

**PORT OF IBERIA DISTRICT  
BOARD OF COMMISSIONERS  
REGULAR MEETING - TUESDAY, SEPTEMBER 20, 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, September 20, 2011, at 5:30 P.M.

In attendance were Commissioners Danny J. David, Sr., President, Raymond Bernard, Jr., Vice-President, Frank Minvielle, Gene Jefferies, Mark Dore', and Mike Resweber.

Commissioners absent were Millie Martinez and Frank Minvielle.

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

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

**I. APPROVAL OF MINUTES**

On a motion by Commissioner Raymond Bernard, Jr., seconded by Commissioner Mark Dore', the Commission approved the minutes of the Regular meeting held on Tuesday, August 16, 2011.

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

Yeas: Danny J. David, Sr., Raymond Bernard, Jr., Gene Jefferies, Mark Dore', and Mike Resweber.

Nays: None.

Absent at Voting: Millie Martinez and Frank Minvielle.

And the motion was therefore passed on this the 20th day of September 2011.

**II. DISCUSS/CONSIDER THE SUBMISSION OF A JOINT CAPITAL OUTLAY APPLICATION BY THE PORT OF IBERIA DISTRICT, CITY OF NEW IBERIA, AND THE IBERIA PARISH GOVERNMENT FOR FUNDING TO INSTALL LIGHTING AT THE INTERCHANGES OF LA 675 (JEFFERSON ISLAND ROAD), LA HIGHWAY 14 (CENTER STREET), AND LEWIS STREET.**

A motion was made by Commissioner Mark Dore', seconded by Commissioner Mike Resweber, to expand the Port of Iberia District Board of Commissioners Regular Meeting Agenda of Tuesday, September 20, 2011, to discuss/consider the submission of a Joint Capital Outlay Application by the Port of Iberia District, City of New Iberia, and the Iberia Parish Government for funding to install lighting at the

interchanges of LA 675 (Jefferson Island Road), LA Highway 14 (Center Street), and Lewis Street.

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

Yeas: Danny J. David, Sr., Raymond Bernard, Jr., Gene Jefferies, Mark Dore', and Mike Resweber.

Nays: None.

Absent at Voting: Millie Martinez and Frank Minvielle

And the motion was therefore passed on this the 20<sup>th</sup> day of September 2011.

The Executive Director presented an email dated September 19, 2011 from Mrs. Sally Angers, CAO with Iberia Parish Government regarding a joint (POI, City of New Iberia, & Iberia Parish Government) Capital Outlay Request for intersection lighting along Highway 90. The Executive Director indicated that in 2003, the Port attempted to obtain funding for lighting at the Lewis Street interchange (LA 675), and was unsuccessful. The financial obligation is unknown at this time, and there have only been preliminary discussions regarding the concept for joint participation. Discussion ensued.

A motion was made by Commissioner Gene Jefferies, seconded by Commissioner Mark Dore', to approve the concept of the submission of a Joint Capital Outlay Application by the Port of Iberia District, City of New Iberia, and Iberia Parish Government for funding to install lighting at the interchanges of LA 675 (Jefferson Island Road), LA Highway 14 (Center Street), and Lewis Street, and motion further authorizes the Executive Director to continue to work with the City of New Iberia and Iberia Parish Government and provide a Resolution to the Board for further 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., Gene Jefferies, Mark Dore', and Mike Resweber.

Nays: None.

Absent at Voting: Millie Martinez and Frank Minvielle

And the motion was therefore passed on this the 20<sup>th</sup> day of September 2011.

**III. DISCUSS AND/OR DISTRIBUTE THE FOLLOWING:**

- (a) Budget Summary For Two (2) Months Ending August, 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 Two (2) months ending August, 2011. A listing of bills to be paid for the month of September 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 Gene Jefferies, to approve and authorize the payment of bills for September 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., Gene Jefferies, Mark Dore', and Mike Resweber.

Nays: None.

Absent at Voting: Millie Martinez and Frank Minvielle

And the motion was therefore passed on this the 20th day of September 2011.

#### IV. RATIFICATION OF RENEWAL OF CERTIFICATE OF DEPOSIT.

A motion was made by Commissioner Raymond Bernard, Jr., seconded by Commissioner Mike Resweber, to approve and ratify the renewal of Certificate of Deposit Number 1144084 (Diamond Offshore Company Security Deposit) which matured on August 18, 2011, with Iberia Bank for twelve (12) months at the rate of 0.50% and 0.50% A.P.Y.

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

Yeas: Danny J. David, Sr., Raymond Bernard, Jr., Gene Jefferies, Mark Dore', and Mike Resweber.

Nays: None.

Absent at Voting: Millie Martinez and Frank Minvielle

And the motion was therefore passed on this the 20th day of September 2011.

#### V. LA State Representative Simone Champagne, Incumbent District 49, to Address the Board Regarding the Announcement of her Candidacy for Re-Election.

Representative Simone Champagne, District 49, was unable to attend the Commission meeting to address the Board regarding the announcement of her candidacy for re-election to the Louisiana House of Representatives. The general election will be held on Saturday, October 22, 2011. Representative Champagne had a conflict in her schedule and she had to attend a political forum regarding the District 49 race.

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

\*\*\*Status of Providence Engineering & Environmental Group, LLC Additional Sampling and Re-Evaluating the Property Site for a Criteria Called "Non-Industrial", etcetera.

The Executive Director reported that Mr. Jimmy Shea has indicated that not all the issues have been resolved regarding the Conveyance Notification, Area of Investigation #3, The Bayou Companies. Additional investigations have been performed, and Mr. Shea is waiting for the LA DEQ to respond.

**VII. REPORT FROM PROJECT ENGINEER MR. DAVID BOURQUE, PENSICO 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):**

The Project Engineer reported that 90% of the platforms have been installed inside/outside of the building. The cranes have been installed. The project is 95% complete.

**{1} Discuss/Consider Change Order Number 3.**

Change Order Number 3 was presented for review and discussion. The purpose of Change Order Number 3 is a result of unpredictable changes during construction. The changes include (a) Addition to Building Electrical; (b) Change Coiling Door on West Side of Lean-To from 20' x 25' to 20' x 18' 6"; (c) Add 2' x 10' extension to indoor metal platform; and (d) a deduct for Port Commission Plaque which was deemed as "not needed". The amount of the Project cost overrun is \$7,173.00, with the revised contract amount being \$2,297,348.63. A motion was made by Commissioner Raymond Bernard, Jr., seconded by Commissioner Mark Dore', to accept and approve Change Order Number Three regarding State Project Number 578-23-0019 for the Construction of a 75' x 240' 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} Addition to Building Electrical; {2} Change Coiling Door on West Side of Lean-To from 20' x 25' to 20' x 18' 6"; {3} Add 2' x 10' extension to indoor metal platform; and {4} Deduct for Port Commission Plaque which was deemed as "not needed"; and motion further approves that the amount of the Project cost overrun for the additions/deduction is \$7,173.00; with the revised contract amount at \$2,297,348.63 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., Gene Jefferies, Mark Dore', and Mike Resweber.**

**Nays: None.**

**Absent at Voting: Millie Martinez and Frank Minvielle**

**And the motion was therefore passed on this the 20th day of September 2011.**

**{2} Discuss/Consider Change Order Number 4.**

Change Order Number 4 was presented for review and discussion. The purpose of Change Order Number 4 is to add 20 working days to the contract due to the changes in Change Order Number 3 and the delay caused by the tenant's request to change the size of the building cranes. This brings the revised total contract working days to 166.

**A motion was made by Commissioner Mark Dore', seconded by Commissioner Raymond Bernard, Jr., to accept and approve Change Order Number Four regarding State Project Number 578-23-0019 for the Construction of a 75' x 240' Building, Utilities, & Site Stabilization @ Lots 77-82 (All Points Equipment Company), in which said Change Order increases the contract days by an additional 20 days; and motion further approves that the revised total contract working days is 166; 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., Gene Jefferies, Mark Dore', and Mike Resweber.

Nays: None.

Absent at Voting: Millie Martinez and Frank Minvielle

And the motion was therefore passed on this the 20th day of September 2011.

**{3} Discuss/Consider Substantial Completion.**

The Project Engineer indicated that the project may be substantially complete before the next Board meeting on October 18, 2011. The Fire Marshal Inspection is scheduled to take place on September 27, 2011. Discussion ensued.

A motion was made by Commissioner Mark Dore', seconded by Commissioner Gene Jefferies to approve and authorize the preparation of the Substantial Completion documents, regarding State Project Number 578-23-0019 for the Construction of the 75' x 240' Building, Utilities, & Site Stabilization @ Lots 77-82 (All Points Equipment Company), contingent upon the approvals of the Executive Director, Project Engineer and Fire Marshal; and motion further acknowledges that the 45-day lien period commence upon the recordation of the Substantial Completion instrument.

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

Yeas: Danny J. David, Sr., Raymond Bernard, Jr., Gene Jefferies, Mark Dore', and Mike Resweber.

Nays: None.

Absent at Voting: Millie Martinez and Frank Minvielle

And the motion was therefore passed on this the 20th day of September 2011.

**{4} Contractor Request for Payment Number 7.**

A motion was made by Commissioner Mike Resweber, seconded by Commissioner Gene Jefferies, to approve and authorize Contractor's Application for Payment Number 7 in the amount of \$327,981.97, to Quality Concrete Contractors, Inc., for the period August 3, 2011 thru September 6, 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., Gene Jefferies, Mark Dore', and Mike Resweber.

Nays: None.

Absent at Voting: Millie Martinez and Frank Minvielle

And the motion was therefore passed on this the 20<sup>th</sup> day of September 2011.

**{5} Engineer's Request for Payment Numbers 8 & 9.**

A motion was made by Commissioner Raymond Bernard, Jr., seconded by Commissioner Gene Jefferies, to approve and authorize payment of Request for Payment Number 8 (Invoice #12426) in the amount of \$13,395.00, to PENSICO for engineering services rendered for the period July 1, 2011 thru July 31, 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., Gene Jefferies, Mark Dore', and Mike Resweber.

Nays: None.

Absent at Voting: Millie Martinez and Frank Minvielle

And the motion was therefore passed on this the 20<sup>th</sup> day of September 2011.

A motion was made by Commissioner Mark Dore', seconded by Commissioner Mike Resweber, to approve and authorize payment of Request for Payment Number 9 (Invoice #12447) in the amount of \$13,338.00, to PENSICO for engineering services rendered for the period August 1, 2011 thru August 31, 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., Gene Jefferies, Mark Dore', and Mike Resweber.

Nays: None.

Absent at Voting: Millie Martinez and Frank Minvielle

And the motion was therefore passed on this the 20<sup>th</sup> day of September 2011.

**{6} Geotechnical Testing Approval of Invoice.**

A motion was made by Commissioner Raymond Bernard, Jr., seconded by Commissioner Gene Jefferies, to approve and authorize payment of Invoice Number 36-18655 in the amount of \$250.00, to Louisiana Testing & Inspection Inc., regarding services rendered for August 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., Gene Jefferies, Mark Dore', and Mike Resweber.

Nays: None.

Absent at Voting: Millie Martinez and Frank Minvielle

And the motion was therefore passed on this the 20<sup>th</sup> day of September 2011.

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

**(a) POI Administrative Office Soffit Repairs.**

**\*\*\*Discuss/Approve Change Order Number 1**

The Project Architect presented a copy of the Proposal and Specifications for the POI Administrative Office Soffit Repairs Project, dated August 26, 2011, from Acadiane' Renovations, Ltd., Commercial & Industrial Building Contractor to the Board for review. The proposal is in the amount of \$5,885.00. The Executive Director signed the acceptance on August 30, 2011 in order for the contractor to commence the project. In addition, the Project Architect presented Change Order Number 1 (email dated September 19, 2011), for review and discussion. The budgetary amount allocated towards the POI Administrative Office Soffit Repairs Project is \$8,000.00. It has been determined that there are areas of the POI Administrative Office which will require additional repairs. The Contractor has indicated that he can perform the additional repair work for a cost of \$1,585.00. This would allow him to complete the originally specified work and the replacement of additional hidden damages. The Project Architect also spoke with Mr. Durk Viator, Tilden Bonin Painting, and the costs for the required painting of all of the new exposed wood is \$450.00. The Project Architect's fee will be \$500.00. Therefore, the Project Architect requested that the budget for the Project be adjusted by \$500.00 for a total project cost of \$8,500.00.

**A motion was made by Commissioner Gene Jefferies, seconded by Commissioner Mark Dore', to approve and authorize Change Order Number 1 for the Port of Iberia Administrative Office Soffit Repairs Project by adjusting the previously adopted budgetary amount of \$8,000.00, up by \$500.00 to \$8,500.00; in order to include the cost of \$1,585.00 for the Contractor to complete the originally specified work and the replacement of additional hidden damages, the cost of \$450.00 for the painting of all of the new exposed wood, and professional fees in the amount of \$500.00.**

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

**Yeas: Danny J. David, Sr., Raymond Bernard, Jr., Gene Jefferies, Mark Dore', and Mike Resweber.**

**Nays: None.**

**Absent at Voting: Millie Martinez and Frank Minvielle**

**And the motion was therefore passed on this the 20<sup>th</sup> day of September 2011.**

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

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

**{1} Status of the LA DOTD's, Release of the \$8 Million in Capital  
Outlay Funding to the POI, to Supplement the Current Port Priority  
Funding Allocation in Order to Commence the Port Site Bulkhead**

**Relocation Phase II-A Project (AGMAC).**

**{2} Update on the Advertisement for Bid.**

Mr. Ben Malbrough, Shaw Coastal, Inc., reported that the bid documents are in the process of being prepared in order to advertise for bid. The Executive Director and Mr. O'Neil Malbrough recently met with the LA DOTD, and the Executive Director made a Powerpoint Presentation relative to the significant importance of the Port commencing the Port Site Bulkhead Relocation Phase II-A Project as it relates to the AGMAC. The LA Division of Administration has also requested that the Executive Director make a presentation before making a final decision as to whether or not the Port of Iberia may move forwards with this project. The Executive Director plans on making that Powerpoint Presentation in the near future. Discussion ensued.

**A motion was made by Commissioner Mark Dore', seconded by Commissioner Gene Jefferies, to approve and authorize payment of Invoice Number 632553-R8-00501 in the amount of \$6,039.76, to Shaw Coastal, Inc., for the period August 1, 2011 thru August 31, 2011 (100% reimb to POI by DOTD), regarding the AGMAC Bulkhead Relocation & Design Phase IIA Project, in accordance with the contract between the POI and Shaw Coastal, Inc., dated September 3, 2002 and Amendment Number 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., Gene Jefferies, Mark Dore', and Mike Resweber.**

**Nays: None.**

**Absent at Voting: Millie Martinez and Frank Minvielle**

**And the motion was therefore passed on this the 20<sup>th</sup> day of September 2011.**

**(b) Status of AGMAC Project.**

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

Discussion ensued and there was no action taken on this item.

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

Mr. Ben Malbrough reported that he has received a "Draft" Permit from the LA DNR. Mr. Malbrough anticipates to receive the "Final" Permit in the near future. The USACE Permit is in the process of being reviewed by the Engineering Department. Discussion ensued.

**A motion was made by Commissioner Raymond Bernard, Jr., seconded by Commissioner Mike Resweber, to approve and authorize payment of Invoice Number 632554-R8-00501 in the amount of \$2,429.00, to Shaw Coastal, Inc., for the period August 1, 2011 thru August 31, 2011 (not reimb to POI by DOTD), regarding the Port's General Permit for Channel Maintenance and Bulkhead Construction, in accordance with the contract between the POI and Shaw Coastal, Inc., dated September 3, 2002 and Amendment Number 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., Gene Jefferies, Mark Dore', and Mike Resweber.**



**Nays: None.**

**Absent at Voting: Millie Martinez and Frank Minvielle**

**And the motion was therefore passed on this the 20<sup>th</sup> day of September 2011.**

**(d) Maintenance Dredging of Slip C-8:**

**{1} Update on Advertisement for Bid.**

Mr. Ben Malbrough reported that the Maintenance Dredging of Slip C-8 Project is being held up because of the delays of the issuance of the Port's General Permit for Channel Maintenance and Bulkhead Construction. Once the Permit has been received, the Project will be advertised for bid. Commissioner Raymond Bernard, Jr., expressed his concern with regard to the delays. Commissioner Bernard feels that the delays will probably hinder Mr. Ben LeBlanc, LeBlanc Marine, operations once the weather changes in the Fall/Winter. The Executive Director met with Mr. LeBlanc, and the recent north wind definitely had an impact on his operations. Discussion ensued.

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

**{1} Update on Advertisement for Bids - September 16, 2011 on the 160' x 70' 1800 Ton Dry Dock & Slip C-2 Modifications.**

**{2} Update on History/Timeline of the Project Relative to Unforeseen Circumstances and/or Substantial Changes.**

Mr. Ben Malbrough presented a spreadsheet depicting the tabulation of bids for the Central Gulf Shipyard, L.L.C. Dredging Project. The bids were received on September 16, 2011. There were five (5) bids submitted. The lowest responsible bidder was Lowland Construction in the amount of \$310,800.00. The budgeted construction amount for this Project is \$230,000.00. The POI has 45 days to issue a Notice of Award. The Executive Director met with Mr. Matt Matherne, Central Gulf Shipyard, to discuss a path forward. Central Gulf is extremely busy at this time fabricating a Jack-Up Workboat. The Permit does not expire until September of 2012. The Executive Director is waiting for a response from the tenant on which direction the tenant would like to pursue. Discussion ensued.

**A motion was made by Commissioner Mark Dore', seconded by Commissioner Mike Resweber, to accept the five (5) bids received on September 16, 2011 on the Central Gulf Shipyard, L.L.C. Dredging Project, and motion further authorizes that the bids received be taken under advisement.**

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

**Yeas: Danny J. David, Sr., Raymond Bernard, Jr., Gene Jefferies, Mark Dore', and Mike Resweber.**

**Nays: None.**

**Absent at Voting: Millie Martinez and Frank Minvielle**

**And the motion was therefore passed on this the 20<sup>th</sup> day of September 2011.**

**X. REPORT FROM EXECUTIVE DIRECTOR ON:**

**(a) Discuss Potential Construction of a Rail Spur to Excalibar Minerals.**

The Executive Director reported that negotiations are ongoing relative to the potential

construction of a rail spur to Excalibar Minerals. Mr. David Bourque, PENSCO, is currently preparing the cost estimates regarding same.

**(b) Iberia Parish Government Bridge Replacement Project.**

The Executive Director presented a copy of a Press Release issued by the Iberia Parish Government Public Works Department, relative to the notification that the Port Road Bridge over the Rodere Canal will be closed beginning on Monday, September 19, 2011 at 7:00 a.m. The Port Road Bridge will be closed approximately 90 days weather permitting.

The Executive Director presented an invoice from the Iberia Parish Government in the amount of \$265,511.00. This is in regards to the 2010 Road Project that the Port of Iberia District participated in as a result of a cost share measurement. The referenced amount is in accordance with Article II of the Intergovernmental Agreement between the Iberia Parish Government and the Port of Iberia District dated September 16, 2010. It was the consensus of the Board that the intersection improvements were well done and have enhanced the Port of Iberia.

**A motion was made by Commissioner Raymond Bernard, Jr., seconded by Commissioner Gene Jefferies, to approve and authorize the payment of the invoice dated September 9, 2011 in the amount of \$265,511.00, to the Iberia Parish Government for the 2010 Road Project, in accordance with Article II of the Intergovernmental Agreement between the Iberia Parish Government and the Port of Iberia District dated September 16, 2010.**

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

**Yeas: Danny J. David, Sr., Raymond Bernard, Jr., Gene Jefferies, Mark Dore', and Mike Resweber.**

**Nays: None.**

**Absent at Voting: Millie Martinez and Frank Minvielle**

**And the motion was therefore passed on this the 20<sup>th</sup> day of September 2011.**

**(c) Report on Port Millennium Expansion Phase II Project.**

- {1} Update on the U.S. Dept. of Commerce Economic Development Administration (EDA) Application for Supplemental Funding Assistance of a Port Improvement Project as it Relates to the TIF Allocated Funding to the POI District.**
- {2} Update on the Delta Regional Authority (DRA) Application for Supplemental Funding Assistance of a Port Improvement Project as it Relates to the TIF Allocated Funding to the POI District.**
- {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.**
- {4} Update from Port Attorney on Navigation Servitude.**

The Executive Director reported that the EDA Application in the amount of \$1.4 Million was submitted to the EDA on September 14, 2011. The Port should receive a response by the end of October 2011.

The Executive Director presented notification from the Delta Regional Authority (DRA), dated September 6, 2011, relative to the Port's DRA Application Eligibility and Priority Designation. There were 160 applications submitted through Local Development Districts from the eight State region. The DRA has made the initial determination that the Port's Project Application, in the amount of \$334,000.00, is eligible and the DRA Board will vote on the Port's Project Application on September 21, 2011 and notices of funded and unfunded projects will be sent prior to September 30, 2011.

The Port Attorney has determined that a modified abandonment is not appropriate with regards to the construction of a cul-de-sac and barricade placement between the end of the road and Slip C-8. The issue will have to be addressed as a new servitude. The Port Attorney plans on combining the road area with the navigation servitude. The Executive Director and Mr. Jimmy Shea plan to meet in the near future to commence discussions on the servitude.

- (d) **Update on Environmental Compliance Solutions, LLC, Operations:**
- {1} **Status of Tract "I-2": Clean Environmental Phase I; Evidence ECS Compliance w/LA DEQ Compliance Order Issued; Property Site Clean & Acceptable.**
  - {2} **Board President Execution of a Cancellation of Lease Agreement between Environmental Compliance Solutions, LLC & the POI Regarding Tract "I-2" (2.0 Acres), Located @ Port Expansion Property Site.**
  - {3} **Board President Execution of 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 reported that the Environmental Phase I was delivered this meeting date. There are two (2) issues which need to be resolved: {1} There is no evidence that the Compliance Order which was issued in December 2009 was ever actually addressed as it relates to the Hydrocarbon Stains (oil) located on the property site; and {2} There are wash rack sumps located on the property site which are a Recognized Environmental Condition (REC). EDI Environmental Services, Inc., recommends that soil sampling should be conducted around each sump to determine if any contamination may exist. This requires a Phase II to be performed. Mr. George Bevan, ECS, is aware of this situation. Discussion ensued.

**(e) Update on the Port TIF Priority Projects Submitted to the Iberia Parish Council.**

The Executive Director reported that the litigation has been resolved. The Iberia Parish Government may now proceed to move forwards. There has been some discussion about changing the TIF boundary lines. The Executive Director met this meeting date with officials of the Iberia Parish Government to discuss same. The Iberia Parish Government is in the process of re-drawing the lines around the TIF. An Ordinance is scheduled to be introduced at a future Iberia Parish Council meeting. The Parish plans to go before the LA Bond Commission (\$10 Million bond issue) sometime in November 2011. Discussion ensued.

**(f) Discuss/Approve Amendment Number One to the 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 Mike Resweber, seconded by Commissioner Raymond Bernard, Jr., to approve and authorize the Board President to execute Amendment Number 1 to the Sublease Agreement between Advanced Welding Services, Gilchrist Construction Company, and the Port of Iberia District, regarding 2.5 - 3.0 acres on Tract "H" located at the Port Expansion Property Site, with said Amendment extending the sublease date from September 5, 2011 to December 31, 2011.

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

Yeas: Danny J. David, Sr., Raymond Bernard, Jr., Gene Jefferies, Mark Dore', and Mike Resweber.

Nays: None.

Absent at Voting: Millie Martinez and Frank Minvielle

And the motion was therefore passed on this the 20<sup>th</sup> day of September 2011.

**(g) Discuss/Consider Authorization for Board President to Execute the Compromise & Settlement Agreement between Wayne M. Labiche, Wayne M. Labiche Engineering, L.L.C. and the Port of Iberia District.**

The Port Attorney provided the Board with a synopsis of the invoices submitted by Mr. Wayne Labiche, Wayne M. Labiche Engineering, L.L.C., and the contents of the Compromise and Settlement Agreement presented to the Board this meeting date. Discussion ensued. The following was offered for adoption:

**RESOLUTION  
BOARD OF COMMISSIONERS  
PORT OF IBERIA DISTRICT**

A meeting of the Board of Commissioners of the PORT OF IBERIA DISTRICT was held on the 20th day of September, 2011 at New Iberia, Louisiana.

Upon motion duly made by Commissioner Raymond Bernard, Jr., seconded by Commissioner Mark Dore', it was:

RESOLVED that the Board President, be and he is hereby authorized to execute and sign on behalf of the PORT OF IBERIA DISTRICT, appearing through its governing authority, the Board of Commissioners, a COMPROMISE AND SETTLEMENT AGREEMENT between Wayne Labiche, personally, and as the authorized representative of WAYNE M. LABICHE ENGINEERING, L.L.C., and the Port of Iberia District, regarding the settlement of engineering fees alleged to be due by the Port of Iberia District to Wayne M. Labiche Engineering, L.L.C. for services rendered in connection with the following projects, and in accordance with the following listed invoices:

1. Invoice No. 0003520, dated May 14, 2009 for Project: 0600-10, POI -WPS Bulkhead Repair & Mitigation - Amount of \$13,449.00;
2. Invoice No.: 0003522, dated May 15, 2009 for Project: 09000-00, POI - Dynamic Industries Bulkhead Repair - Amount of \$1,986.60
3. Invoice No.: 0003967, dated March 4, 2011 for Project: 06015-11, POI - Dynamic Warehouse/Fab Shop PH II - Amount of \$9,228.75; and
4. Invoice No.: 0003968, dated March 4, 2011 for Project: 06015-11, POI -Dynamic Warehouse/Fab Shop PH II - Amount of \$73,785.00; and,

BE IT FURTHER RESOLVED THAT the President of the Board be, and he his hereby authorized, to sign a check in the amount of FIFTY THOUSAND AND NO/100 (\$50,000.00) DOLLARS, in full payment of said settlement.

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

Yeas: Raymond Bernard, Jr., Gene Jefferies, Mark Dore', and Mike Resweber.

Nays: None.

Abstain at Voting: Danny J. David, Sr.

Absent at Voting: Millie Martinez and Frank Minvielle

And the Resolution was therefore adopted on this the 20<sup>th</sup> day of September 2011.

(h) Announcements.

\*\*\*GPAA Fall Meeting - Nov. 9-11, 2011, Point Clear, Alabama.

\*\*\*AAPA 2012 Calendar of Seminars & Conferences.

XI. ADJOURNMENT.

On a motion by Commissioner Raymond Bernard, Jr., and seconded by Commissioner Mark Dore', the meeting was adjourned at 6:35 P.M.

  
SECRETARY-TREASURER

  
PRESIDENT