

**PORT OF IBERIA DISTRICT
BOARD OF COMMISSIONERS
REGULAR MEETING - TUESDAY, NOVEMBER 15, 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, November 15, 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, and Mike Resweber.

Commissioner Mark Dore' was absent.

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

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

I. APPROVAL OF MINUTES

On a motion by Commissioner Raymond Bernard, Jr., seconded by Commissioner Millie Martinez, the Commission approved the minutes of the Regular meeting held on Tuesday, October 18, 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, and Mike Resweber.

Nays: None.

Absent at Voting: Mark Dore'.

And the motion was therefore passed on this the 15th day of November 2011.

II. DISCUSS AND/OR DISTRIBUTE THE FOLLOWING:

- (a) Budget Summary For Four (4) Months Ending October, 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 Four (4) months ending October, 2011. A listing of bills to be paid for the month of November 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 Frank Minvielle, seconded by Commissioner Gene Jefferies, to approve and authorize the payment of bills for November 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, and Mike Resweber.

Nays: None.

Absent at Voting: Mark Dore'.

And the motion was therefore passed on this the 15th day of November 2011.

III. RATIFICATION OF RENEWAL OF CERTIFICATES OF DEPOSITS.

A motion was made by Commissioner Mike Resweber, seconded by Commissioner Frank Minvielle, to approve and ratify the renewal of Certificates of Deposit Number 20493, 20494, and 20495 which matured on October 12, 2011, with First National Bank of Jeanerette, for Six (6) months at the rate of 0.65% and 0.65% A.P.Y.

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

Yeas: Danny J. David, Sr., Millie Martinez, Frank Minvielle, Gene Jefferies, and Mike Resweber.

Nays: None.

Absent at Voting: Mark Dore' and Raymond Bernard, Jr.

And the motion was therefore passed on this the 15th day of November 2011.

A motion was made by Commissioner Frank Minvielle, seconded by Commissioner Mike Resweber, to approve and ratify the renewal of Certificate of Deposit Number 40001232516 which matured on October 14, 2011 with Iberia Bank, for Six (6) months at the rate of 0.40% and 0.40% A.P.Y.

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

Yeas: Danny J. David, Sr., Millie Martinez, Frank Minvielle, Gene Jefferies, and Mike Resweber.

Nays: None.

Absent at Voting: Mark Dore' and Raymond Bernard, Jr.

And the motion was therefore passed on this the 15th day of November 2011.

A motion was made by Commissioner Gene Jefferies, seconded by Commissioner Millie Martinez, to approve and ratify the renewal of Certificates of Deposit Numbers 40001378619, 40001378627, and 40001378635 with Iberia Bank, for Six (6) months at the rate of 0.40% and 0.40% A.P.Y.

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

Yeas: Danny J. David, Sr., Millie Martinez, Frank Minvielle, Gene Jefferies, and Mike Resweber.

Nays: None.

Absent at Voting: Mark Dore' and Raymond Bernard, Jr.

And the motion was therefore passed on this the 15th day of November 2011.

IV. 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 spoke with a representative of Providence Engineering. The LA DEQ has not completed their review of the additional work that the Bayou Companies performed as a result of the Port's request.

V. 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):

{1} Update on Substantial Completion (45 Day Lien Period).

{2} Engineer's Request for Payment Numbers 11.

{3} Geotechnical Testing Approval of Invoice.

The Project Engineer reported that the All Points Equipment Port Improvements Project is currently in the 45-day lien period. There are a few "punch list" items which remain to be completed by the contractor. The Project Engineer had no invoices to present for approval with regards to items {2} & {3}.

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

(a) POI Administrative Office Soffit Repairs.

The Project Architect reported that the POI Administrative Office Soffit Repairs Project is nearing completion. There are a few "punch list" items which need to be performed by the painter. The contractor has completed his portion of the scope of work assigned.

A motion was made by Commissioner Gene Jefferies, seconded by Commissioner Frank Minvielle, to approve and authorize the payment of Tilden A. Bonin, Contractor's invoice dated November 14, 2011 in the amount of \$450.00 for the Port of Iberia Administrative Office Soffit Repairs Project, contingent upon the Executive Director's approval of the work performed.

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, and Mike Resweber.

Nays: None.

Absent at Voting: Mark Dore'.

And the motion was therefore passed on this the 15th day of November 2011.

A motion was made by Commissioner Gene Jefferies, seconded by Commissioner Frank Minvielle, to approve and authorize the payment of Invoice Number 1 to Gesser Group, APA, in the amount of \$500.00, for architectural services provided for the Port of Iberia Administrative Office Soffit Repairs 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, and Mike Resweber.

Nays: None.

Absent at Voting: Mark Dore'.

And the motion was therefore passed on this the 15th day of November 2011.

VII. 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} Update on the Advertisement for Bid.

Mr. Glenn Ledet, Shaw Coastal, Inc. provided a report to the Board on behalf of Mr. O'Neil Malbrough. Mr. Malbrough was unable to attend the Board meeting due to unforeseen circumstances. A letter dated October 25, 2011 from the LA DOTD regarding the Port Improvements: Port-Site Bulkhead Relocations Phase II-A Project was presented for review. The letter depicts that said project has been approved for two construction contracts and assigned two State Project Names & Numbers: {1} State Project Number 578-23-0018/H.009021(321) Port Improvements - Port-Site Bulkhead Relocations Phase II-A Bulkheads 2 thru 4a (Phase I of SPN 578-23-0018/H.009021), and {2} State Project Number 578-23-0018/H.009021(322) Port Improvements - Port-Site Bulkhead Relocations Phase II-A Bulkhead 12 (Phase II of SPN 578-23-0018/H.009021).

The letter also stipulates that the total funding authority for the project is \$4,083,732. In future fiscal years, the project will receive priority for an additional \$3,476,262. For Phase I, the LA DOTD participation will be ninety percent (90%) of the construction cost, but not to exceed \$3,873,600. Funding for Phase II will be based on remaining and future funding.

Mr. Ledet reported that Mr. Malbrough, the Executive Director, and himself recently met with the USACE and discussed the Port's General Maintenance Dredging and Bankline Stabilization Permit and the AGMAC Bulkhead Relocation Phase IIA Project. The USACE has to approve the bulkhead plans and specifications in order for the Port to receive credit as matching funds. Mr. Ledet plans on meeting with the LA DOTD in the near future to obtain their approval for the three (3) Dynamic Bulkheads and the one (1) Chart Chemicals Bulkhead. Once the necessary approvals are received, it is anticipated that construction would commence in January 2012.

A motion was made by Commissioner Millie Martinez, seconded by Commissioner Raymond Bernard, Jr., to approve and authorize payment of Invoice Number 637642-R8-00501 in the amount of \$7,217.25, to Shaw Coastal, Inc., for the period October 1,

2011 thru October 28, 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., Millie Martinez, Frank Minvielle, Gene Jefferies, and Mike Resweber.

Nays: None.

Absent at Voting: Mark Dore'.

And the motion was therefore passed on this the 15th day of November 2011.

(b) Status of AGMAC Project.

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

The Executive Director reported that a meeting has been scheduled with Mr. Garret Graves, Executive Director of the LA CPRA, on November 28, 2011 to discuss the MCASE Cost Estimate.

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

{1} Discuss Procedural Guidelines for Port Companies Utilizing the General Permits.

Mr. Ledet reported that he plans on receiving the Port's General Permit for Channel Maintenance & Bulkhead Construction from the USACE on Thursday, November 17, 2011.

The Executive Director indicated that once the permit is received, internal procedures will need to be developed regarding the guidelines for Port companies utilizing the Port's General Permits. The Executive Director has drafted approximately 90% of the procedural guidelines; however, he is waiting on the language used in the USACE Permit before completing the document and presenting to the full Board for approval. Discussion ensued. **A motion was made by Commissioner Frank Minvielle, seconded by Commissioner Gene Jefferies, to approve and authorize payment of Invoice Number 637643-R8-00501 in the amount of \$986.00, to Shaw Coastal, Inc., for the period October 1, 2011 thru October 28, 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., Millie Martinez, Frank Minvielle, Gene Jefferies, and Mike Resweber.

Nays: None.

Absent at Voting: Mark Dore'.

And the motion was therefore passed on this the 15th day of November 2011.

**(d) Maintenance Dredging of Slip C-8:
{1} Update on Advertisement for Bid.**

Mr. Ledet reported that the Advertisement for Bid will be published in The Daily Iberian on Monday, November 21, 2011, Sunday, November 27, 2011, and Sunday, December 4, 2011. The bid opening will be on Friday, December 16, 2011 at the POI Administrative Office.

The Executive Director reported that he met with Mr. Ben LeBlanc recently, and Mr. LeBlanc plans on applying for a permit to deepen and widen his existing slip. Mr. LeBlanc will provide the Port with the plans and specifications for prior Board approval before he were to move forwards with performing the work.

VIII. REPORT FROM EXECUTIVE DIRECTOR ON:

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

The Executive Director reported that the negotiations are ongoing. Exxon Mobile has not provided a cost estimate to date regarding the pipeline crossing. In addition, Excalibar Minerals would like to bury some electrical lines on their property, and Entergy is in the process of compiling the cost estimate for the burial of the lines. After all of the cost estimates have been received, Excalibar Minerals will decide if they would like the Port to pursue applying for Port Priority funding or fund the project themselves.

(b) Iberia Parish Government Bridge Replacement Project.

The Executive Director presented an email dated November 14, 2011 from Mr. Kevin Hagerich, Iberia Parish Government Public Works Director, relative to the Iberia Parish Government Bridge Replacement Project.

(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.

The Executive Director presented a letter dated November 4, 2011 from the U.S. Department of Commerce Economic Development Administration regarding the Port's application for supplemental funding assistance of a Port Improvement Project as it Relates to the TIF Allocated Funding to the POI District.

The \$1.4 Million application submitted by the POI was denied. The EDA evaluation determined that the Port's proposal did not compete favorably with other proposals from throughout the five states served by the Austin Regional Office. In addition, budget constraints played a role in the decision also (cut from \$40 Million to \$10 Million). Another determining factor which contributed to the decision is that the Port did not possess any new Lease Agreements on the new expansion property site.

As a result, the Executive Director plans on providing the full Board with a suggested budget, for their review and consideration, with regards to the funding of the \$8.4 Million Project.

{2} Update from Port Attorney on Navigation & Road Servitude from the Shea Family with Regards to the Construction of a Cul-de-Sac & Barricade Placement between the end of the Road and Slip C-8.

The Executive Director met with Mr. Jimmy Shea recently on the Navigation & Road Servitude. Mr. Shea had some concerns and/or issues and asked the Executive Director to address them. The Executive Director met with the POI officers and he has prepared responses to those issues. The Executive Director is also waiting on cost estimates. He will meet with Mr. Shea in the future to discuss.

- (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.**

Due to unforeseen circumstances, the Port Attorney was unable to attend the Board meeting and provide a report on the above items.

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

The Executive Director has had discussions with the Iberia Parish President, as well as the Bonding Attorney for the Iberia Parish Government regarding the Port TIF Priority Projects. Tentatively, the bond is scheduled to be reviewed by the Bond Commission in December 2011. The Executive Director stated that he hopes that the \$5 Million pledged to the Port of Iberia would be available in March 2012. The Executive Director has requested from the bond counsel a specific "time schedule" once formulated.

(f) Update on Ship Tracks Vessel Tracking System.

The Executive Director presented an email dated October 31, 2011 from Ms. Kristie Buddenbaum, Ship Tracks, L.L.C. outlining their services and associated costs. The monthly cost would be \$250.00 or \$3,000.00 a year. This would include a single license for \$99/month; Pro-package upgrade for \$49.00/month/license (this provides the Port with

reports, Ship Notes, and group share); and unlimited history upgrade for \$99.00/month/license. In addition, the Port can request a formal comprehensive report be done by Ship Tracks in the event of an incident (Reports are \$1,500.00). Subscribers can pay either monthly, quarterly, or annually. The Executive Director also presented a report for the period October 17, 2011 thru October 28, 2011 relative to the vessels entering and exiting the Port during that time frame, as well as the vessel name, etcetera. The report was generated at the end of the Port's "free" two-week trial period. Lengthy discussion ensued. The Executive Director reported that LeBlanc Marine has this system in place, with a receiver located on his property site. Further discussion ensued.

A motion was made by Commissioner Raymond Bernard, Jr., seconded by Commissioner Frank Minvielle, to take the information provided on the Ship Tracks Vessel Tracking System under review in an effort to better understand the reporting mechanism of the system, as well as understanding LeBlanc Marine's experience with having the system in place; and motion further stipulates that this matter be reviewed during the budget preparation in May 2012 for fiscal year July 2012 thru June 2013.

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, and Mike Resweber.

Nays: None.

Absent at Voting: Mark Dore'.

And the motion was therefore passed on this the 15th day of November 2011.

- (g) **Discuss/Consider Authorization for Board President to Execute a Second Amendment to Surface Lease between the Port of Iberia District and The Bayou Companies, L.L.C., Regarding Tract 1B (3.956 acres) at the Port of Iberia.**

The Port Attorney is currently reviewing the Second Amendment to Surface Lease between the Port of Iberia District and The Bayou Companies, L.L.C., regarding Tract 1B (3.956 acres) at the Port of Iberia.

- (h) **Announcements.**

***POI Administrative Office Holiday Schedule:

Christmas - Friday, December 23, 2011 & Monday, December 26, 2011.

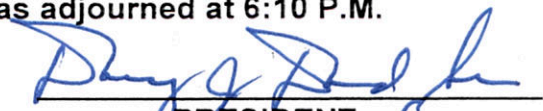
New Years- Friday, December 30, 2011 & Monday, January 2, 2012.

***Revised Statute 42:1170 Governmental Ethics Education & Training.

IX. ADJOURNMENT.

On a motion by Commissioner Raymond Bernard, Jr., and seconded by Commissioner Frank Minvielle, the meeting was adjourned at 6:10 P.M.


SECRETARY-TREASURER


PRESIDENT