

MISSISSIPPI PORT AUTHORITY

BOARD OF COMMISSIONERS

REGULAR MEETING

November 13, 2017

Minutes of the Mississippi State Port Authority Board of Commissioners Meeting,
Monday, November 13, 2017 at 2510 14th 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
John Rester, Secretary
Jack Norris, Treasurer

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
Carlos Bell, Director of Community Affairs
Matt Gabbett, Deputy Director of Operations

Brant Pettis , Legal Counsel

Others: Philip Carter, MDA
Brian Smith, Watkins & Eager
Pastor Chris O'Brian, Seaman's International
Bob Burns, CH2MHill
Michael Sheely, CH2MHill
Maddie Costelli, Simpkins & Costelli
Michael Costelli, Simpkins & Costelli
Lillian Jenkins, Home
Charlotte Miller, Hilton Properties

Duane Wilson, Chemours
Randall Love, TL Wallace
Don Collins, Dan Hensarling, Inc.
Bruce Newton, Digital Engineering
Paula Volz, Courtyard Hotel
Damon Torricelli, Neel Schaffer
Kim Marmalich, AVL
Debra Aikens, AVL

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:

There were no public comments.

The FY17 Audit presentation was given by Kim Marmalich with Alexander, VanLoon, Sloan, Levens and Farve, LLC.

Commissioner Rester moved to accept the FY17 Audit as presented. Commissioner Simpson seconded and the motion was unanimously approved.

Commissioner Norris moved to approve the October 26th and October 31st Minutes. Commissioner Rester seconded and the motion was unanimously approved.

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

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

FINAL CHECKLIST FOR NOVEMBER 13, 2017

BILLS FOR THE MONTHS OF OCTOBER AND NOVEMBER 2017 APPROVED AND PAID
FROM THE GROSS REVENUE FUND OF THE MS STATE PORT AUTHORITY AT GULFPORT

CHK#	VENDOR	DESCRIPTION	CHK AMT
52734	ABB, Inc.	Repair Parts for STS1 Crane	120.00
52735	AGJ Systems & Networks, Inc.	Computer Services	4,251.00
52736	AirGas Gulf States	Oxygen Cylinder Rental	43.47
52737	B.E.A.R.	Parts for Shed 53 Dock Levelers	2,878.34
52738	AT&T	Telephone Services	1,816.19
52740	Chancellor, Inc.	Electrical Supplies	89.25
52741	City of Gulfport	Sponsorship for Harbor Lights Tickets	3,700.00
52742	Jonathan Daniels	Business and Travel Expenses	182.47
52744	Eagle Energy, Inc.	Oil and Transmission Fluid	210.60
52745	Emerald TC, LLC	Computer Services	46.25
52746	Federal Express Corp.	Express Mail Services	78.97
52747	Fuelman	Fuel for MSPA Vehicles	212.81
52748	Grainger, Inc.	Maintenance Supplies, Tools & Sensors	924.21
52749	Great Southern Club	Monthly Dues and Business Expenses	194.04
52750	Gulf Coast Business Supply, Inc.	Office Supplies	453.86
52751	Robert J. Knesal	Per Diem	320.00
52752	Lowe's Home Center, Inc.	Maintenance Supplies & Small Tools	218.43
52753	Maritime Defense Strategy, LLC	Security Training	3,650.00
52754	Maximum Auto Parts	Equipment Supplies	479.63
52755	Mayer Electric Supply Co., Inc.	Tools for STS Cranes	394.00
52757	MS Gulf Coast Chamber of Comm.	Workshop Registration Fee	50.00
52758	MS Power Company	Electricity	77,885.62
52760	MSPA Petty Cash Fund	Replenish Petty Cash	67.30
52761	MS State Tax Commission	Employee Deductions	7,539.00
52762	Department of Finance & Admin.	FY 2018 Tort Claim Assessments	14,569.32
52763	Jack Norris	Per Diem	80.00
52764	Ports America, Inc.	Draying Dole Containers	16,630.22
52765	It's Promo Time	Promotional Items	1,065.57
52766	RJ Young Company, Inc.	Printer Maintenance Agreements	576.69
52767	Eluse J. Roberts	Per Diem and TWIC Card Reimbursement	165.25
52768	Rose Office Systems, Inc.	Construction Trailer Rentals	3,031.00

52769	Seal Electrical, Inc.	Electrical Repairs Due to Hurricane Nate	5,323.00
52770	James C. Simpson, Jr.	Per Diem	280.00
52771	Southern Pipe and Supply, Inc.	Plumbing Supplies	130.01
52772	The Sun Herald	Advertising	4,770.00
52773	Southern Tire Mart, LLC	Labor & Parts to Repair Forklift Tires	330.00
52774	United Way of South MS, Inc.	Employee Deductions	242.31
52776	W.C. Fore Trucking, Inc.	Debris Cleanup and Disposal	8,631.00
52777	Gulf Coast Business Supply, Inc.	Office Supplies	73.00

52778	MS Dept. of Human Services CRDU	Employee Deductions	156.00
52779	MS Pub. Employees Credit Union	Employee Deductions	320.00
52780	Interstate Billing Service, Inc.	Service Call to Repair Forklift	131.00
52781	Stuart C. Irby Co.	Elect. Supplies to Repair High Mast Lights	10,847.76
52782	MS Dept. of Human Services CRDU	Employee Deductions	156.00
52783	MS Pub. Employees Credit Union	Employee Deductions	320.00

CHECKS DATED 10/27/17 AND RELEASED PRIOR TO THE MEETING

52732	John Webb	Travel Expenses	425.56
52733	Matthew Wypyski	Business and Travel Expenses	846.74

TRANSFERS

10/27/17	Deferred Compensation	Employee Deductions	890.00
	Federal Tax Deposit	Payroll Tax Deposit	
10/27/17			25,310.11
11/07/17	Public Employment Retirement	Retirement Match and Withheld	52,355.92

Total \$ 253,461.90

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

The following items were approved:

RENEWAL LICENSES:

Apprentice Pilot Murrell W. Hilton, III
Steamship Agent: ISS Marine Service; Maritime Endeavors Shipping

NEW LICENSES:

Apprentice Pilot: Matthew Hilton

Commissioner Norris moved to approve the following progress payments: Balch & Bingham (\$97,277.60); BMA (\$63,637.75); Digital Engineering (\$32,601.00); and Walters Diving & Marine (\$255,849.01). Commissioner Rester seconded and the motion was unanimously approved.

Commissioner Simpson moved to approve Cash Request #191 – Dan Hensarling (\$130,844.21); J.O. Collins (\$220,841.86); MSPA (\$48,441.25); RFB, LLC (6,587.50); Travelers as Surety (\$725,610.01); Wharton Smith (\$944,599.23) and YAJV (\$628,274.50) for total of \$2,705,198.56. Commissioner Rester seconded and the motion was unanimously approved.

Commissioner Norris moved to approve Cash Request #192 to Necaise Brothers for \$3,770,630.81. Commissioner Rester seconded and the motion was unanimously approved.

OLD BUSINESS:

Commissioner Rester moved to approve the sale of the Gottwald Mobile Harbor Crane#42 for an adjusted price of \$432,000.00. Commissioner Norris seconded but after discussion, no vote was taken.

Commissioner Rester moved to table the sale of the Gottwald Mobile Harbor Crane. Commissioner Simpson seconded and the motion was unanimously approved.

Commissioner Simpson moved to award the bid for the purchase of a Street Sweeper to Vacuum Truck Sales for \$240,495.00. Commissioner Rester seconded and the motion was unanimously approved.

Commissioner Rester moved to approve Change Order No. 2 with Walters Diving & Marine under Contract No. 17-EN-01. Change Order No. 2 adds \$3,800 to the contract with no change in schedule. Commissioner Simpson seconded and the motion did not pass with the Commissioners voting as follows: Affirmative – Commissioners Norris and Knesal; Negative – Commissioners Rester and Simpson.

Commissioners did not address the Notice of Completion with Walters Diving & Marine under Contract No. 17-EN-01 due to the failure of the previous agenda item.

Commissioner Norris moved to approve Amendment No. 2 with Tropical World Landscape & Irrigation under Contract No. 014-HUD-023. Amendment 2 decreases costs by \$60,065.08 and completes the task order. Commissioner Rester seconded and the motion was unanimously approved.

Commissioner Rester moved to approve Amendment No. 2 to Task Order No. 15 with QES, Inc. under Contract No. 010-HUD-003. Amendment 2 decreases costs by \$5,693.91 and completes the task order. Commissioner Simpson seconded and the motion was unanimously approved.

Commissioner Simpson moved to approve Amendment No. 13 with CH2MHill, Inc. under Contract No. 518-C. Amendment No. 13 increases costs by \$2,171,782.00 and adds 273 days to the schedule. Commissioner Rester seconded and the motion was passed with the Commissioners voting as follows: Affirmative – Commissioners Simpson, Rester and Norris; Negative – Commissioner Knesal.

Commissioner Simpson moved to approve Change Order No. 1 to W.C. Fore Trucking Company under Contract No. 017-HUD-041. Change Order No. 1 is a zero-dollar change to the contract and is an administrative change only, deleting Milestone #1. Commissioner Norris seconded and the motion was passed with the Commissioners voting as follows: Affirmative – Commissioners Simpson, Norris and Knesal; Negative – Commissioner Rester.

Commissioner Simpson moved to approve Change Order No. 1 to Necaise Brothers under Contract No. 018-HUD-043. Change Order No. 1 is a zero-dollar change to the contract and is an administrative change only, re-sequencing the order of construction. Commissioner Rester seconded and the motion was unanimously approved.

Commissioner Norris moved to approve the following Amendments that add days to extend the task orders to the new expiration date of March 31, 2018:

- Amendment 1 to Task Order 48 with Neel Schaffer; Contract No. 010-HUD-001 adds 72 days
- Amendment 1 to Task Order 49 with Neel Schaffer; Contract No. 010-HUD-001 adds 103 days

- Amendment 1 to Task Order 50 with Neel Schaffer; Contract No. 010-HUD-001 adds 100 days
- Amendment 1 to Task Order 20 with QES, Inc. under Contract 010-HUD-003 adds 71 days
- Amendment 1 to Task Order 18 with Atwell & Gent under Contract 010-HUD-013 adds 103 days

Commissioner Rester seconded and the motion was unanimously approved.

Commissioner Norris moved to approve the following Amendments that add 212 days to extend the task orders to the new expiration date of July 31, 2018:

- Amendment 2 to Task Order 39 with Neel Schaffer; Contract No. 010-HUD-001
- Amendment 2 to Task Order 21 with Thompson Engineering; Contract No. 010-HUD-002
- Amendment 2 to Task Order 13 with QES, Inc. under Contract 010-HUD-003
- Amendment 2 to Task Order 12 with Atwell & Gent under Contract 010-HUD-013

Commissioner Rester seconded and the motion was unanimously approved.

Commissioner Simpson moved to approve the following Amendments that add 304 days to extend the task orders to the new expiration date of October 31, 2018:

- Amendment 6 to Task Order 17 with Neel Schaffer; Contract No. 010-HUD-001
- Amendment 5 to Task Order 25 with Neel Schaffer; Contract No. 010-HUD-001
- Amendment 5 to Task Order 9 with QES, Inc. under Contract 010-HUD-003

Commissioner Rester seconded and the motion was unanimously approved.

NEW BUSINESS:

Commissioner Rester moved to approve Task Order No. 54 with Neel Schaffer under Contract No. 010-HUD-001. Task Order No. 54 has duration of 270 days and a not to exceed cost of \$20,349.00. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Norris moved to approve Task Order No. 22 with Atwell & Gent under Contract No. 010-HUD-013. Task Order No. 22 has duration of 270 days and a not to exceed cost of \$46,400.00. Commissioner Rester 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 October:

Vessels	33		Vehicles	13,047
Tugs	37		Railcar Count	1,099
Barges	22		TEU's	18,547
			Tonnage (short tons)	253,277

The railcar count was up 10% over September's count and the tonnage count is the 2nd highest on record.

There are two dredge vessels working on the bar and they are approximately 50% complete. They will depart over Thanksgiving and will return after the first of the year.

EXECUTIVE DIRECTOR'S COMMENTS:

Our Federal Delegation is working very hard and closely with the Corps of Engineers concerning our dredging needs.

Congratulations to MSPA staff for another successful audit. There are a lot of different activities that go along with that audit and the entire staff, along with the Finance Department, should be commended.

It is very good to see the cargo numbers trending in a positive direction.

We have also had a very significant increase in the military presence due to our designation of becoming a strategic military port.

GENERAL COUNSEL'S COMMENTS:

Brant Pettis had no comments.

MDA'S COMMENTS:

Philip Carter had no comments.

COMMISSIONER COMMENTS:

All Commissioners gave kudos to the staff for the great FY17 Audit Report. They were also glad to see the positive trends.

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 a real estate matter (potential property purchase) and a legal matter (litigation). Commissioner Norris 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 and return to open meeting. Commissioner Rester seconded and the motion was unanimously approved.

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

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

The meeting was adjourned at approximately 11:25 a.m.

Approved and Attested


James C. Simpson, Jr.
President


Jack Norris
Secretary