

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

**February 25, 2021**

---

Minutes of the Mississippi State Port Authority Board of Commissioners Meeting,  
Thursday, February 25, 2021 at 2510 14<sup>th</sup> Street, Suite 1450, Gulfport, Mississippi at  
which the following Commissioners and staff were present:

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

Staff: Matthew Wypyski, Deputy Director/COO  
Kim Purchner, Executive Asst./HRO  
Nick Foto, Deputy Program Manager  
DeeDee Wood, CFO  
Errol LaRue, Govt. & Legal Affairs Manager  
John Webb, Director of Engineering  
Shawn Meyer, Director of Operations  
Mel Arsenault, Director of Grant/Workforce Development  
Carlos Bell, Director of Public Engagement  
Kim Aguillard, Marketing & Media Manager  
Allison Chimanya, Marketing Specialist

Ben Stone, Legal Counsel  
David Duhé, Legal Counsel  
Mark Bond, Legal Counsel

Others: Philip Carter, MDA (via telephone)  
Brian Smith, Watkins Eager (via telephone)  
Michael Sheely, Jacobs Engineering  
Bruce Newton, Digital Engineering  
Marc Foster, Cypress Environment

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 led by Carlos Bell, MSPA.

**PUBLIC COMMENTS:**

There were no public comments.

\*\*\*\*\*

Commissioner Simpson moved to approve the January 28, 2020 and February 8, 2021 Minutes. Commissioner Rester seconded, and the motion was unanimously approved.

Commissioner Rester moved to approve travel (Feb. 8-9/Webb to Jackson, MS).  
 Commissioner Knesal seconded, and the motion was unanimously approved.

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

DISBURSEMENTS THROUGH FEBRUARY 10, 2021  
 BILLS FOR THE MONTHS OF JANUARY AND FEBRUARY 2021 APPROVED AND PAID  
 FROM THE GROSS REVENUE FUND OF THE MS STATE PORT AUTHORITY AT GULFPORT

CHK#	VENDOR	DESCRIPTION	CHK AMT
56782	AGJ Systems & Networks, Inc.	Computer Maintenance and Equipment	9,218.99
56783	All Safe Technologies, LLC	Fire Alarm Monitoring and Repairs	369.80
56784	B.E.A.R.	Lift Station Repairs	385.00
56785	Sparklight	Internet Services	91.18
56786	CenterPoint Energy	Natural Gas Services	121.95
56787	Chancellor, Inc.	Electrical Repair Supplies	2,157.25
56788	City of Gulfport	Water	3,997.78
56789	Collection Services Center	Employee Deductions	90.06
56790	Consolidated Electrical Distributors, Inc	Electrical Supplies	240.00
56791	Cornett Bolt & Screw	Maintenance Supplies	102.00
56792	C Spire Wireless	Cell Phone Services	1,029.87
56793	C Spire Business Solutions	Telephone/Internet Services	2,969.46
56794	Dept. of Finance & Admin.	MMRS Quarterly Charges	254.75
56795	Fuelman	Fuel for MSPA Vehicles	41.70
56796	Great Southern Club	Monthly Dues	99.00
56797	Gulf Coast Business Supply, Inc.	MS State Flags	271.80
56798	ID Wholesaler	Construction ID Badges	267.60
56799	MS State Treasurer Fund 3360900000	Telephone/Internet Services	222.56
56800	Lowe's Home Center, Inc.	Ice Machine Replacement	1,025.05
56801	Maritime Defense Strategy, LLC	Consulting Services	3,650.00
56802	MS Dept. of Human Services CRDU	Employee Deductions	156.00
56803	MS Power Company	Electricity	104,654.28
56804	MS Pub. Employees Credit Union	Employee Deductions	320.00
56805	Odgers Berndtson, LLC	Executive Director Search Expenses	1,654.97
56806	Polycase	Parts for Control Junction Boxes for Cranes	280.67
56807	Legal Shield	Employee Deductions	118.61
56808	Quadient Leasing USA Inc	Postage Machine Rent	195.57
56809	Redd Pest Solutions	Pest Control Services	90.00
56810	RJ Young Company, Inc.	Copier Maintenance	920.12
56811	Rotolo Consultants, Inc. dba RCI	Hurricane Zeta Landscape Restoration	9,400.00
56812	Sage Software, Inc.	Software Renewal	6,718.83
56813	Southern Exteriors Fence Co.	Temporary Security Fence	1,664.00
56814	BXS Insurance, Inc.	Insurance	55.77
56815	Stuart C. Irby Co.	Electrical Repair Supplies	89.12
56816	United Way of South MS, Inc.	Employee Deductions	272.76
56817	Waste Management	Waste Removal Services	707.20
56818	Zoro Tools, Inc.	Warning Lights, Phone and Two Way Radio	455.04
CHECKS DATED 02/05/21 AND RELEASED PRIOR TO SCHEDULED CHECK RUN			
56775	IDEMIA	TWIC Card Renewal	125.25
56776	IDEMIA	TWIC Card Renewal	125.25
56777	IDEMIA	TWIC Card Renewal	125.25
56778	IDEMIA	TWIC Card Renewal	125.25
56779	IDEMIA	TWIC Card Renewal	125.25
56780	IDEMIA	TWIC Card Renewal	125.25
56781	IDEMIA	TWIC Card Renewal	125.25

TRANSFERS

01/28/21	Deferred Compensation	Employee Deductions	1,032.50
02/03/21	State School Insurance Fund/DFA	02/2021 Employee Health and Life Insurance	18,256.26
02/03/21	Federal Tax Deposit	Payroll Tax Deposit	24,215.11
02/04/21	Public Employment Retirement	Retirement Match and Withheld	54,056.18
02/10/21	MS Department of Revenue	Employee Deductions	6,809.00
Total			<u>\$259,604.54</u>

FINAL CHECKLIST FOR FEBRUARY 25, 2021

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

CHK#	VENDOR	DESCRIPTION	CHK AMT
56819	Kentwood Springs	Drinking Water	398.74
56820	AFLAC	Employee Deductions	1,709.97
56821	AGJ Systems & Networks, Inc.	Computer Maintenance	9,047.00
56822	AirGas Gulf States	Acetylene, Oxygen and Argon Cylinders	189.71
56823	All Safe Technologies, LLC	Fire Alarm Monitoring	159.80
56824	Arena Fire Protection, Inc.	Troubleshoot and Repair Fire Alarm	225.00
56825	Sparklight	Cable Services	161.42
56826	Card Services	Replacement Fire Alarm Bells for Crane #3	198.25
56827	CDW Government	Computer Mouse	78.61
56828	Chancellor, Inc.	Electrical Supplies for Repairs	3,833.65
56829	Sun Coast Business Supply	Office Supplies	99.12
56830	Collection Services Center	Employee Deductions	90.06
56832	Doug Singletary & Assoc. Inc.	Appraisal Review Services	6,000.00
56833	Eagle Services, Inc.	Replacement AC/Heater for Crane #3	2,556.00
56834	Emerald TC, LLC	Software Maintenance Renewal	1,355.00
56835	Federal Express Corp.	Express Mail Services	16.49
56836	Fuelman	Fuel for MSPA Vehicles	261.57
56837	Global Equipment Co., Inc.	Maintenance Supplies	541.29
56838	Guardian	Employee Deductions	1,628.81
56839	Hancock Bank	March Lease for Suite 1450	25,316.64
56840	Newell Paper Co.	Janitorial Supplies	567.52
56841	Robert J. Knesal	Per Diem	160.00
56842	Monster Subs & Sandwiches, Inc.	BOC Meeting	55.50
56843	MS Dept. of Human Services CRDU	Employee Deductions	156.00
56844	MS Pub. Employees Credit Union	Employee Deductions	320.00
56845	Necaise Locksmith	Repair Lock on Filing Cabinet	100.00
56846	Jack Norris	Per Diem	160.00
56847	Pass Road Mini Storage, LLC	Storage Unit Rent	335.00
56848	Phillips Building Supply	Replacement Panels for Storage Shed	419.41
56849	Gary Pitcovich	Tuition Reimbursement	1,455.00
56850	Puckett Machinery Company	Replacement Motor for Electric Lift	848.29
56851	Eluse J. Roberts	Per Diem	120.00
56852	Rotolo Consultants, Inc. dba RCI	Landscape Services	903.34
56853	James C. Simpson, Jr.	Per Diem	120.00
56854	SSA Gulf Inc.	Office Trailer Rent for Cotton Compress	850.00
56855	Swetman Security Services, Inc.	Security Guard Services	62,409.87
56856	Southern Tire Mart, LLC	Unit #7 Tire Repair	129.27
56857	Mississippi Valuations, LLC	Real Estate Appraisal Services	1,900.00
56858	Vision Service Plan	Employee Deductions	193.50
56859	Volkert, Inc	Professional Services	570.00
56860	Waste Management	Waste Removal Services	619.80
56861	John Webb	Travel Expenses	188.72
56862	Zoro Tools, Inc.	Maintenance and Safety Supplies	1,191.94

TRANSFERS

02/11/21	Deferred Compensation	Employee Deductions	1,032.50
02/11/21	MS Department of Revenue	Sales Tax Payment	12,130.39
02/17/21	Federal Tax Deposit	Payroll Tax Deposit	23,803.81
			\$ 164,606.99

\*\*\*\*\*

Commissioner Knesal 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:

Vendors: Mike Gartman Transfer Service; Commodore Transportation, Inc.;  
U.S. Maritime Services, LLC

Steamship Agent: Nord-Sud Shipping, Inc.; Gulf Harbor Shipping

Transfer Company: Mike Gartman Transfer Service, Inc.

\*\*\*\*\*

Commissioner Simpson moved to approve the following progress payments: Balch & Bingham (\$85,161.90) and Digital Engineering (\$87,382.25). Commissioner Rester seconded, and the motion was unanimously approved.

Commissioner Knesal moved to approve Cash Request #282 to CH2MHill (\$36,817.04); Eley Guild Hardy (\$48,878.75); MSPA (\$11,919.49) and Wharton Smith (\$956,977.05) for a total of \$1,054,592.33. Commissioner Rester seconded and the motion was unanimously approved.

\*\*\*\*\*

NEW BUSINESS:

Commissioner Rester moved to approve Work Orders No. 14 and 15 under Contract No. 17-EN-04 with Digital Engineering. Both Work Orders are related to Hurricane Zeta recovery and repair efforts. Work Order No. 14 has a not to exceed amount of \$91,490.00 and Work Order No. 15 has a not to exceed amount of \$38,062.00. Commissioner Simpson seconded and the motion was unanimously approved.

Commissioner Rester moved to authorize the acceptance of the FY2021 Multi-Modal Program Grant Agreement with granted funds in the amount of \$430,000.00. This grant money will be used towards the North Harbor Drainage and Rail Access Improvements. Commissioner Norris seconded and the motion was unanimously approved.

Commissioner Rester moved to authorize the designation of Deborah Wood as MSPA's Applicant Agent for FEMA for assistance from Hurricane Zeta. Tammy Salisbury is designated the Alternate Applicant Agent. Commissioner Norris seconded and the motion was unanimously approved.

PORT RESTORATION/ENGINEERING UPDATE:

John Webb and Nick Foto gave status updates on current restoration and engineering projects.

OPERATIONS REPORT:

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

Vessels	13		Vehicles	9,205
TEU's	13,398		Railcar Count	790
Tonnage (short tons)	145,816			

The TEU count is a 15% decrease from 2020 and the Tonnage count is a 39% decrease from 2020.

Status updates were given on the Ocean Enterprise Facility and the dredging.

FEMA has been on the port this past week reviewing Hurricane damages with port staff.

MDA'S COMMENTS:

Philip Carter had no comments.

GENERAL COUNSEL'S COMMENTS:

Ben Stone had no comments.

COMMISSIONERS' COMMENTS:

Commissioner Norris asked that staff look into possible "pre-event" service agreements with regard to tropical weather events and subsequent damage repairs.

Commissioner Simpson heard from a Gulfport Yacht Club member regarding the positive efforts of the port to clean up the south area after Hurricane Zeta.

\*\*\*\*\*

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

Commissioner Simpson moved to enter Executive Session to discuss real estate matters (lease negotiations), legal matters (litigation) and a personnel matter. Commissioner Knesal seconded and the motion was unanimously approved.

(THE BOARD OF COMMISSIONERS ENTERED INTO EXECUTIVE SESSION AT APPROXIMATELY 1:25 P.M.)

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

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

Commissioner Simpson moved to amend the agenda to consider a Resolution with the MS Department of Transportation regarding the purchase of property. Commissioner Rester seconded and the motion was unanimously approved.

Commissioner Simpson moved to approve Resolution No. 21-01(attached) authorizing the MSPA to execute the MOA with the MS Transportation Commission for the right to purchase certain real property located in the City of Gulfport, Mississippi. Commissioner Rester seconded and the motion was approved with the Commissioners voting as follows:

Commissioner Simpson	Affirmative
Commissioner Rester	Affirmative
Commissioner Knesal	Affirmative
Commissioner Norris	Affirmative
Commissioner Roberts	Affirmative

Commissioner Simpson moved to adjourn.

The meeting adjourned at approximately 3:35 p.m.

Approved and Attested

  
E.J. Roberts  
President

  
James C. Simpson, Jr.  
Secretary

**RESOLUTION NO. 21- 01**

After proper notice, a quorum of the Board of Commissioners (“Board”) of the Mississippi State Port Authority at Gulfport (“MSPA”) took up for consideration the matter of the MSPA’s execution of a Memorandum of Agreement (“MOA”) with the Mississippi Transportation Commission (“MTC”), acting by and through the Executive Director of the Mississippi Department of Transportation (“MDOT”) for the right to purchase certain real property located in the downtown area of the City of Gulfport, Mississippi. Commissioner NORRIS moved for the adoption of the following resolution:

**RESOLUTION OF THE BOARD OF THE MSPA AUTHORIZING THE MSPA TO EXECUTE THE MOA WITH MTC FOR THE RIGHT TO PURCHASE CERTAIN REAL PROPERTY LOCATED IN THE CITY OF GULFPORT, MISSISSIPPI.**

WHEREAS, Section 59-5-37(1) of the Mississippi Code authorizes, among other things, the MSPA to make all contracts and purchases incidental to or necessary for the advancement, promotion and development of the State Port at Gulfport;

WHEREAS, pursuant to Section 59-5-39 of the Mississippi Code, the MSPA is authorized to acquire real property by purchase for, among other things, the advancement, development and improvement of the State Port at Gulfport;

WHEREAS, in fulfillment of MTC’s statutory duties and responsibilities to aid in the coordinated and efficient use of the transportation system utilized by the MSPA and to minimize the impacts to the local community in the downtown area of the City of Gulfport, MTC acquired certain parcels of real property located on various streets within the City of Gulfport, in the vicinity of the Port at Gulfport, for use in its Port Connector Project (STP-1145-00(007), 101212/203000) (the “Project”);

WHEREAS, due to a change in circumstances concerning that Project, MTC has determined that certain parcels (the “Parcels”) that were acquired by MTC will not be used for the Project;

WHEREAS, due to the size, location and proximity to other State Port facilities, the MSPA has determined that the Parcels can be utilized by the MSPA for the advancement, promotion and development of the State Port at Gulfport;

WHEREAS, the MSPA and MTC now desire to enter into the MOA attached hereto as Exhibit “A” and fully incorporated herein by this reference, which sets out each party’s respective rights and obligations and grants to the MSPA the right to purchase the Parcels from MTC upon completion of certain due diligence and thereafter presenting an offer to purchase based upon fair market value;

WHEREAS, upon presenting an offer to purchase the Parcels, MSPA would take title to the Parcels from MTC with no warranties and without restrictions for future development;

**WHEREAS**, recognizing itself as a stakeholder and partner with the City of Gulfport's revitalization efforts of the downtown area, the MSPA hereby expresses its intention, to the extent reasonably practicable, to collaborate with the City of Gulfport regarding the MSPA's development of the Parcels in the manner consistent with the MSPA's statutory directive set forth in Mississippi Code §§ 59-5-1, *et seq.* taking into consideration, among other things, the future revitalization and buildout of the downtown area endeavoring to generate increased economic activity both at the State Port at Gulfport and the downtown area;

**WHEREAS**, the Board of Commissioners hereby authorizes and directs the MSPA, by and through its staff, to engage the necessary parties to conduct an appraisal and a subsequent review appraisal for a fair market value determination of the Parcels and to conduct such due diligence as is reasonable necessary to determine marketability of such title related thereto, and the Board of Commissioners hereby authorizes and directs the President of the Board to execute, complete and deliver the MOA along with all other necessary documentation to MTC and to do and perform such other acts and deeds on behalf of the MSPA as may be deemed necessary or desirable at any time or from time-to-time in connection with the matters contemplated in this Resolution; and

**WHEREAS**, that, any and all actions heretofore or hereafter taken by the MSPA in connection with or related to the matters set forth herein as contemplated by the foregoing Resolution be, and are hereby adopted, affirmed, approved and ratified in all respects as the act of the MSPA.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE MISSISSIPPI STATE PORT AUTHORITY AT GULFPORT, AS FOLLOWS:**

The Board of Commissioners hereby authorizes and directs the MSPA, by and through its staff, to engage the necessary parties to conduct an appraisal and a subsequent review appraisal for a fair market value determination of the Parcels and to conduct such due diligence as is reasonable necessary to determine marketability of such title related thereto, and the Board of Commissioners hereby authorizes and directs the President of the Board to execute, complete and deliver the MOA along with all other necessary documentation to MTC and to do and perform such other acts and deeds on behalf of the MSPA as may be deemed necessary or desirable at any time or from time-to-time in connection with the matters contemplated in this Resolution.

Commissioner RESTER seconded the motion to adopt the foregoing Resolution, and the vote thereupon was as follows:

	<u>Voted:</u>
Commissioner Knesal	<u>AYE</u>
Commissioner Simpson	<u>AYE</u>
Commissioner Rester	<u>AYE</u>

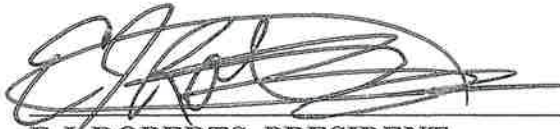
Commissioner Norris

AYE

Commissioner Roberts

Yes

The motion having received the foregoing vote of the Board of Commissioners, the President declared the motion carried and the Resolution adopted, on this the 25<sup>TH</sup> day of February, 2021.



E.J. ROBERTS, PRESIDENT

