OFFICIAL PROCEEDINGS

ST. BERNARD PORT, HARBOR AND TERMINAL DISTRICT

REGULAR MONTHLY MEETING – SEPTEMBER 6, 2011

 The Board of Commissioners of the St. Bernard Port, Harbor and Terminal District met for a public hearing on Tuesday, September 6, 2011, 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. Bradley J. Cantrell, President; Mr. Elton J. LeBlanc, Vice President; Mr. Harold J. Anderson, Secretary and Mr. Charles H. Reppel, Commissioner. Absent was 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.’s Gary Poirrier and Zeljko Franks, Associated Terminals; Mr. Jim Simmons, N-Y Associates and Mr.’s Elwood Cahill and James Garner, Sher Garner.

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

 On motion of Mr. LeBlanc, seconded by Mr. Anderson, the Board unanimously approved the minutes of the regular meeting held on August 2, 2011.

 On motion of Mr. LeBlanc, seconded by Mr. Anderson, the Board unanimously approved a lease amendment for Chalmette Refining, LLC changing the leased area to 10,000 sq. ft. of warehouse space (building 93), 130,00 sq. ft. of laydown space and moving the commencement date to November 1, 2011, rent adjusted accordingly.

 On motion of Mr. LeBlanc, seconded by Mr. Anderson, the Board unanimously approved a Consent Request for 40th Street Properties Management, LLC to construct four (4) boat slips at 1936 Yscloskey Hwy, Shell Beach Bayou, St. Bernard, La.

On motion of Mr. LeBlanc, seconded by Mr. Anderson, the Board unanimously approved Substantial Completion for Salvage Nine relating to the Demolition of Blue Circle and Former Lisco Stack, Shed Kiln and Stacker Shed, Arabi Terminals project.

On motion of Mr. LeBlanc, seconded by Mr. Anderson, the Board unanimously approved Substantial Completion for Contracting King and Thornhill, LLC relating to the Roof Replacement and Electrical Upgrade to River Road Warehouse Bldg. 91 project.

On motion of Mr. Reppel, seconded by Mr. LeBlanc, the Board unanimously approved Change Order No. 1 for Hamp Enterprise, LLC relating to the Demolition of Building #171 – Personnel Building project. An underrun of $650.00.

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President Cantrell informed the Board that bids were received in the Port office on Tuesday, August 30, 2011, at 2:00 p.m. for the Removal of Existing Guard Station and Installation of New Guard Station project. The bids were as follows:

Contractor Base Bid Addendum No. 1

Southern Services Equipment $74,300.00 Yes

Braithwaite Construction $80,159.00 Yes

Silver Construction Company $85,992.40 Yes

On motion of Mr. Anderson, seconded by Mr. LeBlanc the bid was awarded to Southern Services Equipment in the amount of $74,300.00.

President Cantrell recognized Mr. Heaphy who gave the Finance Report. Mr. Heaphy reported the operating budget is on track and the Port is waiting on funds from FEMA and the State relating to the capital budget. Mr. Heaphy also reported on professional services and funds received from the PSSC Security Grant. President Cantrell thanked Mr. Heaphy for his report.

On motion of Mr. LeBlanc, seconded by Mr. Anderson, the Board unanimously approved the following resolution for the System Survey and Compliance Questionnaire required by the Legislative Auditor:

RESOLUTION

 WHEREAS, it is a requirement of the Legislative Auditor of the State of Louisiana that the book of the St. Bernard Port, Harbor and Terminal District be audited annually, and

 WHEREAS, as a required part of the audit, a System Survey and Compliance Questionnaire is to be completed by the administrative staff, and

 WHEREAS, this questionnaire when completed must be adopted by the governing body of the District,

 NOW, THEREFORE BE IT RESOLVED, that the St. Bernard Port, Harbor and Terminal District move to adopt the Systems Survey and Compliance Questionnaire and present it and a copy of this resolution to our auditors.

 The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

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 Yeas: 4

 Nays: 0

 Absent: 1

 Abstaining: 0

 The resolution was declared to be adopted on this 6th day of September, 2011.

/s/ Harold Anderson, Secretary

 On motion of Mr. LeBlanc, seconded by Mr. Anderson, the Board unanimously approved a professional services contract for Burk-Kleinpeter, Inc. for engineering services relating to the Repair of Dock 1, Section A, Arabi Terminal, not to exceed $110,000.

 On motion of Mr. LeBlanc, seconded by Mr. Anderson, the Board unanimously approved a professional services contract for Burk-Kleinpeter, Inc. for engineering services relating to the Tiger III Grant application, not to exceed $13,000.

 On motion of Mr. LeBlanc, seconded by Mr. Anderson, the Board unanimously approved the following resolution for the American Association of Port Authorities 2011 Annual Meeting:

 RESOLUTION

 ST. BERNARD PORT, HARBOR AND TERMINAL DISTRICT

At a meeting of the St. Bernard Port, Harbor and Terminal District on September 6, 2011, Robert J. Scafidel, Ed.D., Executive Director, was ordered accredited as delegate to the annual convention and annual meeting of the American Association of the Port Authorities (Incorporated), to be held on Thursday, September 15, 2011, in Seattle, Washington, with authority to cast the vote of this body on all motions and resolutions. Alternates, who are similarly empowered in case of the absence of the original delegate from any session, and who shall succeed him/her and each other in the order named, were designated as follows:

Drew Heaphy, Director of Administration

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

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Yeas: 4

Nays: 0

Absent: 1

Abstaining: 0

This resolution was declared duly adopted on the 6th day of September, 2011.

/s/ Harold Anderson, Secretary

President Cantrell recognized Dr. Scafidel who gave the Executive Director’s Report. Dr. Scafidel reported on construction projects, Mr. Al Bordelon and the Port entrance sign.

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

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

On motion of Mr. LeBlanc, seconded by Mr. Reppel, the Board unanimously approved to convene Executive Session at 12:52 p.m. to discuss litigation relating to the expropriation of the Violet Dock Port.

The Board reconvened Regular Session at 1:45 p.m.

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

 /s/ Harold J. Anderson, Secretary