairs	114.18
52876	MS Dept. of Human Services CRDU	Employee Deductions	156.00
52877	MS Power Company	Electricity	76,680.69
52878	MS Pub. Employees Credit Union	Employee Deductions	420.00
52879	National Waterways Conference, Inc.	Membership Dues	1,450.00
52880	Neopost	Postage Machine Rental	140.18
52881	Jack Norris	Per Diem	80.00
52882	Pass Road Mini Storage, LLC	Rental on Storage Unit	150.00
52883	Ports America, Inc.	Draying Dole Containers	37,395.59
52885	Kim Purchner	Reimbursement for Office Décor	37.40
52886	Raycom TV Broadcasting, Inc.	Advertising	510.00

52887	Redd Pest Solutions	Pest Control Services	90.00
52888	RJ Young Company, Inc.	Copier and Doc. Mgmt. Maint. Agreements	9,434.24
52889	Eluse J. Roberts	Per Diem	40.00
52890	Sorg Printing, LLC	Business Cards and Christmas Cards	218.00
52891	James C. Simpson, Jr.	Per Diem and Travel Expenses	152.00
52892	Simplex Grinnell	Replacement Parts for STS Cranes	92.94
52893	Southern Printing & Silkscreen	Promotional Item	72.18
52894	Southern Admin. and Benefits	2018 Unreimbursed Medical	15,179.84
52895	Swetman Security Services, Inc.	Security Guard Services	28,873.21
52896	Southern Tire Mart, LLC	Replace Tire Unit 22	152.69
52898	Waste Management	Waste Removal Services	1,332.80
<b>TRANSFERS</b>			
11/30/17	Public Employment Retirement	Retirement Match and Withheld	50,627.73
12/08/17	Deferred Compensation	Employee Deductions	990.00
12/13/17	Federal Tax Deposit	Payroll Tax Deposit	25,733.53
Total			<u>\$317,167.62</u>

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

The following items were approved:

RENEWAL LICENSES:

Vendors: A3M Vacuum Service, Inc.; DA Marine Fumigation, Inc.; Delta Sanitation of MS, LLC; Glenn Machine Works, Inc.; LNJ Services, Inc.  
 Transfer Company: Services International, Inc.

\*\*\*\*\*

Commissioner Knesal moved to approve the following progress payments: Balch & Bingham (\$99,690.71); BMA, Inc. (\$12,703.00); Digital Engineering (\$32,577.00); Prism Systems (\$6,899.89) and Walters Diving & Marine (\$55,520.98). Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Roberts moved to approve Cash Request #193 – Anchor (\$20,906.83); Atwell & Gent (\$51,430.48); CH2MHill (\$197,362.34); J.O. Collins (\$1,101,324.92); Michael Baker (\$26,178.20); Neel Schaffer (\$126,056.80); QES (\$50,225.22); Travelers as Surety (\$1,197,610.47); and Wharton Smith (\$821,427.37) for a sub-total of \$3,592,522.63. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Knesal moved to approve Cash Request #194 – MSPA (\$50,141.74); Necaise Brothers (\$3,652,375.82); RFB, LLC (\$3,910.00); QES (\$20,225.22); and YAJV (\$199,695.00) for a total of \$3,926,908.39. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Norris moved to approve Cash Request #195 to Necaise Brothers for \$1,800,932.57. Commissioner Rester seconded and the motion was unanimously approved.

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

Commissioner Roberts moved to approve payment of \$33,005.25 to Eley, Guild Hardy, which was included in RFC #193, totaling \$3,625,527.88. Commissioner Norris seconded and the motion was unanimously approved.

OLD BUSINESS:

Commissioner Norris moved to approve Amendment 2 to Task Order 5 with Eley Guild Hardy Architects under Contract No. 016-HUD-031. Amendment 2 adds 127 days with no change in scope or cost. Commissioner Roberts seconded but after discussion, no vote was taken.

*Commissioner Knesal returned to the meeting.*

Commissioner Knesal moved to approve Modification No. 4 to Contract No. 016-OP-03 with Ports America. Modification No. 4 adds \$700,000.00 to the Contract, with a corresponding effective time frame of 11/30/18. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Knesal moved to approve Change Order No. 2 with Walters Diving & Marine under Contract No. 017-EN-01. Change Order No. 2 increases costs by \$3,800.00. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Norris moved to approve a Notice of Completion with Walters Diving & Marine under Contract No. 017-EN-01. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Knesal moved to approve Amendment 17 with Atkins North America under Contract No. 010-HUD-014. Amendment 17 was an administrative change only, reallocating funds from completed or substantially completed tasks to task specific for completion of the Environmental Impact Statement. Commissioner Norris seconded and the motion was unanimously approved.

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

Commissioner Norris moved to approve Amendment 2 to Task Order 22 with Thompson Engineering under Contract No. 010-HUD-002. Amendment 2 decreases costs by \$39,582.30 and all work is completed. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Roberts moved to approve Amendment 1 to Task Order 23 with Thompson Engineering under Contract No. 010-HUD-002. Amendment 1 decreases costs by \$6,448.10 and all work is completed. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Norris moved to approve Amendment No. 1 to Task Order No. 19 with QES, Inc. under Contract No. 010-HUD-003. Amendment 1 decreases costs by \$1,578.49 and completes the task order. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Norris moved to approve Amendment No. 2 to Task Order No. 16 with YAJV under Contract No. 010-HUD-006. Amendment 2 decreases costs by \$65.00 and completes the task order. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Roberts moved to approve Change Order No. 4 with J.O. Collins under Contract No. 017-HUD-039. Change Order No. 4 increases costs by \$20,587.71 and adds 21 days to the contract. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Knesal moved to approve Change Order No. 1 with J.O. Collins under Contract No. 018-HUD-044. Change Order No. 1 increases costs by \$20,587.71 and

adds 21 days to the contract. Commissioner Norris seconded and the motion was unanimously approved.

NEW BUSINESS:

Commissioner Norris moved to approve a general cost structure increase of 3% to the Port Tariff. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Norris moved to authorize an advertisement to bid the East Pier Fender Replacement Project. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Norris moved to approve Task Order 27 with QES, Inc. Task Order 27 provides Construction Materials Testing for the Port Security Project and has duration of 270 days and a not to exceed time and material budget of \$25,345.00. Commissioner Roberts seconded and the motion was unanimously approved.

Commissioner Roberts moved to approve Task Order 16 with Volkert. Task Order 16 provides environmental consulting services for the EIS and has duration of 180 days and a not to exceed time and material budget of \$37,436.64. Commissioner Knesal seconded and the motion was unanimously approved.

Commissioner Norris moved to approve Task Order 25 with Anchor QEA, LLC. Task Order 25 provides design services support for the Water Tower Shore Protection project and has duration of 120 days and a not to exceed time and material budget of \$5,850.00. Commissioner Roberts 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 November:

Vessels	31	Vehicles	14,654
Tugs	39	Railcar Count	1,087
Barges	27	TEU's	18,235
		Tonnage (short tons)	199,587

The railcar count was the 2<sup>nd</sup> highest on record.

The O&M Dredge Contract should be awarded in the next couple of weeks and will bring the channel and turning basin back to our normal depth.

EXECUTIVE DIRECTOR'S COMMENTS:

Thanks to our Federal Delegation for their hard work on the tax bill.

Our External Affairs group is doing an outstanding job on getting the port in the news, local and nationwide.

We bid a fond farewell to Daron Wilson who is leaving MDA for a new job with Home. Daron has been instrumental in getting us where we are today with the Restoration Program. We wish him the best of luck on his new venture.

GENERAL COUNSEL'S COMMENTS:

Ben Stone wished everyone a Merry Christmas.

MDA'S COMMENTS:

Daron Wilson represented MDA at his last Port Board Meeting before moving to his new job. He commented that it was his honor to be a part of this team and it a privilege to work with this Commission and with this very professional port staff.

COMMISSIONER COMMENTS:

All Commissioners wished everyone a Merry Christmas.

Commissioner Rester also commented on the great job that Daron Wilson had done with this challenging Restoration Program. Commissioners Roberts and Norris echoed his comments as well.

\*\*\*\*\*

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 Knesal moved to enter Executive Session to discuss a legal matter (litigation). Commissioner Norris seconded and the motion was unanimously approved.

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

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

The meeting was adjourned at approximately 3:15 p.m.

Approved and Attested

  
James C. Simpson, Jr.  
President

  
Jack Norris  
Secretary