OFFICIAL PROCEEDINGS

ST. BERNARD PORT, HARBOR AND TERMINAL DISTRICT

REGULAR MONTHLY MEETING – JANUARY 8, 2013

 The Board of Commissioners of the St. Bernard Port, Harbor and Terminal District met in regular session on Tuesday, January 8, 2013, at 12:00 noon in the boardroom of its office located at 100 Port Boulevard, Chalmette, Louisiana.

 After the Pledge of Allegiance, roll was called.

 Members present were: Mr. Elton J. LeBlanc, President; Mr. Harold J. Anderson, Vice President; Mr. Bradley J. Cantrell, Secretary and Mr. P. James DiFatta, Treasurer. Also present were Dr. Robert J. Scafidel, Executive Director; Ms. Denise Griffin, Executive Secretary; Mr. Drew Heaphy, Director of Administration; Mr. Jerry Graves, Director of Operations; Mr. Ted Roche, Project Manager; Mr. Eric Acosta, FSO; Mr. Sal Cusimano, Mr. Jim Lawler, AON; Mr.’s David Fennelly, Zeljko Franks, Todd Fuller, Gary Poirrier and Ms. Dawn Lopez, Associated Terminals of St. Bernard; Mr. Suresh Shah, Burk-Kleinpeter; Mr. Jim Simmons, N-Y & Associates; Ms. Marie More and Mr. Elwood Cahill, Sher Garner; Mr. Juba Diez, Volkert and Ms. Candace Griffin.

 President LeBlanc announced that the floor was open for nominations for the office of President.

 Mr. Cantrell nominated Mr. Anderson for the office of President. Mr. DiFatta seconded the nomination. President LeBlanc closed nominations and after asking for public comment, called for the vote.

 The Board voted three (3) yeas and one (1) abstaining to elect Mr. Anderson President by acclamation.

President LeBlanc announced that the floor was open for nominations for the office of Vice President.

Mr. Anderson nominated Mr. Cantrell for the position of Vice President. Mr. LeBlanc seconded the nomination. President LeBlanc closed nominations and after asking for public comment, called for the vote.

The Board voted three (3) yeas and one (1) abstaining to elect Mr. Cantrell Vice President by acclamation.

President LeBlanc announced that the floor was open for nominations for the office of Secretary.

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Mr. Cantrell nominated Mr. LeBlanc for the position of Secretary. Mr. Anderson seconded the nomination. President LeBlanc closed nominations and after asking for public comment, called for the vote.

The Board voted three (3) yeas and (1) abstaining to elect Mr. LeBlanc Secretary by acclamation.

 President LeBlanc announced that the floor was open for nominations for the office of Treasurer.

 Mr. Anderson nominated Mr. DiFatta for the position of Treasurer. Mr. LeBlanc seconded the nomination. President LeBlanc closed nominations and after asking for public comment, called for the vote.

 The Board voted three (3) yeas and one (1) abstaining to elect Mr. DiFatta Treasurer by acclamation.

 President LeBlanc asked if there were any public comments in accordance with R.S. 42:5(D). Not hearing from anyone, he continued with the meeting.

 Mr. LeBlanc turned over the meeting to Mr. Anderson who presented Mr. LeBlanc with a plaque commemorating his 2012 term as Board President.

 On motion of Mr. LeBlanc, seconded by Mr. Cantrell, and after asking for any public comment, the Board unanimously approved the minutes of the regular meeting held on December 11, 2012.

On motion of Mr. LeBlanc, seconded by Mr. Cantrell, the Board unanimously agreed to discuss approval to restate and supersede current Associated Terminals of St. Bernard leases excluding Section 11, 12 & 17 T13S, R12E (Metal Pro Bldg.) and 261,360 sq. ft. of unimproved, outdoor Laydown.

 The Board recognized Mr. Fennelly who discussed the consolidation of the Associated Terminal leases and reaching the 10 million ton cargo mark in 2012. Mr. Fennelly thanked the Board for all their help and assistance over the past ten (10) years.

 Upon roll call vote, four (4) Yeas: Anderson, Cantrell, DiFatta and LeBlanc and no Nays and asking for any public comment, the Board unanimously approved to restate and supersede current Associated Terminals of St. Bernard leases excluding Section 11, 12 & 17 T13S, R12E (Metal Pro Bldg.) and 261,360 sq. ft. of unimproved, outdoor Laydown.

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 Dr. Scafidel informed the Board that Mr. Fennelly and Associated Terminals had a presentation for the Board. Mr. Fennelly and Mr. Poirrier presented the Board with a framed photograph of the M/V Tina IV bringing in the cargo that exceeded the 10 million ton mark. The Board thanked Mr.’s Fennelly and Poirrier.

On motion of Mr. LeBlanc, seconded by Mr. Anderson, and after asking for any public comment, the Board unanimously approved to Advertise for Bids for the Administration/Security Complex 2nd Floor Renovation project.

President Anderson recognized Mr. Heaphy who gave the Finance Report. Mr. Heaphy reported on the operating and capital budgets, professional services and Lessees Arrears. The Board discussed the Finance Report and asked the Administration to contact the owners of Hamilton Enterprise in person to discuss the agreement made regarding their lease and if they continue not adhering to the agreement, let the appropriate legal action resume. President Anderson thanked Mr. Heaphy for his report.

On motion of Mr. LeBlanc, seconded by Mr. Cantrell, and after asking for any public comment, the Board unanimously approved authorization for the Executive Director to enter into a professional services contract with Volkert to assess the damage and make recommendations relating to Dock 1, Section A Seawall.

On motion of Mr. LeBlanc, seconded by Mr. Cantrell, and after asking for any public comment, the Board unanimously approved a contract with DAR, Incorporated.

On motion of Mr. LeBlanc, seconded by Mr. DiFatta, and after asking for any public comment, the Board unanimously approved a contract with Reed Henderson.

On motion of Mr. DiFatta, seconded by Mr. LeBlanc, and after asking for any public comment, the Board unanimously approved a contract with Colex & Associates.

On motion of Mr. LeBlanc, seconded by Mr. Cantrell, the Board unanimously agreed to discuss approval to accept the renewal Insurance Package for policies ending January 29, 2012, upon the recommendation of the Agent of Record (AON).

The Board recognized Mr. Lawler who updated them on the renewal Insurance Package.

On amended motion of Mr. DiFatta, seconded by Mr. Cantrell, and after asking for any public comment, the Board unanimously approved to accept the renewal Insurance Package for policies ending January 29, 2013, upon the recommendation of the Agent of Record (AON).

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President Anderson recognized Mr. Roche who updated the Board on the construction and demolition projects. President Anderson thanked Mr. Roche for his report.

President Anderson recognized Mr. Acosta who gave the Board a presentation on the MSOC (Maritime Security Operations Center). President Anderson thanked Mr. Acosta for his presentation.

President Anderson recognized Dr. Scafidel who gave the Executive Director’s Report. Dr. Scafidel discussed construction, the Christmas Open House and the Board’s requirement to fill out the Personal Disclosure forms and submit them by May 15, 2013.

On motion of Mr. Cantrell, seconded by Mr. LeBlanc, and after asking for any public comment, the Board unanimously approved to convene Executive Session to discuss litigation relating to the expropriation of the Violet Dock Port at 1:09 p.m.

On motion of Mr. LeBlanc, seconded by Mr. Cantrell, and after asking for any public comment, the Board unanimously approved to reconvene regular session at 1:26

p. m.

President Anderson asked if there were any Old Business. Not hearing from anyone, he continued with the meeting.

President Anderson asked if there were any New Business. Not hearing from anyone, he continued with the meeting.

 On motion of Mr. LeBlanc, seconded by Mr. Anderson, the meeting was adjourned.

/s/ Elton J. LeBlanc, Secretary