OFFICIAL PROCEEDINGS

ST. BERNARD PORT, HARBOR AND TERMINAL DISTRICT

REGULAR MONTHLY MEETING – AUGUST 2, 2011

 The Board of Commissioners of the St. Bernard Port, Harbor and Terminal District met for a public hearing on Tuesday, August 2, 2011, at 12:00 noon in the boardroom of its office located at 100 Port Boulevard, Chalmette, Louisiana.

 After the Pledge of Allegiance, roll was called.

 Members present were Mr. Bradley J. Cantrell, President; Mr. Elton J. LeBlanc, Vice President; Mr. Harold J. Anderson, Secretary; Mr. P. James DiFatta, Treasurer and Mr. Charles H. Reppel, Commissioner. Also present were Dr. Robert J. Scafidel, Executive Director; Ms. Denise Griffin, Executive Secretary; Mr. Drew Heaphy, Director of Administration; Mr. Jerry Graves, Director of Operations; Mr.’s David Fennelly and Gary Poirrier, Associated Terminals; Mr.’s David Boyd and Suresh Shah, Burk-Kleinpeter, Inc. and Mr.’s Elwood Cahill and James Garner, Sher Garner.

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

 On motion of Mr. LeBlanc, seconded by Mr. Anderson, the Board unanimously approved the minutes of the regular meeting held on July 12, 2011.

 On motion of Mr. DiFatta, seconded by Mr. LeBlanc, the Board unanimously approved the following resolution to hire outside counsel experienced in construction litigation and contracts:

 The Board of Commissioners of the St. Bernard Port, Harbor and Terminal District met in regular session on Tuesday, August 2, 2011 at 12:00 noon in the conference room of its office located at 100 Port Boulevard, Third Floor, Chalmette, Louisiana. Following the Pledge of Allegiance, roll was called.

 Mr. DiFatta offered a motion to adopt a resolution to hire Mr. Al Bordelon due to his extensive experience and knowledge in construction litigation and contracts.

$175.00 Per hour for attorneys having experience of ten years or more in the practice of law.

$150.00 Per hour for attorneys having experience of five years or more in the practice of law.

$125.00 Per hour for attorneys having experience of three to five years in the practice of law.

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$100.00 Per hour for attorneys having experience of less than three years in the practice of law.

$45.00 Per hour for paralegal services.

$25.00 Per hour for law clerk services.

 Mr. LeBlanc seconded the motion and the resolution was passed by the following roll call vote.

YEAS: 5

NAYS: 0

ABSTAINING: 0

ABSENT: 0

 /s/ Harold J. Anderson, Secretary

On motion of Mr. DiFatta, seconded by Mr. Anderson, the Board unanimously approved a new lease with Task Force, L.L.C. for 26,718 sq. ft. of warehouse space and 11,344 sq. ft. of laydown space located in the Chalmette Terminal.

On motion of Mr. LeBlanc, seconded by Mr. DiFatta, the Board unanimously approved a Consent Request for Cox Operating, LLC to install a 6” pipeline located in Eloi Bay Field Block 48, Chandeleur Sound Area, St. Bernard, La.

On motion of Mr. Anderson, seconded by Mr. DiFatta, the Board unanimously approved the following resolution certifying compliance with public bid laws for the Administration/Security Complex project:

 PARISH OF ST. BERNARD

RESOLUTION

St. Bernard Port, Harbor and Terminal District

 Whereas, the St. Bernard Port, Harbor and Terminal District has solicited bids for the Administration/Security Complex project in accordance with the current bid laws of the state of Louisiana, including, but not limited to R.S. 38:2211 et. seq; and

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 Whereas, the St. Bernard Port, Harbor and Terminal District has submitted to DOTD Certification of proof of publication, one (1) copy of the bid proposals and bid bonds as submitted by each of the three (3) lowest bidders, a legible copy of the bid tabulation of all bids received, and certified to be correct by the Engineer and an authorized official of the Sponsor, a copy of the engineer's recommendation, contract documents, Notice of Award of Contract, and a copy of the recordation data in the Clerk of Court's Office.

 Now, therefore, be it resolved by the St. Bernard Port, Harbor and Terminal District, in regular session, assembled on this 2 day of August, 2011, does hereby certify that the bidding procedures comply with Louisiana Revised Statutes 38:2211, et. seq.

 /s/ Harold J. Anderson, Secretary /s/ Bradley J. Cantrell, President

President Cantrell recognized Mr. Heaphy who gave the Finance Report. Mr. Heaphy reported on the operating and capital budgets, Fiscal Year 2010/2011 Budget Revision, professional services and Lessee Arrears. President Cantrell thanked Mr. Heaphy for his report.

On motion of Mr. DiFatta, seconded by Mr. Anderson, the Board unanimously approved the Fiscal Year 2010/2011 Budget Revision.

President Cantrell recognized Dr. Scafidel who gave the Executive Director’s Report. Dr. Scafidel reported on the projection equipment installed in the board room, construction, Callais Ice and the Annual Report.

Dr. Scafidel recognized Mr. Graves who gave a brief PowerPoint presentation on the Annual Report.

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

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

On motion of Mr. LeBlanc, seconded by Mr. Anderson, the Board unanimously approved to convene Executive Session at 12:40 p.m. to discuss litigation relating to the expropriation of the Violet Dock Port.

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The Board reconvened Regular Session at 1:11 p.m.

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

 /s/ Harold J. Anderson, Secretary