

**PORT OF IBERIA DISTRICT
BOARD OF COMMISSIONERS
REGULAR MEETING - TUESDAY, MARCH 19, 2013
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 Commissioner Gene Jefferies, Board President, at the Port of Iberia Administrative Office, on Tuesday, March 19, 2013, at 5:30 P.M.

In attendance were Commissioners Gene Jefferies, President, Mike Resweber, Secretary-Treasurer, Danny J. David Sr., Larry G. Rader, and Frank Minvielle.

Commissioners Mark Dore', Vice-President and Millie Martinez were absent.

Also present were Roy Pontiff, Executive Director, Joanna Durke, Administrative Assistant, Holly Breaux, Secretary-Bookkeeper, and Ray Allain, Port Attorney.

Thus, with a quorum being acknowledged, Commissioner Mike Resweber recited the opening prayer and the Pledge of Allegiance.

I. APPROVAL OF MINUTES

On a motion by Commissioner Larry Rader, seconded by Commissioner Danny J. David, Sr., the Commission approved the minutes of the Regular meeting held on Tuesday, February 19, 2013.

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

Yeas: Gene Jefferies, Mike Resweber, Danny J. David, Sr., Larry G. Rader, and Frank Minvielle.

Nays: None.

Absent at Voting: Mark Dore' and Millie Martinez.

And the motion was therefore passed on this the 19th day of March 2013.

II. EXPANSION OF AGENDA

A motion was made by Commissioner Mike Resweber, seconded by Commissioner Danny J. David, Sr., to expand the Port of Iberia District Board of Commissioners regular monthly Board Meeting Agenda to discuss/consider reserving Tracts "P" and "Q" consisting of a total of 22.37 acres, located on the POI Millennium Expansion Phase II Property Site, for 45 Days starting March 20, 2013 to allow the Louisiana Economic Development (LED) to perform due diligence for the "Project Keystone" Site Selection Process.

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

Yeas: Gene Jefferies, Mike Resweber, Danny J. David, Sr., Larry G. Rader, and Frank Minvielle.

Nays: None.

Absent at Voting: Mark Dore' and Millie Martinez.

And the motion was therefore passed on this the 19th day of March 2013.

The Executive Director presented the Board with a copy of a plat depicting the parcel layout on the newly acquired Port Millennium Expansion Phase II Property Site. Tracts "P" and "Q" consists of a total of 22.37 acres. In addition, he also presented a copy of an email dated March 19, 2013 from Mr. Von Hatley, Managing Director with Jones Walker Consulting, L.L.C. for review.

Jones Walker Consulting, L.L.C. is a site selection company that the Executive Director, IDF, and the LED have been working with regarding a project named "Project Keystone". The business is a profitable and growing privately held oilfield services and fabrication company looking to expand and relocate a portion of their operations. The site selection company has been exploring potential fabrication sites of Ports across the entire Gulf of Mexico. The Executive Director and Mr. Mike Tarantino, IDF, assisted the LED in submitting a proposal for the relocation of the business to the Port of Iberia.

The Port of Iberia qualifies for further consideration of the project as a proposed short list finalist site. The LED has asked the site selection company if the Port of Iberia District would hold Tracts "P" and "Q" (22.37 total acres) for a period of 45 days, starting March 20, 2013, to allow the Louisiana Economic Development (LED) to perform due diligence for the "Project Keystone" site selection process. This type of commitment from the Port of Iberia District displays not only an interest, but a readiness and willingness to have the fabrication company relocate their operations to the Port of Iberia.

A motion was made by Commissioner Danny J. David, Sr., seconded by Commissioner Larry Rader, to approve and authorize the Executive Director to continue to work with the Louisiana Economic Development (LED), Jones Walker Consulting, L.L.C. (a site selection company), and the Industrial Development Foundation (IDF), regarding "Project Keystone"; and motion further authorizes the Executive Director to reserve Tracts "P" and "Q" consisting of a total of 22.37 acres, located on the POI Millennium Expansion Phase II Property Site, for 45 days starting March 20, 2013 to allow the Louisiana Economic Development (LED) to perform due diligence for the "Project Keystone" site selection process.

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

Yeas: Gene Jefferies, Mike Resweber, Danny J. David, Sr., Larry G. Rader, and Frank Minvielle.

Nays: None.

Absent at Voting: Mark Dore' and Millie Martinez.

And the motion was therefore passed on this the 19th day of March 2013.

III. DISCUSS AND/OR DISTRIBUTE THE FOLLOWING:

- (a) Budget Summary for Eight (8) Months Ending February, 2013.
- (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.

A motion was made by Commissioner Frank Minvielle, seconded by Commissioner Larry Rader, to approve and authorize the payment of bills for March, 2013, and ratify those paid during the interim period.

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

Yeas: Gene Jefferies, Mike Resweber, Danny J. David, Sr., Larry G. Rader, and Frank Minvielle.

Nays: None.

Absent at Voting: Mark Dore' and Millie Martinez.

And the motion was therefore passed on this the 19th day of March 2013.

IV. REPORT FROM MR. DAVID MOORE, FREYOU, MOORE AND ASSOCIATES, INC. ON:

- (a) Maintenance Dredging of the Port's Marina Slips Due to Siltation Affecting the Water Depths of the Boat Slips.
 ***Status of Contract Between POI & LeBlanc Marine, L.L.C.
 ***Status of LA DNR Coastal Use Permit P20130149 Application.

Mr. David Moore, Freyou, Moore and Associates, Inc. reported to the Board that the contract for LeBlanc Marine, L.L.C. has been prepared and will be submitted to the Port Attorney for review and approval. The LA DNR Coastal Use Permit P20130149 is currently being processed and will be released once the POI submits the payment of \$2,987.27 as contribution to the Coastal Resources Trust Fund to contribute to beneficial use of spoil account, deposits for use only in habitat restoration. Mr. Moore will coordinate the removal of the vessels from the marina slips with the Administrative Assistant in the near future. Weather permitting, it is anticipated that it will take 10 days to complete the project.

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

- (a) Letter Dated February 11, 2013 from J. M. Bernhard, Jr., Chairman, President & CEO, The Shaw Group Regarding the Completion of the Acquisition of Shaw.

A letter dated February 11, 2013 from Mr. J. M. Bernhard, Jr. Chairman, President & CEO of The Shaw Group, regarding the completion of the acquisition of Shaw, was presented for review. Mr. Ledet informed the Board that Chicago Bridge & Iron (CB&I) completed the acquisition of The Shaw Group, Inc. on February 13, 2013. The acquisition did not result in any legal or organizational change to Shaw Coastal, Inc. as a wholly owned subsidiary company. Existing contracts will remain in place, and Shaw Coastal, Inc. will continue to deliver the same level of service to their clients.

**(b) LA DOTD Port Construction & Development Priority Program:
State Project Number 578-23-0018/h.009021 Port-Site Bulkhead
Relocation Phase II A-(for the AGMAC Bulkhead Relocation & Design
Project (Public Property).**

**{1} Status of Award of Construction Contract to Coastal Bridge
Company, L.L.C.**

*****Approval of Contract Documents (Letter dated March 11, 2013)
from the LA DOTD.**

*****Status of Issuance of the Notice to Proceed to Coastal Bridge
Company, L.L.C.**

Mr. Ledet presented a letter dated March 11, 2013 from the LA DOTD which acknowledged the receipt of the Port's contract documents and approval to proceed with construction. The LA Port Priority Construction and Development Priority Program currently has a funding obligation authority available for up to 90% of the construction cost for this phase, but not to exceed \$4,241,128.36. Mr. Ledet indicated that the Contract between Coastal Bridge Company, L.L.C. and the Port of Iberia District has been fully executed. Shaw Coastal, Inc. recently made a request to Coastal Bridge for pre-construction submittals. Once the submittals are received and a pre-construction conference is held, a Notice to Proceed will be issued accordingly.

**{2} LA DOTD Fiscal Year 2013/2014 Recommended Construction
Program - Port Construction & Development Priority Program
(Spreadsheet).**

The Executive Director presented a prioritized project spreadsheet list from the LA DOTD Fiscal Year 2013-2014 Recommended Construction Program - Port Construction & Development Priority Program for review. The Executive Director indicated that the Joint Committee accepted public comments on the various projects. The Joint Committee will take action to adopt the recommended projects sometime in April (during the legislative session), and the Port - Site Bulkhead Relocations Phase II-A Project will be approved. The Executive Director also pointed out that the Port will fund this phase of the project and will be reimbursed in 2015 by the LA DOTD.

**{3} Status of the Completion of the Design of the Remaining Public
Bulkheads (#12 POI Public Dock) and the Preparation of the Bid
Specifications.**

Mr. Ledet reported that Shaw Coastal, Inc. continues to work on the plans and specifications for Bulkhead #12 (POI Public Dock), and is approximately 90 to 95% complete. Shaw's goal is to develop a draft final package to provide to the LA DOTD for review by May 2013. Once the LA DOTD approves, the project will be advertised for bid. The goal is to bid this project out while Coastal Bridge Company, L.L.C. is constructing Bulkheads #3, #4, and #4A.

(c) Status of the AGMAC Project.

{1} Dr. Bob Gramling, ULL Economist, Comparison of BOEM-EIS 2012-2017 Offshore Lease Sale Platform Activity to GEC'S 2010 Economic Report.

Recently, Mr. O'Neil Malbrough and Mr. Glenn Ledet were successful in contacting a representative with BOEM. Mr. Ledet reported that unfortunately, BOEM has not made any progress on the additional information the Port requested. Shaw Coastal, Inc. assisted the Executive Director in preparing correspondence to U.S. Congressman Boustany's office regarding the request for information to BOEM. Recently, Mr. Malbrough visited with a representative of Congressman Boustany's office in Washington, D.C. Mr. Malbrough explained the background of the AGMAC Project and why the requested information is vital to moving the AGMAC project forward. Several copies of the Port's Fall 2012 Briefing Document were also provided.

Mr. Ledet reiterated to the Board that the information the Port is requesting is regarding the amount of production platforms that are going to be built in the Gulf of Mexico, in waters deeper than 1,000 feet, in the next fifty (50) years (2013-2063) or anything close to those years in an effort to extrapolate the required information. The information obtained is vital because it will be used to support the economic impact of the project.

A motion was made by Commissioner Danny J. David, Sr., seconded by Commissioner Mike Resweber, to approve and authorize payment of Invoice Number 728041-R8-00501 in the amount of \$4,209.00, to Shaw Coastal, Inc., for the period February 1, 2013 thru February 28, 2013 (not reimbursable 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 11 (Project Management) dated December 18, 2012.

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

Yeas: Gene Jefferies, Mike Resweber, Danny J. David, Sr., Larry G. Rader, and Frank Minvielle.

Nays: None.

Absent at Voting: Mark Dore' and Millie Martinez.

And the motion was therefore passed on this the 19th day of March 2013.

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

{1} Status of Construction Contract - Beverly Const., L.L.C.

{2} Status of Preparation of Change Order Number 1.

{3} Status of the Issuance of the Notice to Proceed to Beverly Construction, L.L.C.

Mr. Ledet reported that the contract documents were executed on March 1, 2013, along with Change Order Number 1. In addition, Shaw Coastal, Inc. has issued correspondence to Beverly Construction relative to the Pre-Construction Submittals being due on March 27, 2013; Pre-Construction Meeting to be held on April 2, 2013; and April 3, 2013 as the

effective date for the Notice to Proceed.

The Port Attorney expressed concern with the contractor's Certificate of Insurance documentation submitted to the POI. Specifically with regards to the cancellation provision and complying with the Port's requirements noted in the plans and specifications. The contractor is to provide the POI with a certification that the Port would receive 30 day notification prior to cancellation or modification of the insurance. The Port Attorney reminded the Board that as a result of recent changes made by the legislature and mandated by law, the POI can no longer rely on a Certificate of Insurance; however, the POI can rely on an endorsement that is issued by the insurance company. Discussion ensued and it was the consensus of the Board that Mr. Ledet request Beverly Construction to provide the POI with the proper insurance endorsements before a Notice to Proceed can be issued.

{4} Discuss/Consider Approval of a Sublease Agreement between Mammoet USA South, Inc., and Beverly Construction, L.L.C. Regarding Lots 8R, 9R, 10R, 11R, 12R, & 13R (5.44 acres) Regarding the POI Millennium Expansion Phase II Project.

Mr. Ledet reported that Beverly Construction would like to utilize the property site on Lots 8R, 9R, 10R, 11R, 12R, & 13R (5.44 acres) for construction staging of offices, equipment, etcetera, for the POI Millennium Expansion Phase II Project. The referenced lots are currently being leased to Mammoet USA South, Inc. The Executive Director indicated that Mammoet USA South, Inc. will be impacted by the project due to the fact that this particular parcel is not waterfront property; however, once the channel is dug, there will be waterfront accessibility. Mammoet is currently not utilizing the leased premises. The Port Attorney has reviewed the Sublease Agreement and has deemed it acceptable. The Executive Director has reviewed the sublease rate and it is in compliance with the Port's subleasing policy as it relates to a profit not being realized.

A motion was made by Commissioner Frank Minvielle, seconded by Commissioner Danny J. David, Sr., to approve the Sublease Agreement between Mammoet USA South, Inc., and Beverly Construction, L.L.C. regarding Lots 8R, 9R, 10R, 11R, 12R, & 13R (5.44 acres), regarding the POI Millennium Expansion Phase II Project.

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

Yeas: Gene Jefferies, Mike Resweber, Danny J. David, Sr., Larry G. Rader, and Frank Minvielle.

Nays: None.

Absent at Voting: Mark Dore' and Millie Martinez.

And the motion was therefore passed on this the 19th day of March 2013.

A motion was made by Commissioner Frank Minvielle, seconded by Commissioner Danny J. David, Sr., to approve and authorize payment of Invoice Number 1432351-R8-00541 in the amount of \$154.00 (Additional Services - Permitting) to Shaw Coastal, Inc., for the period thru March 1, 2013 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: Gene Jefferies, Mike Resweber, Danny J. David, Sr., Larry G. Rader, and Frank Minvielle.

Nays: None.

Absent at Voting: Mark Dore' and Millie Martinez.

And the motion was therefore passed on this the 19th day of March 2013.

VI. REPORT FROM EXECUTIVE DIRECTOR ON:

(a) Notice of Iberia Parish Levee, Hurricane & Conservation District, Proposed Levee Alignment Overall Site Plan for the Iberia Parish System.

The Executive Director presented the Board with a flyer for informational purposes. The flyer is regarding the Iberia Parish Levee, Hurricane & Conservation District's proposed levee alignment overall site plan for the Iberia Parish System. An item has been placed on the ballot for the election scheduled on Saturday, April 6, 2013. This includes a 5-Mill Property Tax Increase and a ½ -Cent Sales Tax Increase. Both taxes, if passed successfully, will raise an estimated \$7 Million annually, and will be used to obtain a \$150 Million Bond, which would make Iberia Parish eligible to receive matching State and Federal funds necessary to complete the levee project.

Commissioner Frank Minvielle is currently a member of the Iberia Parish Levee Board, and he discussed the contents of the flyer. Commissioner Minvielle stressed the importance of the passage of these two taxes because it is vital and would be very beneficial that the Port of Iberia be protected from future Hurricane and/or Tropical Storm Surges. The concept is to construct a 26-mile earthen levee to protect Iberia Parish. The project calls for building an 18-foot-tall levee from the Iberia and Vermilion Parish lines to the Commercial Canal, and a 14-foot levee going eastward from the Commercial Canal to the St. Mary Parish Line. Iberia Parish will also contact neighboring non-coastal parishes, which will benefit from the protection system, to contribute to the funding.

Commissioner Minvielle asked the Board for permission to allow the Executive Director and Administrative Assistant to contact Port businesses and ask them to disseminate copies of the flyers to their employees in an effort to "get the word out" about the upcoming election and important item on the ballot for consideration. Discussion ensued. It was the consensus of the Board that the Executive Director and Administrative Assistant contact Port Businesses and provide the businesses with the flyers for distribution.

(b) Status of Lease Agreement Between Southern Recycling, L.L.C. & the POI Regarding Tract "M" (18.08 acres) Located on the Newly Acquired Port Millennium Expansion Phase II Property Site.

The Executive Director reported that the Port Attorney has reviewed and approved the

Lease Agreement between Southern Recycling, L.L.C. and the POI regarding Tract "M" (18.08 acres) located on the newly acquired Port Millennium Expansion Phase II Property Site. A team of attorneys for Southern Recycling, L.L.C. are currently reviewing the Lease Agreement. It is denoted that at the February 19, 2013 Board meeting, the motion passed was for the POI to enter into a Lease Agreement with European Metal Recycling (EMR); however, the Lease Agreement is between Southern Recycling, L.L.C. and the Port of Iberia District. It is further noted that EMR bought out Southern Recycling, L.L.C. and Southern Recycling just recently commenced replacing branding to EMR branding.

- (c) **Discuss the All Points Oilfield Services, L.L.C. 4,174 sq. ft. Wooden Office Building (Lots 77-82) as it Relates to the Construction of an Exterior Stairwell to be Constructed by All Points Oilfield Services, L.L.C.**

*****Consider Engaging Mr. Gerald Gesser, Architect, for the Design, Fire Marshal Approval, and Inspection of the Project.**

The Executive Director indicated to the Board that several years ago a 4,174 sq. ft. wooden office building was relocated from Allen Process Systems to All Points Equipment (Lots 77-82). The office building possessed an exterior stairwell when it was at the Allen Process Systems property site; however, when the office building was relocated, the exterior stairwell had become deteriorated and could not be used. The second floor of the structure does possess an interior stairwell which has been used for storage space. All Points Equipment would like to occupy the second floor for office personnel. This would require a Fire Exit (exterior stairwell) from the second floor. This would also classify as a "new construction" to an existing facility. The Executive Director met with representatives of All Points Equipment. All Points Equipment plans on providing the labor and materials associated with this project, as well as performing the construction. The Executive Director suggested that the Port engage an architect to oversee the design and inspection for the construction of the Project since it is a Port-Owned Facility. He presented a proposal dated March 15, 2013 from Mr. Gerald Gesser, Gesser Group in the amount of \$3,500.00 regarding same. Discussion ensued.

A motion was made by Commissioner Frank Minvielle, seconded by Commissioner Danny J. David, Sr., to approve and authorize the Executive Director to engage Mr. Gerald Gesser, Gesser Group, to provide the necessary architectural services to oversee the design and inspection for the construction of a second floor exit stairwell at the All Points Equipment 4,174 sq. ft. wooden office building (Port-Owned) located on Lots 77-82 at the Port of Iberia, in the amount of \$3,500.00; and motion further acknowledges that the labor, materials, and construction costs for the project will be provided by the tenant.

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

Yeas: Gene Jefferies, Mike Resweber, Danny J. David, Sr., Larry G. Rader, and Frank Minvielle.

Nays: None.

Absent at Voting: Mark Dore' and Millie Martinez.

And the motion was therefore passed on this the 19th day of March 2013.

(d) 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 presented an email dated March 19, 2013 from Mr. Wayne Derouen with Royal Securities Solutions, Inc., which indicates that the delay of the project is due to engineering drawings being approved by Columbia Pipeline Company for trenching across the pipeline.

(e) Iberia Parish Government Bridge Replacement Project.

The Executive Director presented an email dated March 15, 2013 from Mr. T. J. Savoy, Sellers and Associates, Inc., which indicates that the concrete barrier rails have been installed and the west approach slab is being poured. Anticipated work in the future includes pouring the east approach slab and installing the base for the roadway transitions, weather permitting. The Executive Director reported that the Port Road Bridge over Commercial Canal is scheduled to be reopened in May 2013.

(f) Status of Updating the Compensation Plan Administration Pay Structure Adopted October 17, 2006.

The Executive Director presented the Board with a binder which provided the report compiled by Mr. Earnest Archer, The Archer Company, regarding updating the POI Compensation Plan Pay Structure adopted October 17, 2006, for their review and to be discussed at a later date. Discussion ensued. It was the consensus of the Board to bring this Agenda item to the Finance Committee for further review and discussion. The Executive Director pointed out that Mr. Archer would be available by telephone conferencing for the Finance Committee Meeting. It was noted that Commissioner Frank Minvielle is the Chairman of the Finance Committee. Committee Members are Commissioners Millie Martinez and Danny J. David, Sr.

(g) Status of Port Attorney's Preparation of the POI Third Amendment to General Conditions of Lease as it Relates to Future Port Tenants and Certificate of Insurance Requirements, etcetera.

*****Report from Commissioner Larry Rader.**

Commissioner Larry Rader reported to the Board that he had polled various insurance companies with regards to any charges that could possibly be associated with the Port requiring an "endorsement" issued by the insurer, rather than a "certificate" issued by an agent. The cost ranged from \$150.00 to \$300.00 depending on the wording added to the endorsement.

The Port Attorney indicated that the Third Amendment to General Conditions of Lease does not apply to current tenants having to provide the Port with an endorsement;

however, it would apply to future tenants and new leases as well as any contractor performing work for the Port of Iberia. It is also noted that the current language will still apply as it relates to the POI being named as an additional insured under all insurance contracts. Discussion ensued.

A motion was made by Commissioner Larry Rader, seconded by Commissioner Mike Resweber, to approve and adopt the Third Amendment to General Conditions of Lease, prepared by the Port Attorney, as it relates to Certificate of Insurance Policy Requirements and Endorsements to be provided to the Port of Iberia District by Port tenants, or others performing work for the Port of Iberia under any contract.

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

Yeas: Gene Jefferies, Mike Resweber, Danny J. David, Sr., Larry G. Rader, and Frank Minvielle.

Nays: None.

Absent at Voting: Mark Dore' and Millie Martinez.

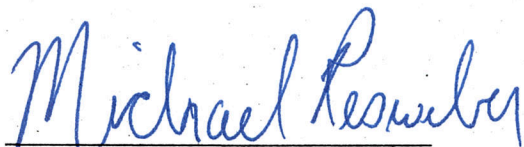
And the motion was therefore passed on this the 19th day of March 2013.


(h) Announcements:

***GPAA Spring Meeting April 10-12, 2013, Pensacola, FL.

VII. ADJOURNMENT.

On a motion made by Commissioner Frank Minvielle, seconded by Commissioner Mike Resweber, the meeting was adjourned at 6:45 p.m.


SECRETARY-TREASURER


PRESIDENT