

WEST ST. MARY PARISH PORT, HARBOR AND TERMINAL DISTRICT

MEETING MINUTES

OCTOBER 5, 2021

6:00 P.M.

The meeting was called to order by Mr. Wilson Terry, President of the Port Commission. Mr. Terry led in the Pledge of Allegiance. Ms. Lanceslin gave the invocation. A roll call resulted in the following:

Present:

Sam Jones
Donna Lanceslin
Ralph Longman
Greg Paul
Joseph Phillips
Murphy Pontiff
Wilson Terry

Absent:

Willie Peters
Joseph Tabb

Also present at the meeting were Ms. Marguerite Robinson of Teche Talk, Mr. Hardy Andrews of Foley & Judell, L.L.P., Mr. Eric Duplantis, Port Attorney, Mr. Reid Miller of Miller Engineers, Ms. Brandy Pennison, Administrative Assistant and Ms. Rebecca Pellerin, Office Manager of the Port Commission. Mr. David Allain called in by telephone as he was recuperating from surgery.

A motion was made by Mr. Longman to dispense with the reading of the minutes of the September 7, 2021 meeting and to accept them as presented. The motion was seconded by Mr. Paul. Mr. Terry asked if there was any discussion or opposition – there was none. The motion carried unanimously.

Mr. Duplantis explained that after the agenda was published, Mr. Allain learned of a request by ANR Pipeline for agreement to access some of the Port's property to repair a problem with one of their pipelines and in their estimation, it was necessary to make the repairs fairly quickly. An Access and Restoration Agreement was drafted by ANR Pipeline in which the Port would allow ANR to use the Port's property to make the necessary repairs. ANR intends to pay the Port \$5,000 for use of the access road and \$3,000 for use of the turn-around area and anticipates that the repairs should be completed within a period of ninety days. If the repairs have not been completed in that time, additional payment would be made on a month to month basis. Mr. Duplantis said that the last sentence in the proposed agreement is not acceptable as written and therefore recommended that the Commission expand the agenda to give authority to either the President or the Executive Director to execute the Access and Restoration Agreement contingent upon approval by the attorneys regarding the language of the last sentence of the Agreement. A motion was made by Mr. Pontiff to expand the agenda. The motion was seconded by Mr. Paul. A roll call vote resulted in the following: Mr. Paul – Yes, Mr. Jones – yes, Mr. Pontiff – yes, Mr. Phillips – yes, Ms. Lanceslin – yes, Mr. Longman – yes, Mr. Terry – yes – resulting in a unanimous vote and the agenda was expanded to discuss the Agreement. Discussion followed. A motion was made by Mr. Longman to authorize the President or the Executive Director to execute the Agreement contingent upon the approval of the attorney. The motion was seconded by Mr. Paul. Mr.

Terry asked if there was any discussion or opposition – there was none. The motion carried unanimously.

Mr. Terry asked if there was any public comment – there was none.

Mr. Terry reported that Mr. Allain had knee surgery recently and was on the phone and would deliver the Executive Director's report over the telephone.

Mr. Allain gave the following report:

With reference to the Sugar Warehouse/Louisiana Department of Transportation and Development funded Project # H.014893, Mr. Allain requested that the Commission consider adopting a Resolution Authorizing a Reimbursement Agreement and Designation of Person Authorized to Sign for reimbursement of funds. Mr. Jones asked what project Mr. Allain was referring to – Mr. Miller explained to Mr. Jones that the project was the Port Priority funding for the Sugar Warehouses. Mr. Jones asked if there was a grant through Port Priority and Mr. Allain continued and explained that the Port was approved for funding of the warehouses and this resolution was the first step to move forward with the project. Mr. Jones asked about the amount of the grant and Mr. Allain responded that the amount approved for Port Priority funding was \$6,500,000.00. Mr. Terry asked if there were any more questions for Mr. Allain – there were no additional questions. A motion was made by Mr. Phillips to adopt the Resolution Authorizing a Reimbursement Agreement between the Port and the Louisiana Department of Transportation and Development and Designation of Mr. Allain as the Person Authorized to Sign. The motion was seconded by Mr. Pontiff. Mr. Terry asked if there was any more discussion or opposition – there was none. The motion carried unanimously.

Continuing with the Sugar Warehouse/LA DOTD project, Mr. Allain requested approval of a Resolution Authorizing Advertisement for the Demolition of the Existing Buildings at the Baldwin Campus. He explained that the existing buildings are to be removed to move forward with the project and that the LADOTD requires that advertisement for the demolition be done in a certain fashion. He asked Mr. Miller to expand on this matter. Mr. Miller reported that plans were previously prepared and are 95% complete for the demolition of the existing structures. He further stated that as soon as authority is granted by the Port Commission and approval is received from LA DOTD, the plans will be submitted to the LA DOTD for their review. Upon approval of the plans by the LA DOTD, the project will be advertised as requesting quotes for the demolition of the facilities. Mr. Jones asked if there was an estimate of the cost of the demolition. Mr. Miller responded that the estimated cost to be approximately \$350,000 - \$400,000. Mr. Phillips asked if Mr. Allain had researched the possibility of requesting bids for the overhead cranes in the existing warehouse. Mr. Allain reported that he contacted several salvage and crane companies regarding the cranes and was told that it would not be feasible to try to remove and sell the cranes as some of them are obsolete. He added that attempting to salvage the air compressors would not be feasible as most of them were installed in the late 1960's. A motion was made by Mr. Longman to adopt the Resolution Authorizing Advertisement for the Demolition of the Existing Buildings. The motion was seconded by Ms. Lanceslin. Terry asked if there was any more discussion or opposition – there was none. The motion carried unanimously. Mr. Jones asked if the demolition included the existing concrete and was told that it did include removal of the concrete. Mr. Phillips asked if the portable buildings located at the facility would have to be moved before the project would begin and Mr. Terry responded that the site has to be clean to start the new project. Mr. Miller further explained that anything that is on the site has been designated to be removed as part of the demolition.

Mr. Allain reported on possible Supplemental Bridge Funding for the Sugar Warehouses. He explained that the reason he is requesting the supplement funding is due to the LA DOTD Port Priority Program are running about 12 – 24 months - he said it could be sooner or it could be later and his concern that if the reimbursements were delayed the Port could run into cash flow problems. Mr. Hardy Andrews with Foley and Judell explained that he and Mr. Akers of the same company , have been working on a shorter term type of financing that is secured by the grant or loan funds that are anticipated. He further explained that the financing would give the Port the ability to get the projects going or to have the back-up in the event the reimbursement do not come in a timely manner. Another advantage to entering into an agreement with Foley & Judell would be the company would represent the Port before the Louisiana State Bond Commission to request funding. Mr. Jones asked how much money the Port is requesting and Mr. Allain explained that the amount could not exceed the amount of the grant from the Port Priority Program which is \$6,500,000.00. He further explained that it is not anticipated that the Port would need to utilize the full amount but does anticipate that some funds will be needed short term. Mr. Jones asked Mr. Allain if it was certain that receipt of reimbursement funding would be two years behind and Mr. Allain responded that the staff at the LA DOTD informed him that they were not sure of the timeline of reimbursements as there were several projects under consideration for funding. Mr. Jones said that funds are not usually allocated for projects until they work their way through the financial part. He said he would inquire why reimbursements may be delayed. Mr. Allain explained that he is requesting the back-up funding to make sure the project would not be delayed if reimbursements are not made in a timely manner. Mr. Jones said that he has been through the grant program several times and has never encountered this problem before. Mr. Terry asked if there was any more discussion or opposition – there was none. A motion was made by Mr. Longman to adopt a Resolution on Supplemental Bridge Funding for the Baldwin Campus Rehab and Site Improvements. The motion was seconded by Mr. Pontiff. The motion carried unanimously. Mr. Jones requested that a report be given if the Port does have to borrow money for the project and Mr. Allain assured him he would report on the matter.

Regarding EDA/Facility Planning Project No. 08-01-05240 (Training Facility), Mr. Miller reported that he has reviewed and recommends payment of Contractor's Application for Payment #7. A motion was made by Ms. Lanceslin to approve Contractor's Application for Payment #7 from ARL Construction, Inc. in the amount of \$37,158.79. The motion was seconded by Mr. Longman. Mr. asked if there was any discussion or opposition – there was none. The motion carried unanimously.

Also with reference to the EDA/Facility Planning project for the Training Facility, a motion was made by Mr. Phillips to approve payment of Request for Payment #9 from Miller Engineers in the amount of \$1,386.74. The motion was seconded by Mr. Jones. Mr. Terry asked if there was any discussion or opposition – there was none. The motion carried unanimously.

Mr. Miller explained Change Order #1 for the same project – two items were included. The first item was that because this project is a federal project, a prevailing wage rate has to be paid by the contractors for the project. This wage rate was updated. Upon speaking with the contractor and subcontractors, it was determined that all were paying at or above the minimum rates. This item had no effect on the project. The second item is a request for a time adjustment for the project due to a significant delay in receiving the metal building. The contractor is requesting 105 additional days based on the building delivery date and he reported that all dates have been documented. It is anticipated that substantial completion would be the early part of February of 2022. There were no costs involved with Change Order #1. A motion was by Ms. Lanceslin to approve Change Order #1. The motion was

seconded by Mr. Pontiff. Mr. Terry asked if there was any discussion or opposition – there was none. The motion carried unanimously.

Mr. Jones inquired about the Sugar Warehouse Lease agreement terms – Mr. Allain explained that negotiations with the proposed tenants are for a thirty year lease with a 5% escalation every five years. Mr. Jones asked how many years it would take to pay for the building and Mr. Allain responded that it is estimated to be approximately 10-15 years. Also included in the lease, is the guarantee that the proposed tenant could not be let out of the lease until the cost of the building has been received.

Mr. Jones said that he was out in the field this past week and met with someone who was not a port tenant, but located near the port, who was interested in expanding their business. He said he would discuss this with Mr. Allain later.

Mr. Duplantis reminded the Commissioners to complete the required Ethics and Preventing Sexual Harassment Training before the end of the year and to please submit a certificate of completion to the Port office.

Mr. Miller reported on the Training Facility – the roof is on and the majority of work left to be completed will be inside of the building along with work on the concrete parking lot.

There being no further business to be discussed, a motion was made by Mr. Paul to adjourn the meeting. The motion was seconded by Mr. Pontiff. Mr. Terry asked if there was any discussion or opposition – there was none. The motion carried unanimously and the meeting adjourned at 6:27 p.m.

Signed _____


Joseph Tabb, Secretary