

**PORT OF IBERIA DISTRICT
BOARD OF COMMISSIONERS
REGULAR MEETING - TUESDAY, JUNE 19, 2012
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, Raymond Bernard, Jr., at the Port of Iberia Administrative Office, on Tuesday, June 19, 2012, at 5:30 P.M.

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

There were no Commissioners absent.

Also present were Roy Pontiff, Executive Director, Joanna D. Durke, Administrative Assistant, and Ray Allain, Port Attorney.

Thus, with a quorum being acknowledged, Commissioner Mark Dore' recited the opening prayer and the Pledge of Allegiance.

I. APPROVAL OF MINUTES

On a motion by Commissioner Frank Minvielle, seconded by Commissioner Millie Martinez, the Commission approved the minutes of the Regular meeting held on Tuesday, May 15, 2012.

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

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

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 19th day of June 19, 2012.

On a motion by Commissioner Danny David, Sr., seconded by Commissioner Mark Dore', the Commission approved the minutes of the Special meeting held on Friday, June 8, 2012.

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

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

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 19th day of June 19, 2012.

II. DISCUSS AND/OR DISTRIBUTE THE FOLLOWING:

- (a) Budget Summary For Eleven (11) Months Ending May, 2012.**
- (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 Eleven (11) months ending May, 2012. A listing of bills to be paid for the month of June 2012 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 Frank Minvielle, to approve and authorize the payment of bills for June 2012, and ratify those paid during the interim period.

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

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

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 19th day of June 2012.

III. RATIFICATION OF RENEWAL OF CERTIFICATES OF DEPOSITS.

A motion was made by Commissioner Frank Minvielle, seconded by Commissioner Mike Resweber, to approve and ratify the renewal of Certificates of Deposit Numbers 40000327646, 40000327638, 40000327654, 40000327662, 40000327670, 40000327689, 40000327697, 40001288695 and 40001288709, which matured on May 20, 2012 with Iberia Bank, for Six (6) months at the rate of 0.35% and 0.35% A.P.Y.

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

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

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 19th day of June 2012.

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

- (a) Update on Obtaining Cost Estimates Regarding Upgrading the Port's Technology on Port Video & Power Point Presentation.**

*****Site Visit to New Iberia City Hall - View Technology System.**

The Executive Director presented a letter dated June 19, 2012 from Mr. Gerald Gesser, Gesser Group, APC, regarding a request to the Board to revisit the original "Request for Proposals" in comparison with the two submitted proposals the Port received. There are

a couple of issues that Mr. Gesser would like to get a clearer understanding of, included in the proposals, verses the actual needs of the Port. In his letter, Mr. Gesser also requested that he be allowed to present a final recommendation to the Board at the regular Board meeting to be held on July 17, 2012.

The Executive Director reported that Commissioners Danny David, Sr., Gene Jefferies, and Mark Dore', attended the site visit at New Iberia City Hall with the Executive Director and Mr. Gesser recently. The purpose of the site visit was to view the New Iberia City Council's audio/video system in an effort to have a better insight on the Port's Technology Services Project. Commissioner David indicated that the technology system is very impressive. Discussion ensued, and it was the consensus of the Board to allow Mr. Gesser to revisit the original "Request for Proposals" and provide his recommendation at the regular Board meeting to be held on July 17, 2012.

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

- (a) **LA DOTD Port Construction & Development Priority Program:
State Project Number 578-23-0018 Port-Site Bulkhead Relocation Phase II A-(for the AGMAC Bulkhead Relocation & Design Project (Public Property)).**

{1} Update on the Advertisement for Bid.

Mr. Glenn Ledet, Shaw Coastal, Inc., reported that the Consent to Construction & Right of Entry Agreements have been received by both Dynamic Industries and Chart Energy & Chemicals. As a result, the POI and Shaw Coastal, Inc. have proceeded with the advertisement for bid, etcetera. The first advertisement was published on May 21, 2012, and a pre-bid conference was held on June 5, 2012. The bid opening is scheduled for June 27, 2012. Mr. Ledet indicated that there is an overwhelming amount of interest in the project. Addendum Number 2 will be issued in the near future to properly address and answer the questions raised during the pre-bid conference and thereafter.

A motion was made by Commissioner Millie Martinez, seconded by Commissioner Gene Jefferies, to approve and authorize payment of Invoice Number 707640-R8-00501 in the amount of \$15,810.60 (Basic Services), to Shaw Coastal, Inc., for the period thru June 13, 2012 (reimb to POI by DOTD), regarding the Port-Site Bulkhead Relocation Phase IIA Project in accordance with the contract between the POI and Shaw Coastal, Inc., dated September 3, 2002 and Amendment Number 13 dated April 24, 2007.

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

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

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 19th day of June 2012.

(b) Status of the AGMAC Project.

The Executive Director reminded the Board that the "Stand Alone Cost Estimate" (developed by Shaw Coastal, Inc.) was presented to Senator Fred Mills, Senator District 22, Mr. Garret Graves, LA CPRA, and the La DOTD.

The Executive Director pointed out that at this point the focus has been on the release of the \$8 Million in Capital Outlay funding. He has been speaking with Senator Mills in an effort to have the \$8 Million released so that when the 2nd phase of the Bulkhead Relocation Project is bid out (once POI receives the Port Priority funding - August 2012), the Port would be able to bid the 2nd and 3rd phases of the project at the same time. This measure could allow the Port to realize a substantial cost savings on the project.

A motion was made by Commissioner Frank Minvielle, seconded by Commissioner Danny David, Sr., to approve and authorize payment of Invoice Number 707645-R8-00501 in the amount of \$1,072.50, to Shaw Coastal, Inc., for the period May 1, 2012 thru May 31, 2012 (100% reimb to POI by DOTD), regarding AGMAC Project Management (Stand Alone Cost Re-evaluation) in accordance with the contract between the POI and Shaw Coastal, Inc., dated September 3, 2002 and Amendment Number 10 (Project Management) dated December 20, 2011.

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

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

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 19th day of June 2012.

A motion was made by Commissioner Gene Jefferies, seconded by Commissioner Frank Minvielle, to approve and authorize payment of Invoice Number 708055-R8-00501 in the amount of \$105.00, to Shaw Coastal, Inc., for the period May 1, 2012 thru May 31, 2012 (Not reimb to POI by DOTD), regarding AGMAC Project Management, in accordance with the contract between the POI and Shaw Coastal, Inc., dated September 3, 2002 and Amendment Number 10 (Project Management) dated December 20, 2011.

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

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

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 19th day of June 2012.

(c) Update on Maintenance Dredging of Slip C-8 Project:

{1} Discuss/Consider Contractor's Application for Payment #2.

A motion was made by Commissioner Mark Dore', seconded by Commissioner Frank

Minvielle, to approve and authorize the Contractor's Application for Payment Number 2, in the amount of \$180,419.54 to Orion Construction, LP for the Slip C-8 Maintenance Dredging Project for the period March 24, 2012 thru May 9, 2012, in accordance with the Construction Contract dated January 18, 2012.

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

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

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 19th day of June 2012.

{2} 45-Day Clear Lien Period.

The Substantial Completion Certificate was recorded on May 17, 2012 with the Iberia Parish Clerk of Court. The Clear Lien Period will end on July 1, 2012. The contractor will then present Pay Request Number 3 for the retainage (\$34,521.89).

{3} Discuss/Consider Gonsoulin Farms, L.L.C. Invoice for Slip C-8 Pumping Cost.

Mr. Ledet reported that the invoice dated May 8, 2012 from Gonsoulin Farms, L.L.C. to the Port of Iberia in the amount of \$6,375.00 relative to pumping costs Mr. Ricky Gonsoulin encountered on Slip C-8 was presented to the Board for review at the regular Board meeting held on May 15, 2012. To recap, Mr. Gonsoulin's breakdown of the invoice assessed the POI \$5,525.00 for the discharging cost of excess water due to an insufficient drainage plan. This dollar amount equates to an average cost for the daily rate of pump rental at \$325.00/day, number of operational days prior to April 4, 2012 (12) and heavy rain events on April 2nd, 4th, 5th, 17th, and 24th, 2012. In addition, Mr. Gonsoulin assessed the POI for labor/service/fuel at \$50/day for 17 days (\$850.00).

At the May 15, 2012 regular Board meeting, Mr. Ledet also presented to the Board a letter dated May 10, 2012 from Shaw Coastal, Inc. to the POI which provided an overview of Mr. Gonsoulin's invoice and sequence of events regarding same. While Shaw's letter does recommend that Gonsoulin Farms be compensated for the costs of discharging some excess effluent water from the Slip C-8 Maintenance Dredging Project, they do not agree with the total of \$6,375.00 and takes exception only recommending compensation of pump rental and labor to service the pump for eight (8) days from March 19, 2012 thru March 26, 2012. This would include accepting the daily cost of \$375.00 (\$325.00 for pump rental & \$50 for labor) which would equal a total cost of \$3,000.00. According to Mr. O'Neil Malbrough, Shaw Coastal, Inc., Mr. Gonsoulin never rented any type of pump equipment from a company, he just contacted rental places for an estimate of a pump rental rate, etcetera. Mr. Gonsoulin is requesting that the Port rent his existing pump for the days where he alleges he pumped effluent water.

A letter dated June 7, 2012 from Mr. Ricky Gonsoulin to the POI was presented to the Board for review. The letter provided a response regarding Shaw Coastal's review (May 10, 2012 letter) of Mr. Gonsoulin's May 8, 2012 invoice with regards to the discrepancy. Mr. Gonsoulin's letter gave a detailed explanation of why the five (5) rain days in April 2012 were included and he proposed sharing the cost (50/50). Shaw Coastal, Inc., in a letter dated June 14, 2012 to the Port of Iberia (also presented to the Board), agrees and recommends that the Port pay 50% of the pump rental and labor fees for the time period; however, the pump rental fee of \$375.00 was corrected to the original cost of \$325.00 per day. As a result, the Port's total cost would therefore equal \$3,937.50.

A motion was made by Commissioner Frank Minvielle, seconded by Commissioner Millie Martinez, to approve and authorize payment of the invoice dated May 8, 2012 in the adjusted amount of \$3,937.50 to Gonsoulin Farms, LLC relative to pumping costs Mr. Ricky Gonsoulin encountered on Slip C-8 as a result of flooding caused by an "act of God" or "forced majeure" which occurred during the Maintenance Dredging of Slip C-8 Project.

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

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

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 19th day of June 2012.

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

Mr. Ledet provided the Executive Director the Geotechnical Report and Survey in addition to the Coastal Use Permit Application as of this meeting date. Shaw Coastal, Inc., plans on submitting the preliminary design, preliminary contract documents and specifications, construction cost estimate in the near future for the Port's review. Shaw Coastal, Inc, will continue to address any comments from both the DNR and the Corps through the public notice period until the permit is issued. Mr. Ledet indicated that October 1, 2012 is the anticipated date to commence construction on this project. Mr. Ledet presented an invoice for consideration in the amount of \$66,505.70 for Basic Engineering & Design Services (Lump Sum). This includes 20% of the engineering services, 90% of the geotechnical report, and 90% of the survey.

The Executive Director asked Mr. Ledet if the Permit will include the rip-rap placement for the remainder of Slip C-8 (Shea Property) or is the Port's General Maintenance Dredging/Bulkheading Permit going to be used. Mr. Ledet indicated that this will be part of the Coastal Use Permit currently being applied for. It is referenced in the Permit Application as bankline stabilization, removal of bulkhead structures (LeBlanc Marine Property), the dredging of the slip expansion as well as the dredging of the North and South Bank of the existing Slip C-8.

A motion was made by Commissioner Danny David, Sr., seconded by Commissioner Mark Dore', to approve and authorize payment of Invoice Number 1281650-R8-00541 in the amount of \$66,505.70 (Basic Services) to Shaw Coastal, Inc., for the period

May 1, 2012 thru June 13, 2012 regarding the Port of Iberia District Port Millennium Expansion Phase II Project, in accordance with the contract between the POI and Shaw Coastal, Inc. dated January 17, 2012.

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

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

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 19th day of June 2012.

VI. DISCUSS RECRUITMENT PROCESS AS IT RELATES TO THE HIRING OF A NEW EXECUTIVE DIRECTOR DUE TO THE CURRENT EXECUTIVE DIRECTOR RETIRING DECEMBER 31, 2012.

{1} Status Report: The HR Design Company, L.L.C.

Commissioner Raymond Bernard, Jr., Board President, reported that according to The HR Design Company, L.L.C., there are currently 28 applications which have been submitted. The deadline for the receipt of applications is June 29, 2012.

{2} Discuss/Consider Appointing a Recruitment Committee to Review the Applications Provided to the Board by The HR Design Company, L.L.C., and/or Perform Telephone Conference Interviews with Qualified Applicants.

Commissioner Bernard plans on scheduling a Special Meeting to be held on Thursday, June 28, 2012 at 5:30 p.m. to discuss the interview questions as well as the procedure which will be followed regarding the interview process, etcetera. Commissioner Bernard asked the Board to think about the possibility of The HR Design Company also being involved with the second phase of telephone interviews. This can be discussed/considered at the Special Meeting on June 28, 2012. Commissioner Millie Martinez asked if the Board would be able to see all of the applicants who have applied for the position. Commissioner Bernard stated "yes". Based on the timeline, it is anticipated that the Board will have the opportunity to know who the applicants are during the week of July 9, 2012.

VII. REPORT FROM EXECUTIVE DIRECTOR ON:

(a) Dr. Jim Richardson, LSU, Economic Report on the Impact the Port of Iberia has on Acadiana and the State of Louisiana.

The Executive Director presented the Proposal from Dr. James A. Richardson, LSU Economist, dated June 3, 2012, regarding the Economic Impact of the Port of Iberia. The Proposal outlined the Scope of Work and other pertinent information. The report should take about six (6) weeks to complete. The Executive Director recently instructed Dr. Richardson to proceed. The Board recently approved and authorized the expenditure of \$3,000.00 for Dr. Richardson to provide an economic analysis report on the impact the Port of Iberia has on Acadiana and the State of Louisiana.

(b) Status of the Repairs being Performed by Frank's Casing Crew & Rental Tools, Inc. Regarding the Damaged Power & Fiber Lines of the Port's Security Camera's Located at Frank's Casing Crew & Rental Tools, Inc.

The Executive Director reported that the new DSL Modem has been installed; however, no repair work has been performed to date due to scheduling conflicts.

(c) Iberia Parish Government Bridge Replacement Project.

The Executive Director has not received a Bridge Replacement Project Report from the Iberia Parish Government.

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

{1} Status of Iberia Parish Government's Drainage Easement, Right-of-Way, & Construction of a Cul-de-Sac from Sterling Sugars and Shea, Foote & Shea Investment, L.L.C.

{2} Status of Cooperative Endeavor Agreement b/t POI & the Iberia Parish Government.

The Executive Director reported that at the recent Executive Committee meeting of the Iberia Parish Council, the Committee reported favorably and authorized the Parish President to execute the Rights-of-Way documents with Sterling Sugars and Shea, Foote & Shea Investment, L.L.C. regarding the Cul-de-Sac and Drainage Improvements. The Committee also authorized the Parish President to execute the Cooperative Endeavor Agreement between the POI and the Iberia Parish Government. The Parish President can sign the instruments once the Iberia Parish Council approves.

The Executive Director thanked Council Member David Ditch, District 7 and Council Member Marty Trahan, District 13 for their support on the aforementioned instruments. Both Councilmen were in attendance at the POI regular Board meeting.

(e) MAMMOET USA SOUTH, INC.:

{1} Status of Executive Director Negotiations for a First Amendment to Lease Agreement Regarding Lots 8R-13R (6.140 acres) @ the POI.

{2} Status of Submission of an Application to the LA DOTD for Port Construction and Development Priority Funds for the Construction of a Loadout Bulkhead.

The Executive Director reported that negotiations are ongoing with Mammoet USA South, Inc. for a First Amendment to Lease Agreement Regarding Lots 8R-13R at the Port of Iberia. Once Slip C-8 is extended as a result of the Port Millennium Phase II Expansion Project, Mammoet's current leased acreage will be impacted.

The Executive Director indicated that preliminary cost estimates are \$250,000.00 to dig a slip and perform bank stabilization. The cost of \$250,000.00 does not warrant the LA DOTD Port Priority Application Process.

(f) **AUTHORIZATION FOR BOARD PRESIDENT TO EXECUTE A PUBLIC DOCK LEASE AGREEMENT BETWEEN SILVETTI MARINE SERVICES, L.L.C. AND THE POI.**

A motion was made by Commissioner Mike Resweber, seconded by Commissioner Frank Minvielle, to authorize the Board President to execute a renewal Public Dock Lease Agreement between Silveti Marine Services, L.L.C. and the Port of Iberia District.

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

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

Nays: None.

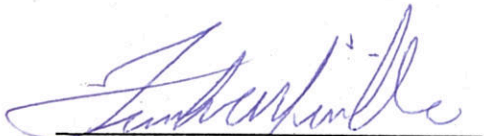
Absent at Voting: None.

And the motion was therefore passed on this the 19th day of June 2012.

(g) **ANNOUNCEMENTS.**

VIII. ADJOURNMENT

On a motion made by Commissioner Frank Minvielle, and unanimously seconded by the entire Board of Commissioners, the meeting was adjourned at 6:15 p.m.



SECRETARY-TREASURER



PRESIDENT