

**PORT OF IBERIA DISTRICT
BOARD OF COMMISSIONERS
REGULAR MEETING - TUESDAY, APRIL 19, 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, April 19, 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, and Ray Allain, Port Attorney.

Thus, with a quorum being acknowledged, Commissioner Raymond Bernard, Jr., recited the opening prayer and the Pledge of Allegiance.

I. APPROVAL OF MINUTES

On a motion by Commissioner Millie Martinez, seconded by Commissioner Mike Resweber, the Commission approved the minutes of the Regular meeting held on Tuesday, March 15, 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 19th day of April 2011.

II. DISCUSS AND/OR DISTRIBUTE THE FOLLOWING:

- (a) Budget Summary For Nine (9) Months Ending March, 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 Nine (9) months ending March, 2011. A listing of bills to be paid for the month of April 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 Raymond Bernard, Jr., seconded by Commissioner Frank Minvielle, to approve and authorize the payment of bills for April 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 19th day of April 2011.

III. RATIFICATION OF RENEWAL OF CERTIFICATE OF DEPOSIT.

A motion was made by Commissioner Frank Minvielle, seconded by Commissioner Raymond Bernard, Jr., to approve and ratify the renewal of Certificate of Deposit Number 40000326801 which matured on March 25, 2011, with Iberia Bank, for twelve (12) months at the rate of 0.60% and 0.60% A.P.Y., for the Louisiana Machinery/WPS Security Deposit, in accordance with the Lease Agreement with the Port of Iberia District.

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 19th day of April 2011.

IV. MR. KEVIN FONTENOT, CHIEF EXECUTIVE OFFICER, H & S CONSTRUCTION COMPANY, INC., AND MR. CHARLES E. MILNER, JR., VICE-PRESIDENT, COASTAL BRIDGE COMPANY, L.L.C., TO ADDRESS THE BOARD REGARDING AN ASSIGNMENT OF LEASE AGREEMENT ON LOTS 35, 36, 37, 38, 39, 40, A PORTION OF 42, A PORTION OF COLUMBIA GULF TRANSMISSION COMPANY LINE RIGHT-OF-WAY, LOTS 47, 48, 49, 55 AND APPROXIMATELY ONE ACRE OF THE TENNESSEE GAS & PIPELINE RIGHT-OF-WAY AT THE PORT OF IBERIA.

Mr. Kevin Fontenot, CEO of H & S Construction, addressed the Board. A "draft" copy of An Assignment and Assumption of Lease and Landlord's Consent, prepared by H & S Construction's attorney and reviewed by the Port's Attorney, was presented for review. Minor changes have been made to the "draft" since its mailing to the Board. Mr. Fontenot reported that H & S is performing an orderly liquidation and shutting down the construction business. Coastal Bridge Company, L.L.C. is assisting H & S with the orderly liquidation and funding the "wind down" process, and Coastal Bridge will take over some of the stone and asphalt operations in this area. H & S Construction proposes to assign the Lease and all of its rights and obligations thereunder to Coastal Bridge Company, L.L.C. Coastal

Bridge Company has been in business since 1954 and is a heavy contractor based in Baton Rouge, Louisiana that is involved in numerous areas of construction including asphalt paving, concrete paving, pile driving, bridge construction, commercial and residential site development, and underground sewer and utilities. Coastal Bridge is a privately held company currently managed and operated by the third generation of family members. The Executive Director indicated that H & S Construction has been a Port tenant since 1999. He went on to make the Board aware that H & S is currently in a renewal option period which began on August 1, 2009 and ends on July 31, 2019. A new lease would be required thereafter. If the Board approves the Assignment, Coastal Bridge would acquire the current lease term.

Mr. Charles "Ed" Milner, Jr., Vice-President of Coastal Bridge Company, L.L.C., addressed the Board. He is looking forward to having a presence at the Port of Iberia. He plans on maintaining the unloading site and asphalt plant. His employee base for the Acadiana area (including Lafayette) is approximately 40 employees. Mr. Milner indicated that Coastal Bridge plans on keeping some of the assets, as well as transferring and selling the other assets. A liquidation of several pieces of equipment is scheduled to take place on June 7, 2011 in Breaux Bridge, Louisiana near the interstate. Discussion ensued.

The Port Attorney indicated that he has approved the Assignment and Assumption of Lease and Landlord's Consent with the minor changes agreed upon.

A motion was made by Commissioner Mark Dore', seconded by Commissioner Gene Jefferies, to approve and authorize the Board President to execute the Assignment and Assumption of Lease and Landlord's Consent effective May 1, 2011 by and between H & S Construction Company, Inc., Coastal Bridge Company, L.L.C., and the Port of Iberia District regarding Lots 35, 36, 37, 38, 39, 40, a Portion of 42, a Portion of Columbia Gulf Transmission Company Line Right-of-Way, Lots 47, 48, 49, 55 and Approximately One Acre of the Tennessee Gas & Pipeline Right-of-Way at the Port of Iberia.

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 19th day of April 2011.

V. MR. MIKE TARANTINO, EXECUTIVE DIRECTOR, IBERIA INDUSTRIAL DEVELOPMENT FOUNDATION TO MAKE A PRESENTATION TO THE BOARD REGARDING A NEW COMMUNICATION MARKETING TOOL BEING DEVELOPED FOR IBERIA PARISH.

Mr. Mike Tarantino, Executive Director of the Iberia Industrial Development Foundation made a Power Point Presentation to the Board relative to a new communication tool they are working on. IDF is creating a new channel on youtube called "IberiaLink" which will

serve as a communication portal (example: an e-newsletter) to IDF members and partners about the latest topics and information from the IDF. Mr. Tarantino explained the concept and indicated that this is a cost effective way of getting the message out on a more timely basis so business members and partners can use the information immediately. IDF is currently working on the channel and expect to have it complete in late May or early June 2011. He explained the process to follow if someone wants to subscribe to the channel (free of charge). Mr. Tarantino showed the Board a "clip" from the youtube channel taken from a recent IDF Board Meeting in which the Executive Director spoke about the Port's Millennium Expansion Phase II Project. Discussion ensued and there was no action taken.

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

*****Status of the Board President Executing & Executive Director Filing the Conveyance Notification.**

*****Status of the Executive Director Procuring Cost Estimates from an Environmental Specialist for the Clean-Up of the Contaminated Area.**

The Executive Director has contacted Mr. Clay Courville, EDI, to obtain a remediation proposal in the event the Board chooses to clean up the Area of Investigation #3 at the Bayou Companies property site, in lieu of Providence Engineering & Environmental Group, LLC request to execute the Conveyance Notification. The Executive Director stated that it would cost approximately \$10,000 in additional testing and sampling in order for EDI to have sufficient information to prepare a realistic proposal to provide the Port the costs of remediation. Mr. Courville suggested that there is an alternative to re-evaluate the property to a non-industrial as opposed to an industrial standard. Mr. Courville discussed this alternative with Providence and the LA DEQ, and it is acceptable to pursue a non-industrial standard. Providence then requested from The Bayou Companies the authority to proceed with additional sampling (including the additional costs associated to perform, etc). The Bayou Companies has approved the request. Providence is in the process of re-evaluating the property site with a different criteria called "non-industrial". This method is also classified as a "recap" process; however, it is a more conservative approach to the testing with a different standard. Once approval is received from the LA DEQ, the Port will have complete closure of this issue with the end result being no site restrictions and the Port not having to execute a Conveyance Notification. It is anticipated that the process will take approximately 2-3 months to complete. The Port Attorney recently attended the AAPA Legal Issues Seminar in San Francisco, California, and he indicated that he would like to have the appropriate Committee discuss this type of situation with regards to the Port's policies and procedures and the process in which to follow in the future. Discussion ensued and there was no action taken on this item.

VII. REPORT FROM PROJECT ENGINEER MR. DAVID BOURQUE, PENSCO 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 2.
- {2} Discuss/Consider Approval of Change Order Number 2.
- {3} Engineer's Request for Payment Number 3.
- {4} Geotechnical Testing Approval of Invoice.

The Project Engineer reported that the contractor has poured the slab for the main building. The limestone is expected to be placed in the next few weeks for the site stabilization. The building is scheduled to be delivered on May 4, 2011. Mr. Bourque estimates that the project is approximately 18% complete. The project is approximately 10% behind schedule due to the delay of the building manufacturer delivering the building.

A motion was made by Commissioner Mark Dore', seconded by Commissioner Raymond Bernard, Jr., to approve and authorize Contractor's Application for Payment Number 2 in the amount of \$294,672.63, to Quality Concrete Contractors, Inc., for the period March 1, 2011 thru April 4, 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 19th day of April 2011.

A motion was made by Commissioner Gene Jefferies, seconded by Commissioner Frank Minvielle, to accept and approve Change Order Number Two regarding State Project Number 578-23-0019 for the Construction of a 75'x240' Building, Utilities, & Site Stabilization @ Lots 77-82 (All Points Equipment Company), with all of the items in the Change Order being within the original scope of the project and includes the following: {1} Change Overhead Cranes from one 30-ton and one 10-ton to two 20-ton cranes and add synchronize option (\$6,610.00); and {2} Replace the existing 3/4" water meter with a 2" water meter in order to provide additional flow for a hydro test area (\$2,447.00); and motion further approves that the amount of the Project cost overrun for the additions is \$9,057.00; with the revised contract amount at \$2,290,175.63 all contingent upon the review and approval of the LA DOTD.

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 19th day of April 2011.

A motion was made by Commissioner Raymond Bernard, Jr., seconded by Commissioner Mike Resweber, to approve and authorize payment of Request for Payment Number 3 (Invoice #12332) in the amount of \$15,461.00, to PENSCO for engineering services rendered for the period January 1, 2011 thru February 28, 2011 on the Louisiana Port Construction & Development Priority Program, Port Improvements Project - State Project Number 578-23-0019, Site Stabilization, Building, and Utilities at Lots 77-82 (All Points Equipment), in accordance with the Contract dated April 20, 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 19th day of April 2011.

A motion was made by Commissioner Frank Minvielle, seconded by Commissioner Gene Jefferies, to approve and authorize payment of Invoice Number 36-17838 in the amount of \$3,664.00, to Louisiana Testing & Inspection Inc., regarding services rendered for March 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 19th day of April 2011.

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

- (a) Roof Repairs/Replacement to Superior Derrick Services L.L.C.
***Status of Superior Derrick Services Utilizing "In-House" Labor to Perform the Incidental Repairs to the Carport Area.

The Project Architect presented a letter dated April 19, 2011 in which he reported that Superior Derrick has completed the interior and exterior repairs to the carport area. Superior Derrick is awaiting a heavy rain in order to be assured that the repairs were successful.

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

- (a) Status of AGMAC Project.

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

A motion was made by Commissioner Frank Minvielle, seconded by Commissioner Millie Martinez, to approve and authorize payment of Invoice Number 593992-R8-00501 in the amount of \$3,180.00, for the period March 1, 2011 thru March 31, 2011 (100% reimb. to POI by DOTD), in accordance with the contract between the POI and Shaw Coastal, Inc. dated September 3, 2002 and Amendment No. 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 19th day of April 2011.

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

*****Permit in 25-Day Public Notice Period.**

Mr. Malbrough reported that the public notice period ended on April 12, 2011. The agencies typically allow for a week of lag-time to allow for comments that may be received through the U.S. Mail. As of the date of this meeting, the DNR has not received any comments. Mr. Malbrough indicated that this type of permit is the first of its kind.

The Executive Director questioned Mr. Malbrough with regards to the procedure to follow if one of the Port's tenants requests to use the Port's general permit for one of its projects. Mr. Malbrough indicated that a tenant may apply for their own individual permit or if they want to use the Port's general maintenance permit, the necessary drawings would need to be forwarded to the USACE and the State of Louisiana. A detailed explanation would also be required to be submitted indicating the nature of the work to be performed, the depth of the maintenance dredging, spoil placement, and the explanation would also need to demonstrate that the spoil is not being placed on a wetland site. If a tenant uses the Port's General Maintenance Dredging Permit, they would have to pay to the State the dredging fee based on the cubic yards associated with the dredging, as well as the fees associated with the engineering designs, etcetera.

(c) Coastal Timbers, Inc., Erosion Issues @ POI (Slip C-8).

{1} Status of Plans & Specifications, Surveying, Geotechnical Investigation & Permitting Procedures Regarding Alternative Method Number 1 - Rip-Rap.

*****LA DNR Emergency Permit in 30-day Extension Time Period.**

*****USACE Programmatic General Permit (PGP) in 30-day Time Period.**

Mr. Malbrough reported that the DNR Permit Public Notice expires on April 24, 2011. He does not anticipate any comments on this particular Permit. Mr. Ronnie Duke, USACE Regional Supervisor, feels that this project will qualify for a PGP, which does not have to go

out for Public Notice. Mr. Malbrough indicated that the rip-rap vendor as well as the geotextile vendor have been contacted, and they both have assured that the availability and price of the materials still remains as quoted several months back.

A motion was made by Commissioner Raymond Bernard, Jr., seconded by Commissioner Mike Resweber, to approve and authorize payment of Invoice Number 593995-R8-00501 in the amount of \$16,106.50, to Shaw Coastal, Inc., for the period February 28, 2011 thru March 31, 2011 (not reimb. To POI by DOTD), regarding the Erosion Control Project located at the POI (Slip C-8 - Coastal Timbers), in accordance with the contract between the POI and Shaw Coastal, Inc. dated September 3, 2002 and Amendment No. 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 19th day of April 2011.

(d) MAINTENANCE DREDGING OF SLIP C-8:

- {1} Authorize Board President to Execute Professional Services Contract w/Shaw Coastal, Inc. for the Engineering & Design of the Plans & Specifications.

A motion was made by Commissioner Raymond Bernard, Jr., seconded by Commissioner Mike Resweber, to approve and authorize the Board President to execute the Professional Services Contract between Shaw Coastal, Inc. and the Port of Iberia District for the engineering and design of the Plans & Specifications regarding the maintenance dredging of Slip C-8 at the Port of Iberia, and motion further authorizes the Project Engineer and Executive Director to move forwards with the Advertisement for Bid for the Maintenance Dredging of Slip C-8 Project.

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 19th day of April 2011.

A motion was made by Commissioner Mark Dore', seconded by Commissioner Gene Jefferies, to approve and authorize payment of Invoice Number 593993-R8-00501 in the amount of \$7,224.40, to Shaw Coastal, Inc., for the period February 28, 2011 thru March 31, 2011 (not reimb. To POI by DOTD), regarding the Maintenance Dredging of Slip C-8 Project located at the POI, in accordance with the contract between the POI and Shaw Coastal, Inc. dated September 3, 2002 and Amendment No. 9 (Project Management) dated December 21, 2010; and motion further includes the newly approved Contract between the POI and Shaw Environmental & Infrastructure dated

April 19, 2011 regarding same.

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 19th day of April 2011.

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

The Port Attorney reported that the amount of spoil to be disposed of has been identified. It has also been identified the area which is most favorable for the farmer and acceptable to the Port of Iberia to place the spoil. The farmer has been asked to provide the Port with a cost estimate to clear the land where the sugarcane is located in order to make it acceptable as a disposal site. The farmer has the equipment and ability to perform this type of work. The Port Attorney has spoken with the Shea family regarding the Navigation Servitude the Port will require for the Port's Millennium Expansion Phase II Project. There is no Navigational Servitude required for the Maintenance Dredging of Slip C-8 Project.

{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.

The Port Attorney had nothing to report on this item. The Executive Director indicated that PENSICO has provided additional survey information relative to this matter, and the Port Attorney will be forwarded the information to review accordingly in an effort to prepare the necessary documentation to be presented to the Iberia Parish Council.

{4} Update from Port Attorney Regarding his Discussions with the Farmer Cultivating the Sugarcane Notifying of the Port's Intentions.

The Port Attorney reported that ongoing discussions are being held with Mr. Ricky Gonsoulin, farmer regarding spoil disposal. Mr. Gonsoulin has chosen the section of the field with the lowest value sugarcane on it and the lowest elevation, which would be least costly for the POI. The Executive Director stated that of the 10 acres of land (includes headlands and drainage ditches), only 8.6 acres is under cultivation.

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

{1} 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).**

*****Notification of Addendum No. 1 to Bid Documents.**

*****Modified Bid Opening Date to Wednesday, May 18, 2011.**

An extract from Addendum Number 1 for the Central Gulf Slip Dredging Project was presented for review. The original bid opening date was scheduled for April 18, 2011. The date was changed to May 18, 2011, due to the USACE questioning the issuance of a revised PGP because of wetlands present in the disposal area. A wetland delineation was performed recently by Shaw Coastal at the Frank's Casing Crew disposal site. Once USACE makes its jurisdictional determination, the Port will know if the USACE will issue a revised PGP to dispose of the material at the Frank's Casing Crew site. Discussion ensued. **A motion was made by Commissioner Frank Minvielle, seconded by Commissioner Millie Martinez, to approve and authorize payment of Invoice Number 593996-R8-00501 in the amount of \$4,121.90, to Shaw Coastal, Inc., for the period February 28, 2011 thru April 1, 2011 (not reimb. to POI by DOTD), for the Central Gulf Dry Dock Project in accordance with the contract between the POI and Shaw Coastal, Inc. dated September 3, 2002 and Amendment No. 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 19th day of April 2011.

X. REPORT FROM EXECUTIVE DIRECTOR ON:

- (a) **POI'S Annual Renewal (April 1, 2011) of Port Insurance Policies (Property, Boiler & Machinery, Protection & Indemnity, General Liability, Workers' Compensation, Public Officials Liability & Employment Practices Liability, Surety Bond, & Flood) for 2011-2012.**

*****Status of Negotiations with AmRisc Regarding Port's Property Insurance Coverages and Premium.**

Emails were presented from Mr. Gerald Gesser and Mr. Mark Romero regarding the building components used in the construction of the POI Administrative Office exterior stucco walls in the new addition area. According to Mr. Gesser, the walls are not EIFS construction (synthetic plaster over styrofoam insulation). As a result, the Executive Director reported that the Port was able to eliminate the \$36,000 deductible with AmRisc on the Port Administrative Office Building, and the deductible will now be \$5,000. An updated final Premium Comparison & Summary from Mr. Mark Romero's email dated 4/4/11 was also presented.

- (b) **Update on the Executive Director's Negotiations on the Following Items Regarding Leblanc Marine, LLC & Stark Services, Inc:**

- {1} **Cancellation of 1st Amendment of Lease Agreement between LeBlanc Marine, LLC & the POI Regarding 'Tract A'.**
{2} **Cancellation of Lease Agreement between Carlin Fleet, Inc. & the POI Regarding Lot 7.**

- {3} First Amendment of Lease Agreement between LeBlanc Marine, L.L.C. & the POI Regarding Tracts A & B, Including Portions of Columbia Gulf and Tennessee Gas Pipelines, and Lot 7.
- {4} Cancellation of Lease Agreement between Stark Services, Inc. & the POI Regarding "Tract B".
- {5} Sublease Agreement between Leblanc Marine, L.L.C. & Stark Services, Inc. With Property Site Acreage to be Mutually Agreed Upon.
- {6} Status of Stark Services, Inc., Environmental Phase I (rec'd 12/21/10).
- {7} Status of Stark Services, Inc., Removal of Submerged Structure.

The Executive Director presented an email dated April 15, 2011 from Mr. Ben LeBlanc notifying the POI that LeBlanc Marine is no longer willing to sublease property to Stark Services. LeBlanc Marine and Stark Services engagement will only consist of the storage of used pipe on approximately 5.4 acres of land for the sum of \$900.00 per month. Stark Services will not have the right to engage in any type of commercial activity besides the transportation and storage of used pipe. Lengthy discussion ensued.

A motion was made by Commissioner Raymond Bernard, Jr., seconded by Commissioner Mark Dore', to authorize the Port Attorney and Executive Director to send a "Demand Letter" to Stark Services, Inc., stipulating that the property being leased by the tenant be cleared within the next 30 days, and notify the tenant that the Port of Iberia District does not wish to extend Stark Services, Inc. Lease Agreement beyond May 31, 2011; and motion further acknowledges that the "Demand Letter" identify and include the stipulations that the tenant make whatever arrangements necessary to ensure that {1} the structure previously submerged in the slip must be removed from the site and properly disposed; {2} the removal and disposition of all material, which is required to comply with the Phase I Environmental Survey, should be completed; and {3} the site be returned free of all trash, debris or other material, including hazardous material.

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 19th day of April 2011.

(c) Iberia Parish Government's 2010 Road Improvement Project - Port of Iberia Road Repairs.

- {1} Phase II - Concrete Street Improvements: Quality Concrete Commercial Contractors, Inc.

The Executive Director presented a letter dated April 11, 2011 from BH&A which provided an update on the Phase II Concrete Street Improvements Project which is ongoing throughout the Port and running on schedule.

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

The Executive Director reported that he currently has approximately 14 open prospect files of individuals who are interested in leasing property at the Port of Iberia. Of the 14 prospects, he feels that 5 or 6 are highly interested in locating at the Port. The Executive Director feels comfortable that the Board should move forward in finding the funding for the development of the newly acquired property site. Discussion ensued.

A motion was made by Commissioner Frank Minvielle, seconded by Commissioner Millie Martinez, to approve and authorize payment of Invoice Number 593998-R8-00501 in the amount of \$703.80 to Shaw Coastal, Inc. for the period February 28, 2011 thru March 31, 2011 (not reimb. to POI by DOTD), for the Capital Improvements Feasibility Study on the 107.494 acres the Port purchased from Sterling Sugars, Inc., for the Port Millennium Expansion Phase II Project, in accordance with the contract between the POI and Shaw Coastal, Inc. dated September 3, 2002 and Amendment No. 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 19th day of April 2011.

(e) Update on Environmental Compliance Solutions, LLC, Operations:

- {1} Assets Remaining on Tract "I-2"; Clean Environmental Phase I; Evidence ECS Compliance w/LA DEQ Compliance Order Issued; Property Site Clean & Acceptable.**
- {2} Cancellation of Lease Agreement between Environmental Compliance Solutions, LLC & the POI Regarding Tract "I-2" (2.0 Acres), Located @ Port Expansion Property Site.**
- {3} Executive Director Negotiations Regarding 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 presented a letter dated March 30, 2011 from Mr. George Bevan on behalf of Environmental Compliance Solutions, LLC, notifying the POI that ECS gives its 30 day notice relative to the termination of its Lease Agreement on Tract I-2 with the Port of Iberia. In addition, ECS has provided the lease payment to the Port for the period January 1, 2011 thru April 30, 2011. Lengthy discussion ensued.

The Executive Director presented a Letter of Intent received on March 29, 2011 from Iberia Aggregates & Construction Materials, L.L.C., requesting to lease Tract "I-2" for storage purposes. By increasing their storage capacity, they anticipate adding additional jobs to their company.

A motion was made by Commissioner Raymond Bernard, Jr., seconded by Commissioner Frank Minvielle, to approve and authorize the Board President to execute a Cancellation of Lease Agreement between Environmental Compliance Solutions, LLC & the Port of Iberia District regarding Tract "I-2" (2.0 acres), located @ the Port Expansion Property Site, contingent upon {1} a clean Environmental Phase I; {2} evidence of compliance with the LA DEQ Compliance Order Issued; and {3} the property site being clean and acceptable; and motion further authorizes the Board President to execute a Lease Agreement between Iberia Aggregates & Construction Materials, L.L.C. and the POI regarding Tract "I-2" (2.0 acres), located at the Port Expansion Property Site, contingent upon the execution of the Cancellation of Lease between ECS and the POI, and further contingent upon the property site being clean and acceptable to Iberia Aggregates & Construction Materials, L.L.C., and all approved by the Executive Director.

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 19th day of April 2011.

(f) Discuss/Consider Prioritization of the Port TIF Priority Projects Submitted to the Iberia Parish Council.

The Executive Director reported that he recently submitted the Port's TIF Infrastructure Projects to the Iberia Parish Council. The Board, at its March 15, 2011 Regular Board Meeting adopted the TIF Infrastructure Projects with the Port's Number 1 Priority being identified as the Millennium Expansion Phase II Project in the amount of \$8,207,700.00. The Iberia Parish Council has requested that the Port prioritize the remaining infrastructure projects.

The Executive Director asked the Board if he could request from the Iberia Parish Council a timeline and/or commitment as to when the Parish would be making a decision on the TIF Infrastructure Projects. The Executive Director stated that if the Millennium Expansion Phase II Project were approved by the Iberia Parish Council, this would be a significant tool that would enable him to market and negotiate with future tenants for the new Tracts to be developed on the expansion property site. Discussion ensued.

A motion was made by Commissioner Frank Minvielle, seconded by Commissioner Mike Resweber, to authorize the Executive Director to submit to the Iberia Parish Council (per the IPC request) the prioritized list (in sequential order) of the Port of Iberia District's TIF Infrastructure Projects as follows:

- {1} Millennium Expansion Phase II Project in the amount of \$8,207,700.00.
- {2} Maintenance Dredging (Port Channels and Slips to -13 MLG) in the amount of \$6.6 Million.
- {3} Iberia Parish Government Road Project (balance of Priority #3 Road Repairs)

in the amount of \$1.74 Million.

- {4} South Lewis Street (Four-Lane Hwy 90-Port Road) in the amount of \$2.56 Million).
- {5} AGMAC (Bulkhead Retrofit- 10% match) in the amount of \$840,000.00.
- {6} Storm Drainage Maintenance (Cleaning of all Ditch/Closed Drain Systems with a cost estimate to be determined);

and motion further authorizes the Executive Director to make a request of the Iberia Parish Council for a timeline and/or commitment to the Port of Iberia as to when the Parish is making a decision on the TIF Infrastructure Projects.

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 19th day of April 2011.

- (g) Discuss/Approve a Sublease Agreement between Advanced Welding Services, Gilchrist Construction Company, and the POI Regarding 2.5 - 3.0 Acres on Tract "H" located at the Port Expansion Property Site.

A motion was made by Commissioner Mark Dore', seconded by Commissioner Raymond Bernard, Jr., to approve and authorize the Board President to execute the Sublease Agreement between Advanced Welding Services, Gilchrist Construction Company, and the POI regarding 2.5 - 3.0 acres (including a stabilized access road) located on Tract "H" of the POI Expansion Property Site for the sole purpose of unloading and storing base course material for a period of five (5) months commencing on April 5, 2011 thru September 5, 2011 with the rental to AWS being \$1,000.00 per month.

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 19th day of April 2011.

- (h) Discuss/Consider Changing the Regular May Commission Meeting Date from May 17, 2011 to May 24, 2011 due to the AAPA Special Commissioners Seminar to be held May 17-19, 2011 in Biloxi, MS.

A motion was made by Commissioner Millie Martinez, seconded by Commissioner Gene Jefferies, to change the Regular May Commission Meeting from Tuesday, May 17, 2011 to Tuesday, May 24, 2011 due to the AAPA Special Commissioners Seminar to be held May 17-19, 2011 in Biloxi, Mississippi.

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 19th day of April 2011.

(i) **Discuss/Consider the Concept of a Commerce/Technology Center Adjacent to the Port Administrative Building.**

The Executive Director briefed the Board about information Commissioner Martinez and he obtained recently while attending the PAL annual conference in Shreveport, LA. He indicated that there was a dedication of a regional Commerce Center that was constructed by the Port of Shreveport. The commerce center was constructed for use by the tenants and other businesses. The commerce center provides a facility that has flexible meeting space, state of the art telecommunications and global conferencing capabilities, and satellite meeting rooms. Commissioner Martinez felt that perhaps the Board could discuss and/or consider the concept of a commerce/technology center to locate adjacent to the Port Administrative Office Building. Discussion ensued. It was the consensus of the Board to refer this concept to the Port Development and Maintenance Committee for further review and discussion.

(j) **Announcements.**

***Finance Committee Meeting to Discuss the 2011-2012 Proposed Budget to be held on Wednesday, May 11, 2011 @ 5:30 p.m.

It was the consensus of the Board to change the Finance Committee Meeting date to Friday, May 13, 2011 @ 12:00 p.m.

XI. ADJOURNMENT.

On a motion by Commissioner Frank Minvielle, and seconded by Commissioner Millie Martinez, the meeting was adjourned at 7:35 P.M.



SECRETARY-TREASURER



PRESIDENT