

**PORT OF IBERIA DISTRICT
BOARD OF COMMISSIONERS
REGULAR MEETING - TUESDAY, AUGUST 16, 2011
PORT ADMINISTRATIVE OFFICE - 5:30 P.M.
MINUTES**

The regular meeting of the Port of Iberia District Board of Commissioners was called to order by the Board President, Danny J. David, Sr., at the Port of Iberia Administrative Office, on Tuesday, August 16, 2011, at 5:30 P.M.

In attendance were Commissioners Danny J. David, Sr., President, Raymond Bernard, Jr., Vice-President, Millie Martinez, Secretary-Treasurer, Frank Minvielle, Gene Jefferies, Mark Dore', and Mike Resweber.

There were no Commissioners absent.

Also present were Roy Pontiff, Executive Director, Joanna D. Durke, Administrative Assistant, Holly Breaux, Secretary/Bookkeeper, and Ray Allain, Port Attorney.

Thus, with a quorum being acknowledged, Commissioner Mike Resweber, recited the opening prayer and the Pledge of Allegiance.

I. APPROVAL OF MINUTES

On a motion by Commissioner Raymond Bernard, Jr., seconded by Commissioner Millie Martinez, the Commission approved the minutes of the Regular meeting held on Tuesday, July 19, 2011.

This motion having been submitted to a vote, the vote thereon was as follows:

Yeas: Danny J. David, Sr., Raymond Bernard, Jr., Millie Martinez, Frank Minvielle, Gene Jefferies, Mark Dore', and Mike Resweber.

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 16th day of August 2011.

II. DISCUSS AND/OR DISTRIBUTE THE FOLLOWING:

- (a) Budget Summary For One (1) Month Ending July, 2011.
- (b) Listing of Tenant Lease Billings.
- (c) Listing of Boat Stall Lease Billings.
- (d) Approve Payment of Bills & Checks Issued During Interim Period.
- (e) Computer Summary of Lease Agreement Activity Sheet .
- (f) Status of Invoices Report.

The Executive Director presented the Budget Summary for One (1) month ending July, 2011. A listing of bills to be paid for the month of August 2011 was presented, and discussions were held with regards to the Budget Summary, Tenant Lease Billings, Boat

Stall Lease Billings, Bills to Be Paid, Checks Issued During Interim, Lease Activity Sheet, and Status of Invoices.

A motion was made by Commissioner Mark Dore', seconded by Commissioner Mike Resweber, to approve and authorize the payment of bills for August 2011, and ratify those paid during the interim period.

This motion having been submitted to a vote, the vote thereon was as follows:

Yeas: Danny J. David, Sr., Raymond Bernard, Jr., Millie Martinez, Frank Minvielle, Gene Jefferies, Mark Dore', and Mike Resweber.

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 16th day of August 2011.

III. RATIFICATION OF RENEWAL OF CERTIFICATES OF DEPOSIT.

A motion was made by Commissioner Frank Minvielle, seconded by Commissioner Millie Martinez, to approve and ratify the renewal of Certificate of Deposit Number 40000181307 which matured on July 24, 2011, with Iberia Bank for six (6) months at the rate of 0.50% and 0.50% A.P.Y.

This motion having been submitted to a vote, the vote thereon was as follows:

Yeas: Danny J. David, Sr., Raymond Bernard, Jr., Millie Martinez, Frank Minvielle, Gene Jefferies, Mark Dore', and Mike Resweber.

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 16th day of August 2011.

A motion was made by Commissioner Raymond Bernard, Jr., seconded by Commissioner Mark Dore', to approve and ratify the renewal of Certificates of Deposit Numbers 40001342851 and 40001342878, which matured on July 31, 2011, with Iberia Bank, for Six (6) months at the rate of 0.50% and 0.50% A.P.Y.

This motion having been submitted to a vote, the vote thereon was as follows:

Yeas: Danny J. David, Sr., Raymond Bernard, Jr., Millie Martinez, Frank Minvielle, Gene Jefferies, Mark Dore', and Mike Resweber.

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 16th day of August 2011.

IV. CONVEYANCE NOTIFICATION, AREA OF INVESTIGATION #3, THE BAYOU COMPANIES:

*****Status of Providence Engineering & Environmental Group, LLC Additional Sampling and Re-Evaluating the Property Site for a Criteria Called "Non-Industrial", etcetera.**

There was nothing to report on this agenda item. The Executive Director has been unsuccessful contacting Mr. Jimmy Shea; however, he will continue to attempt to reach Mr. Jimmy Shea for an update.

V. MR. JIM BRUGH, REGIONAL MANAGER, & MR. JERRY FOWLER, CUSTOMER SERVICE MANAGER, LAWCO, TO ADDRESS THE COMMISSION REGARDING A WATERLINE RELOCATION AGREEMENT FOR THE PORT ROAD/RODERE CANAL BRIDGE REPLACEMENT PROJECT.

Mr. Jerry Fowler, Customer Service Manager with LAWCO, addressed the Commission and presented a Louisiana Water Company Waterline Relocation Agreement regarding the Port Road/Rodere Canal Bridge Replacement Project. The parties to the Agreement are LAWCO, Port of Iberia District, and Gilchrist Construction Company. According to the terms of the Agreement, on behalf of the POI and Gilchrist Construction Company, LAWCO will relocate the POI's 4" waterline which is attached to the Rodere Canal Bridge on Port Road to facilitate the Rodere Canal Bridge Replacement Project at the Port of Iberia. LAWCO will furnish and/or contract equipment, labor and materials needed to relocate the 4" waterline via directional bore, direct bury method and will not attach the 4" waterline to the new Rodere Canal Bridge.

The execution of the Waterline Agreement binds Gilchrist Construction Company to provide all the necessary funding for this relocation project (100%) in the amount of \$9,066.00. A copy of the check from Gilchrist Construction Company, payable to the order of Louisiana Water Company in the aforementioned amount, was also presented for review. Mr. Fowler indicated that there will be no cost associated with this project that will be assessed to the POI or LAWCO.

Mr. Fowler reported that the construction of the waterline relocation is scheduled to commence in the near future. Both the existing water and sewer lines must be removed and relocated before the actual construction of the bridge can take place.

The Port Attorney is in the process of reviewing the Waterline Relocation Agreement.

Commissioner Resweber questioned if this Agreement was just for the Port Road/Rodere Canal Bridge, or did it include any other bridge replacements in the Port area. Mr. Fowler stated that this Agreement was only for the Port Road/Rodere Canal Bridge, and all other bridge replacements (Rodere Lateral & Commercial Canal) would possess separate Waterline Relocation Agreements (and separate costs associated with) to be brought to the Board for further review and approval. The above mentioned Bridge Replacement Projects would also be 100% funded by the contractor, with no costs to the POI or LAWCO.

A motion was made by Commissioner Frank Minvielle, seconded by Commissioner Gene Jefferies, to approve and authorize the Executive Director to execute the Louisiana Water Company (LAWCO) Waterline Relocation Agreement between LAWCO, Port of Iberia District, and Gilchrist Construction Company regarding the Port Road/Rodere Canal Bridge Replacement Project, contingent upon the review and approval of the Port Attorney.

This motion having been submitted to a vote, the vote thereon was as follows:

Yeas: Danny J. David, Sr., Raymond Bernard, Jr., Millie Martinez, Frank Minvielle, Gene Jefferies, Mark Dore', and Mike Resweber.

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 16th day of August 2011.

VI. MR. SHANE ROBERTS, MANUFACTURING MANAGER, CHART ENERGY & CHEMICALS, INC., TO ADDRESS THE COMMISSION REGARDING THE IMPROVEMENTS TO BE MADE BY THE TENANT (utilizing their own funds), TO THE LARGEST PORT-OWNED BUILDING ON TRACTS B-1 & B-2 (19.550 acres) @ THE POI.

{1} Update on Board President Executing the 4th Amendment to Lease Agreement between Chart Energy & Chemicals, Inc., & the POI Regarding Tracts B1 & B2 (19.550 acres) @ the POI.

Mr. Shane Roberts, Manufacturing Manager, Chart Energy & Chemicals, Inc., addressed the Board and provided a copy of the Request for Proposals and four (4) Addendums, along with a proposed time line for the Chart Energy & Chemicals Facility Improvements & Expansion Project. The Executive Director has been provided with a set of plans for the improvements. The Electrical Drawings are in the process of being finalized. The Fire Marshal has approved the drawings and specifications, and Mr. Roberts will provide the POI with a copy in the near future. The Building Permit has been applied for. Berard, Habetz & Associates, Inc. is the engineering firm for this project.

Mr. Roberts reported that he attempted to receive five (5) bids for this project. Three bidders declined to bid, and the remaining two did bid on the project. Mr. Roberts indicated that Byron E. Talbot, Contractor, Inc. has been chosen as the General Contractor for the Project (\$2.9 Million); however, Chart's actual total cost is estimated to be \$4.2 Million, which also includes construction, BH&A Engineering fees, and any unexpected scope changes. A significant change and cost to the project is due to Chart replacing all of the electrical service to its facility.

The Executive Director reported to the Board that the 4th Amendment to Chart's Lease Agreement allows for a \$5.2 Million budgetary amount. The Board President will execute the 4th Amendment after the Regular Board Meeting this date.

Some of the foundation preliminary work has commenced. It is anticipated that construction will begin at the end of August 2011, and the completion date is scheduled for March 2, 2012. After the Project is complete, it will increase the utilization of Chart's facility to complete their projects faster, as well as increasing its capacity by 11,250 square feet. In addition, Chart will employ 150-200 employees. Currently, Chart employs approximately 80 individuals.

Mr. Roberts summarized the project and reported that there are five (5) phases to the facility improvements & expansion project. **Phase 1** - addition of another building (30' x 225' or 6,750 sq. ft.) to Building #1, Bay #6. This phase also includes the installation of a Restroom/Office on the West side of Bay #6. **Phase 2** - involves Bay #1 Modifications to

Building #1 - Extension of existing crane beams and rails. **Phase 3** - Building #2 Modifications - involves the addition of four (4) doors to the building; retrofit the cranes to be overhung instead of the current underhung method. In addition, three (3) 2-ton cranes will be purchased and installed, along with a one (1) 1-ton crane. Additional work stations will be added with electrical gas lines, and a concrete slab will be poured to accommodate a Praxair Gas System. **Phase 4** - Bay #4 Modifications to Building #1 - Modify end-wall structure and install 30' x 25' overhead door rated for 115 mph wind with RXH operator on North & South end-walls. Two (2) 20-ton cranes will also be purchased and installed. Additional work stations will also be added to accommodate electrical connections and gas air lines. **Phase 5** - Bay #2, #3, & #5 Crane Additions to Building #1 - Currently, each bay has two existing cranes, and Mr. Roberts indicated that each bay will now have four cranes in each bay. Additional electrical 480V services will be provided to the building and dedicated to the cranes. Discussion ensued and there was no action taken on this Agenda item.

VII. REPORT FROM PROJECT ENGINEER MR. DAVID BOURQUE, PENSICO ON:

- (a) **Louisiana Port Construction & Development Priority Program, Port Improvements Project - State Project Number 578-23-0019 for the Construction of a 75'x240' Building, Utilities, & Site Stabilization @ Lots 77-82 (All Points Equipment Company):**

{1} **Contractor Request for Payment Number 6.**

{2} **Geotechnical Testing Approval of Invoice.**

The Project Engineer reported that the electrical and carpentry work are in the process of being performed. Approximately 1,000 square yards of site stabilization have been installed. The cranes are expected to be delivered in the near future. The project is approximately 78% complete. The Project Engineer anticipates that he will present a Change Order at the September Board Meeting.

A motion was made by Commissioner Mark Dore', seconded by Commissioner Mike Resweber, to approve and authorize Contractor's Application for Payment Number 6 in the amount of \$246,141.03, to Quality Concrete Contractors, Inc., for the period July 6, 2011 thru August 2, 2011 in accordance with the contract dated November 8, 2010, regarding State Project Number 578-23-0019 for the Construction of a 75'x240' Building, Utilities, & Site Stabilization @ Lots 77-82 Phase II (All Points Equipment Company); and motion further stipulates that the Payment Request be forwarded to the LA Department of Transportation & Development for review and approval.

This motion having been submitted to a vote, the vote thereon was as follows:

Yeas: Danny J. David, Sr., Raymond Bernard, Jr., Millie Martinez, Frank Minvielle, Gene Jefferies, Mark Dore', and Mike Resweber.

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 16th day of August 2011.

A motion was made by Commissioner Gene Jefferies, seconded by Commissioner Frank Minvielle, to approve and authorize payment of Invoice Number 36-18448 in the

amount of \$314.00, to Louisiana Testing & Inspection Inc., regarding services rendered for July 2011 for State Project Number 578-23-0019 for the Construction of a 75'x240' Building, Utilities, & Site Stabilization @ Lots 77-82 Phase II (All Points Equipment Company).

This motion having been submitted to a vote, the vote thereon was as follows:

Yeas: Danny J. David, Sr., Raymond Bernard, Jr., Millie Martinez, Frank Minvielle, Gene Jefferies, Mark Dore', and Mike Resweber.

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 16th day of August 2011.

VIII. REPORT FROM PROJECT ARCHITECT MR. GERALD GESSER, GESSER GROUP, APC, ON:

(a) POI Administrative Office Soffit Repairs.

The Project Architect reported that the contractor who had agreed to make the repairs to the POI Administrative Office roof soffits has withdrawn his offer based on the fact that the contractor has been engaged to construct two new projects which will consume all of his time and labor. The Project Architect has contacted another contractor who is interested in performing the work. The Project Architect plans to meet with this contractor in the near future to discuss the repairs. An email dated August 16, 2011 from Mr. Gesser to the Executive Director, regarding same, was presented to the Board for review. The Administrative Assistant reiterated that an \$8,000 budget had been previously allocated towards this project.

IX. REPORT FROM MR. O'NEIL MALBROUGH, SHAW COASTAL, INC., ON:

(a) LA DOTD Port Construction & Development Priority Program:

State Project Number 578-23-0018/H.009021 Port-Site Bulkhead Relocation Phase IIA- (for the AGMAC Bulkhead Relocation & Design Project (Public Property)).

{1} Status of the LA DOTD Replacement Agreement.

{2} Status of the Preparation/Submission of a Letter to the LA DOTD, Relative to the Release of the \$8 Million in Capital Outlay Funding to the Pol, to Supplement the Current Port Priority Funding Allocation in Order to Commence the Port Site Bulkhead Relocation Phase II-A Project (AGMAC).

Mr. Malbrough reminded the Board that \$7.5 Million had been allocated to the POI by the LA DOTD Port Construction & Development Priority Program, of which \$4.0 Million has been approved for the Fiscal Year 2011-2012 regarding the Port - Site Bulkhead Relocation Phase II-A (Public Property), and \$8.0 Million had been allocated to the POI by LA DOTD Capital Outlay funding for Phase II-B (Private Property Bulkhead Relocations).

Mr. Malbrough indicated that there is no requirement that a letter be forwarded to the LA DOTD relative to the release of the \$8 Million in Capital Outlay Funding to the POI, to supplement the current Port Priority Funding Allocation in order to commence the Port Site

Bulkhead Relocation Phase II-A Project (AGMAC). In addition, the Port is awaiting the receipt of the fully executed LA DOTD Replacement Agreement.

Mr. Malbrough indicated that there are twelve (12) different bulkheads which will require relocation. The Executive Director reminded the Board that the State plans to incrementally provide funding each year to the Port Priority Program. He feels that the remaining \$3.476 Million allocated by the LA DOTD Port Construction & Development Priority Program will be made available by the Legislature to the POI as a "priority" as soon as the funds become available.

The Executive Director also stated that since the plans were developed, one (1) of the bulkheads will be eliminated entirely. Once Slip C-8 is widened for the Port Millennium Expansion Phase II Project, this bulkhead will be eliminated. In addition, Cameron Process Systems is entertaining the possibility of constructing another bulkhead and eliminating the existing bulkhead. Discussion ensued.

A motion was made by Commissioner Mike Resweber, seconded by Commissioner Frank Minvielle, to authorize the Executive Director and Shaw Coastal, Inc. to Advertise for Bid LA State Project Number 578-23-0018/H.009021 Port- Site Bulkhead Relocation Phase II-A (for the AGMAC Bulkhead Relocation & Design Project on Public Property), and LA State Project Number 737-99-0669 AGMAC, Port of Iberia, Planning, Construction, Rights-of-Way, Relocations and Utilities (Phase II-B Bulkhead Relocation & Design Project on Private Property), all in accordance with the LA DOTD Port Construction & Development Priority Program and Capital Outlay Program approved Policy and Procedural Guidelines.

This motion having been submitted to a vote, the vote thereon was as follows:

Yeas: Danny J. David, Sr., Raymond Bernard, Jr., Millie Martinez, Frank Minvielle, Gene Jefferies, Mark Dore', and Mike Resweber.

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 16th day of August 2011.

(b) Status of AGMAC Project.

*****LA CPRA Review of the MCASE Cost Estimate.**

Mr. Malbrough has not received any information relative to the LA CPRA review of the MCASE Cost Estimate. Commissioner Mike Resweber expressed his concerns with the amount of time it has taken to receive the LA CPRA review of the MCASE Cost Estimate. He feels that someone with the State should be able to answer the Port's questions. The Executive Director indicated that the "Draft Report" has been under internal review for approximately six months. The Executive Director will contact Mr. Garret Graves, LA Coastal Protection and Restoration Authority (CPRA), in an effort to discuss the status of the review. Discussion ensued.

(c) **Update on Application for USACE and LA DNR General Permit for Channel Maintenance and Bulkhead Construction.**

{1} **USACE Review of Jurisdictional Determination Relative to Wetland Issues.**

{2} **LA DNR Permit - (POI Previously Received).**

Mr. O'Neil Malbrough provided an update to the Board regarding the history/timeline of the Application and lengthy process for the USACE & LA DNR General Permit for the Port's Channel Maintenance & Bulkhead Construction Permit. The Port is still awaiting the issuance of the USACE Permit.

The POI is the first entity to request a general Channel Maintenance Dredging Permit, as it falls under the new laws relating to "Beneficial Use", etcetera. Three (3) property sites have been approved for spoil placement in the Port of Iberia; however, if a tenant does not want to utilize any of the approved sites outlined in the Port's General Permit for Channel Maintenance and Bulkhead Construction, then the tenant would be required to apply for their own General Permit and approved property site. Lengthy discussion ensued.

A motion was made by Commissioner Frank Minvielle, seconded by Commissioner Millie Martinez, to approve and authorize payment of Invoice Number 629842-R8-00501 in the amount of \$537.00, to Shaw Coastal, Inc., for the period July 2, 2011 thru July 29, 2011 (not reimb to POI by DOTD), regarding the Port's General Permit for Channel Maintenance and Bulkhead Construction, in accordance with the contract between the POI and Shaw Coastal, Inc., dated September 3, 2002 and Amendment Number 9 (Project Management) dated December 21, 2010.

This motion having been submitted to a vote, the vote thereon was as follows:

Yeas: Danny J. David, Sr., Raymond Bernard, Jr., Millie Martinez, Frank Minvielle, Gene Jefferies, Mark Dore', and Mike Resweber.

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 16th day of August 2011.

(d) **Maintenance Dredging of Slip C-8:**

{1} **Update on Advertisement for Bid.**

{2} **Discuss Spoil Disposal, Drainage Issues, and Permit.**

Mr. Ben Malbrough, Shaw Coastal, Inc. reported that he delivered the final Plans & Specifications to the Executive Director, this date, for the Maintenance Dredging of Slip C-8 Project. The Project will not be advertised for bid until the Port receives its General Permit for Channel Maintenance and Bulkhead Construction.

A motion was made by Commissioner Raymond Bernard, Jr., seconded by Commissioner Mark Dore', to approve and authorize payment of Invoice Number 1113981-R8-00511 in the amount of \$15,000.00 (for Basic Services), to Shaw Environmental, Inc., for the period July 2011 thru August 10, 2011, regarding the Maintenance Dredging of Slip C-8 Project located at the POI, in accordance with the contract between the POI and Shaw Environmental & Infrastructure dated April 19,

2011.

This motion having been submitted to a vote, the vote thereon was as follows:

Yeas: Danny J. David, Sr., Raymond Bernard, Jr., Millie Martinez, Frank Minvielle, Gene Jefferies, Mark Dore', and Mike Resweber.

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 16th day of August 2011.

A motion was made by Commissioner Mike Resweber, seconded by Commissioner Gene Jefferies, to approve and authorize payment of Invoice Number 1115325-R8-00511 in the amount of \$2,215.75 (for Additional Services - Geotechnical), to Shaw Environmental, Inc., for the period June 30, 2011 thru July 5, 2011, regarding the Maintenance Dredging of Slip C-8 Project located at the POI, in accordance with the contract between the POI and Shaw Environmental & Infrastructure dated April 19, 2011.

This motion having been submitted to a vote, the vote thereon was as follows:

Yeas: Danny J. David, Sr., Raymond Bernard, Jr., Millie Martinez, Frank Minvielle, Gene Jefferies, Mark Dore', and Mike Resweber.

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 16th day of August 2011.

(e) Central Gulf Shipyard, L.L.C. (Lots 62-67 & Tract A & B Located at POI Public Dock (10.520 acres):

{1} Public Notice - Advertisement for Bids - September 9, 2011.

{2} Status of the 160' x 70' 1800 Ton Dry Dock & Slip C-2 Modifications.

***Issuance of Modified Permit (due to change in Spoil Disposal Site).

***USACE Jurisdictional Determination on Wetland Delineation at the Frank's Casing Crew Disposal Site.

{3} Update on History/Timeline of the Project Relative to Unforeseen Circumstances and/or Substantial Changes.

Mr. Ben Malbrough, Shaw Coastal, Inc. reported to the Board that the USACE Permit was received on July 25, 2011. A copy of the Invitation to Bidders was presented to the Board for review. The publication will run on Monday, August 8, 2011, Sunday, August 14, 2011, and Sunday, August 21, 2011. The Pre-Bid Conference will be held on Wednesday, August 24, 2011 at 1:00 p.m. at the POI Administrative Office. Sealed Bids will be received on Friday, September 9, 2011 at 11:00 a.m. at the POI Administrative Office.

Mr. Malbrough will provide the Board, at their September regular meeting, a history and detailed timeline relative to the project costs having gone over budget. This is due to the unforeseen circumstances of the substantial changes to the Project. Mr. Malbrough had

anticipated providing a report this meeting; however, it was agreed upon (by the Executive Director & Mr. Malbrough) that the bids be received first in order to determine the construction costs, etcetera, before amending the Project Budget if deemed necessary.

X. REPORT FROM EXECUTIVE DIRECTOR ON:

- (a) **Authorization for Board President & Secretary-Treasurer to Approve & Execute the Louisiana Compliance Questionnaire (for Audit Engagements of Government Agencies).**

A motion was made by Commissioner Raymond Bernard, Jr., seconded by Commissioner Frank Minvielle, to approve and authorize the Board President and Secretary-Treasurer to execute the Louisiana Compliance Questionnaire (for Audit Engagements of Government Agencies), in connection with the audit of the Port of Iberia District's financial statements as of June 30, 2011, and the Fiscal Year period July 1, 2010 thru June 30, 2011.

This motion having been submitted to a vote, the vote thereon was as follows:

Yeas: Danny J. David, Sr., Raymond Bernard, Jr., Millie Martinez, Frank Minvielle, Gene Jefferies, Mark Dore', and Mike Resweber.

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 16th day of August 2011.

- (b) **AAPA Annual Convention - September 11th - 15th, 2011 - Seattle, Washington.**

- ◆ **Designate a Delegate to the AAPA Annual Convention September 11th-15th, 2011 & Annual Meeting to be Held on Thursday, September 15, 2011 in Seattle, Washington.**

A motion was made by Commissioner Frank Minvielle, seconded by Commissioner Mark Dore', to approve and authorize that Roy A. Pontiff, Executive Director, be appointed accredited as delegate to the AAPA Annual Convention September 11-15, 2011, and Annual Meeting to be held on Thursday, September 15, 2011 in Seattle, Washington, with authority to cast the vote of the POI on all motions and resolutions.

This motion having been submitted to a vote, the vote thereon was as follows:

Yeas: Danny J. David, Sr., Raymond Bernard, Jr., Millie Martinez, Frank Minvielle, Gene Jefferies, Mark Dore', and Mike Resweber.

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 16th day of August 2011.

- (c) **Discuss/Consider Cox Business Commercial Services Agreement for Fiber Optic Lines to the Port Administrative Office Building.**

The Executive Director presented a Proposal from Cox Business dated July 28, 2011 regarding a three (3) year Commercial Services Agreement for Fiber Optic Lines to the

Port Administrative Office Building. Cox Business Services is the business-to-business division of Cox Communications, the third-largest cable provider in the nation and twelfth-largest company with more than six million customers. The proposed package to be bundled includes receiving Video over Fiber (Basic & Expanded TV Services), Telephone Services, and Internet Services. The Port Attorney has reviewed and approved the Commercial Services Agreement. It was noted that the Video over Fiber will be the first of its kind commercially by the business-to-business division in the Acadiana area. There will be no charges assessed to the POI by Cox Business Services for the construction or installation. The monthly fee will be \$479.00. The savings that will be realized is \$260.00/month; \$3,120.00/annually; and \$9,360.00 over the three (3) year contract period. Two (2) emails dated August 9, 2011 from Infotech Solutions and Royal Security Solutions, to the Administrative Assistant, were presented for review. Both emails indicate that the proposed changes being made would not affect the Port's Security Cameras or IT Support, and both representatives feel that the changes will be beneficial to the POI. **A motion was made by Commissioner Frank Minvielle, seconded by Commissioner Raymond Bernard, Jr., to approve and authorize the Executive Director or Board President to execute the Commercial Services Agreement (dated July 28, 2011 for 36 months), between Cox Business (Cox Louisiana Telcom, L.L.C.) and the Port of Iberia District regarding the bundle package which will include receiving Video over Fiber (Basic & Expanded TV Services), Telephone Services, and Internet Services; and motion further acknowledges that the monthly cost will be \$479.00 and the project construction and installation costs of the Fiber Optic Lines to the Port Administrative Office will be waived and furthermore paid by Cox Business.** This motion having been submitted to a vote, the vote thereon was as follows:
Yeas: Danny J. David, Sr., Raymond Bernard, Jr., Millie Martinez, Frank Minvielle, Gene Jefferies, Mark Dore', and Mike Resweber.

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 16th day of August 2011.

(d) Discuss Potential Construction of a Rail Spur to Excalibar Minerals.

The Executive Director briefed the Board regarding the potential construction of a Rail Spur to the Excalibar Minerals yard. A Preliminary Schematic Drawing dated June 1, 2011, designed by PENSCO, was presented for review. The Executive Director indicated that Excalibar Minerals is in the drilling mud business. The Barite material (dense rock) comes from international areas and barged from New Orleans to the POI. There would be a significant positive impact to Excalibar's business if they could have a rail system going into their yard. It would allow Excalibar to transit more barite and other products from the Port, rather than the current trucking method being utilized. The Executive Director noted that there would also be a significant positive impact on LeBlanc Marine's business due to the fact that Mr. Ben LeBlanc handles a majority of the barges being brought into the Port, etcetera.

The Executive Director and Port Attorney have been working with several participants regarding this complicated project. The existing railroad would need to be extended that parallels Crochet Road to the end of the Port's property (previously known as Bourgeois Property), and curve South along Lewis Street. This would entail a Right-of-Way on property currently owned by the Bernard Family. There is also an Entergy Transmission Line in the proposed path which would need to be relocated. In addition, the rail would have to cross a portion of Diamond Offshore's property and Lewis Street before entering into Excalibar's yard. Furthermore, L & D Railroad would have to accept an Operation & Maintenance Agreement.

The Executive Director advised the Board that it has not yet been determined whether Excalibar wishes to construct this project with their own funds or make a request to the Port of Iberia District to apply for Port Priority funding.

Mr. David Bourque, PENSICO, indicated to the Board that the length of the rail spur is approximately 3,000 feet. Very preliminary cost estimates range from \$1.5 Million to \$2.0 Million. Discussion ensued and there was no action taken on this item.

(e) Iberia Parish Government Bridge Replacement Project.

The Executive Director reported that the Port Road Bridge is scheduled to be taken out of service sometime in mid-September and return it to service in mid-December. Discussion ensued.

(f) Report on Port Millennium Expansion Phase II Project.

- {1} Update on the U.S. Dept. of Commerce Economic Development Administration (EDA) Application for Supplemental Funding Assistance of a Port Improvement Project as it Relates to the TIF Allocated Funding to the POI District.**
- {2} Update on the Delta Regional Authority (DRA) Application for Supplemental Funding Assistance of a Port Improvement Project as it Relates to the TIF Allocated Funding to the POI District.**
- {3} Update from Port Attorney Regarding a Request for a Modified Abandonment (if necessary) from the Iberia Parish Council Relative to the Construction of a Cul-de-Sac & Barricade Placement between the end of the Road and Slip C-8.**
- {4} Update from Port Attorney on Navigation Servitude.**

The Executive Director reported that he has executed the Delta Regional Authority (DRA) Application this meeting date, and the amount being requested is \$334,000.00. The U.S. Dept. of Commerce Economic Development Administration (EDA) Application will be submitted sometime in September 2011, and the amount being requested is \$1.38 Million. The funding being pursued would supplement the \$5 Million that the Iberia Parish Government has committed to the POI under the TIF Program. The Port Attorney had nothing to report on Agenda items {3} & {4}.

- (g) **Update on Environmental Compliance Solutions, LLC, Operations:**
- {1} **Status of Port Attorney Demand Letter to ECS.**
 - {2} **Assets Remaining on Tract "I-2"; Clean Environmental Phase I; Evidence ECS Compliance w/LA DEQ Compliance Order Issued; Property Site Clean & Acceptable.**
 - {3} **Board President Execution of a Cancellation of Lease Agreement between Environmental Compliance Solutions, LLC & the POI Regarding Tract "I-2" (2.0 Acres), Located @ Port Expansion Property Site.**
 - {4} **Board President Execution of a Lease Agreement between the POI & Iberia Aggregates & Construction Materials L.L.C. Regarding Tract "I-2" (2.0 Acres), Located @ Port Expansion Property Site.**

The Executive Director reported that the Port received a payment this date in the amount of \$6,912.26 from Mr. George Bevan, ECS, for the lease payment on Tract I-2 (2.0 acres) for the period May 1, 2011 thru December 31, 2011. Said payment also included the delinquent fees the Port assessed for the period January 1, 2011 thru May 31, 2011. In addition, the Phase I is scheduled to be completed in the near future by EDI Environmental Services, Inc.

(h) **Update on the Port TIF Priority Projects Submitted to the Iberia Parish Council.**

(i) **Announcements.**

The Executive Director did not have anything to report on Agenda items (h) & (i).

XI. ADJOURNMENT.

On a motion by Commissioner Raymond Bernard, Jr., and seconded by Commissioner Mark Dore, the meeting was adjourned at 7:05 P.M.


SECRETARY-TREASURER


PRESIDENT