

**PORT OF IBERIA DISTRICT  
BOARD OF COMMISSIONERS  
REGULAR MEETING - TUESDAY, APRIL 17, 2012  
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, Raymond Bernard, Jr., at the Port of Iberia Administrative Office, on Tuesday, April 17, 2012, at 5:30 P.M.

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

Commissioner Millie Martinez, Vice-President, was 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 Mike Resweber recited the opening prayer and Commissioner Raymond Bernard, Jr. recited the Pledge of Allegiance.

**I. APPROVAL OF MINUTES**

On a motion by Commissioner Frank Minvielle, seconded by Commissioner Gene Jefferies, the Commission approved the minutes of the Regular meeting held on Tuesday, March 27, 2012.

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

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

Nays: None.

Absent at Voting: Millie Martinez.

And the motion was therefore passed on this the 17th day of April 2012.

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

- (a) Budget Summary For Nine (9) Months Ending March, 2012.
- (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, 2012. A listing of bills to be paid for the month of April 2012 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 Danny David, Sr., seconded by Commissioner Mike Resweber, to approve and authorize the payment of bills for April 2012, and ratify those paid during the interim period.**

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

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

**Nays: None.**

**Absent at Voting: Millie Martinez.**

**And the motion was therefore passed on this the 17th day of April 2012.**

### **III. RATIFICATION OF RENEWAL OF CERTIFICATES OF DEPOSITS.**

There were no Certificate of Deposit renewals to approve or action to be taken. The Board will ratify the recently matured Certificates at the May 15, 2012 Regular Board Meeting.

### **IV. MR. HERFF JONES, EXECUTIVE DIRECTOR IBERIA PARISH MOSQUITO ABATEMENT DISTRICT, TO ADDRESS THE BOARD RELATIVE TO THE IBERIA PARISH MOSQUITO ABATEMENT DISTRICT PROGRAM.**

Mr. Herff Jones, Executive Director Iberia Parish Mosquito Abatement District, presented to the Board a flyer regarding the Iberia Parish Mosquito Abatement Program. The District was established six (6) years ago. The Integrated Mosquito Management Program (IMMP) includes: Mosquito and Larval Population Surveillance; Disease Surveillance (Mosquitoes); Larviciding (chemical & biological); Adulticiding (ground and air); Pesticide Resistance Management; Individual Service Requests; and Public Education. The chemicals used are petroleum-based. The tools used for surveillance include: landing rates; habitat inspection; and site inspection. The methods used for Adulticiding are by ground spray units and aerial spraying. Mr. Jones indicated that Port businesses can notify the District for any spraying needs at 337-365-4933. The Port is depicted as Zone 4A. This Zone is exclusively designated for the Port of Iberia. Press Releases can be sent to the Port via email if the Port would like to receive those releases. Discussion ensued.

### **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} Overhead Crane Operation: Change Order Number 5 Work Being Performed.**

The Project Engineer reported that the new cranes have been installed, and the tenant

has been utilizing the cranes. The LA DOTD conducted the final inspection on Monday, April 16, 2012. A verbal approval was given by the LA DOTD; however, formal notification will be forthcoming via U.S. Mail.

**{2} Discuss/Consider Change Order Number 6.**

The Project Engineer presented Change Order Number 6 for review and consideration. The purpose of Change Order Number 6 is to balance the final plan quantities. Also included is the revised Mobilization item to account for the increase in cost (\$3,712.00) due to the extension of the contractors Builders Risk Insurance to cover time involved for the Crane Retrofit in Change Order Number 5. The LA DOTD has agreed to pay for the aforementioned cost. Discussion ensued.

**A motion was made by Commissioner Mike Resweber, seconded by Commissioner Danny David Sr., to approve and authorize the Board President to execute Change Order Number Six 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 the purpose of said Change Order is to balance the final plan quantities, and revise the Mobilization item to account for the increase in cost (\$3,712.00) due to the extension of the contractors Builders Risk Insurance to cover time involved for the Crane Retrofit in Change Order Number 5; and motion further acknowledges an under run of the project in the amount of \$91,553.10, with the revised contract amount at \$2,235,195.53 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: Raymond Bernard, Jr., Frank Minvielle, Gene Jefferies, Mark Dore', Mike Resweber and Danny J. David, Sr.**

**Nays: None.**

**Absent at Voting: Millie Martinez.**

**And the motion was therefore passed on this the 17th day of April 2012.**

**{3} Discuss/Consider Contractor Application for Payment #9.**

**A motion was made by Commissioner Mike Resweber, seconded by Commissioner Mark Dore', to approve and authorize Contractor's Application for Payment Number 9 in the amount of \$27,930.00, to Quality Concrete Contractors, Inc., for the period October 5, 2011 thru April 3, 2012 in accordance with the contract dated November 8, 2010, regarding State Project Number 578-23-0019 for the Construction of a 75' x 240' 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: Raymond Bernard, Jr., Frank Minvielle, Gene Jefferies, Mark Dore', Mike Resweber and Danny J. David, Sr.**

**Nays: None.**

Absent at Voting: Millie Martinez.

And the motion was therefore passed on this the 17th day of April 2012.

**{4} Discuss/Consider Contractor Application for Payment #10  
(Retainage).**

A motion was made by Commissioner Mark Dore', seconded by Commissioner Frank Minvielle, to approve and authorize Contractor's Application for Payment Number 10 (Retainage) in the amount of \$115,286.18, to Quality Concrete Contractors, Inc., for the period April 4, 2012 thru April 17, 2012 in accordance with the contract dated November 8, 2010, regarding State Project Number 578-23-0019 for the Construction of a 75' x 240' 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: Raymond Bernard, Jr., Frank Minvielle, Gene Jefferies, Mark Dore', Mike Resweber and Danny J. David, Sr.

Nays: None.

Absent at Voting: Millie Martinez.

And the motion was therefore passed on this the 17th day of April 2012.

**{5} Discuss/Adopt Resolution Regarding Project Acceptance.**

A motion was made by Commissioner Mark Dore', seconded by Commissioner Danny David, Sr., to adopt the following:

**RESOLUTION - PROJECT ACCEPTANCE**

STATE PROJECT NO. 578-23-0019  
PARISH OF IBERIA

**RESOLUTION  
PORT OF IBERIA DISTRICT**

Whereas, the Port of Iberia District Board of Commissioners contracted with Quality Concrete Contractors, Inc., Contractor, to complete State Project No. 578-23-0019 (Port Improvements Building, Utilities, & Site Stabilization) at Lots 77-82 in accordance with the current bid laws of the State of Louisiana, including, but not limited to R.S. 38:2211 et. seq; and

Whereas, the contract between the Port of Iberia District Board of Commissioners and Quality Concrete Contractors, Inc., Contractor, has been successfully completed.

NOW, THEREFORE, BE IT RESOLVED by the Port of Iberia District Board of Commissioners in Regular session, assembled on this 17th day of April, 2012, the contract is hereby accepted by the Port of Iberia District Board of Commissioners effective April 17, 2012.

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

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

**Nays: None.**

**Absent at Voting: Millie Martinez.**

**And the Resolution was therefore adopted on this the 17th day of April 2012.**

**VI. Report from Project Architect Mr. Gerald Gesser, Gesser Group, APC, On:**

**(a) Update on Obtaining Cost Estimates Regarding Upgrading the Port's Technology on Port Video & Power Point Presentation.**

The Project Architect reported that six (6) vendors were invited to submit proposals, and two (2) proposals were received on April 16, 2012 regarding upgrading the Port's Technology on Port Video & Power Point Presentation. In addition, a letter dated April 17, 2012 regarding same was presented for review. Further review and evaluation of the proposals will be necessary. The Project Architect requested that the Commission set a budget not to exceed \$25,000.00 for this project, and also requested permission to award the project to the vendor that offers the best design package within the "intent" of the Request for Proposals. Discussion ensued. It was the consensus of the Board to analyze the proposals received and bring back to the full Board for further review and discussion.

**(b) Update on Research of Elevating the POI Administrative Office Building for Flood Mitigation Measures.**

At the March 27, 2012 regular Board Meeting, a letter dated March 26, 2012 from Mr. Gesser was presented to the Board for review, regarding his research on elevating the POI Administrative Office Building for flood mitigation measures. It was the consensus of the Board to bring this topic to the appropriate Committee for further review and discussion.

**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 Port-Site Bulkhead Relocation Phase II A-(for the AGMAC Bulkhead Relocation & Design Project (Public Property)).**

Mr. Glenn Ledet, Shaw Coastal, Inc., presented the following updates on behalf of Mr. O'Neil Malbrough:

- {1} Update on the Advertisement for Bid.**
- {2} Consent to Construction and Right-of-Way Entry Form:  
\*\*\*Chart Energy & Chemicals, Inc.  
\*\*\*Dynamic Industries, Inc.**

Mr. Ledet reported that the previous anticipated goal was to commence the Advertisement

For Bid on Monday, April 16, 2012; however, due to the ongoing negotiations with Chart Energy Chemicals, Inc. and Dynamic Industries, Inc., relative to the Consent to Construction & Right-of-Way Agreement, the advertisement has been delayed. Dynamic Industries, Inc., has verbally agreed to the language of the Agreement; however, Chart Energy & Chemicals, Inc., has as of this meeting date provided the Agreement to the Port Attorney for further review and approval. Once both Consent Agreements have been finalized and approved, the Port can move forward with the advertisement of the project. The LA DOTD has indicated that the delay is not going to interfere or impede with the progression of the construction of the project.

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

**{1} Update on "Stand-Alone" Opinions of Probable Cost of the Environmental Component (portion of Project that is repairing the existing channels) of AGMAC, Incidental Storm Surge Protection of AGMAC, and General Navigation Features of AGMAC.**

Mr. Ledet reminded the Board that the "Stand Alone" Opinions of Probable Cost was revised and finalized on Mach 16, 2012. The Executive Director reported that he has attempted to schedule an appointment with the Port's State Legislative Delegation, and he anticipates that meeting to occur within the next few weeks to determine a path in which to move forwards.

**A motion was made by Commissioner Gene Jefferies, seconded by Commissioner Frank Minvielle, to approve and authorize payment of Invoice Number 676001-R8-00501 in the amount of \$1,101.00, to Shaw Coastal, Inc., for the period March 1, 2012 thru March 31, 2012 (Not reimb 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 10 (Project Management) dated December 20, 2011.**

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

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

**Nays: None.**

**Absent at Voting: Millie Martinez.**

**And the motion was therefore passed on this the 17th day of April 2012.**

**(c) Update on Maintenance Dredging of Slip C-8:**

Mr. Ledet reported that the project is over 90% complete with the maintenance dredging of Slip C-8. The dredging phase should be completed in the near future. The contractor has dredged over 21,000 cubic yards (the original estimate was 24,000 cubic yards). Mr. Ledet also indicated that the contractor experienced problems with debris in the form of scrap metal, rope, and visqueen. The project is scheduled to be completed by May 6, 2012. The dredge will be demobilized and the "as-built" surveys will be conducted.

**A motion was made by Commissioner Danny David, Sr., seconded by Commissioner Mark Dore', to approve and authorize the Contractor's Application for Payment**

Number 1, in the amount of \$130,277.45, to Orion Construction, LP for the Slip C-8 Maintenance Dredging Project for the period February 28, 2012 thru March 23, 2012, in accordance with the Construction Contract dated January 18, 2012.

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

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

**Nays:** None.

**Absent at Voting:** Millie Martinez.

And the motion was therefore passed on this the 17th day of April 2012.

A motion was made by Commissioner Mark Dore', seconded by Commissioner Danny David, Sr., to approve and authorize payment of Invoice Number 1232961-R8-00511 in the amount of \$10,878.00 (for Resident Inspector), to Shaw Environmental, Inc., for the period February 22, 2012 thru March 31, 2012 regarding the Maintenance Dredging of Slip C-8 Project located at the POI, in accordance with the contract between the POI and Shaw Environmental & Infrastructure dated April 19, 2011.

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

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

**Nays:** None.

**Absent at Voting:** Millie Martinez.

And the motion was therefore passed on this the 17th day of April 2012.

**VIII. Report From Executive Director On:**

- (a) **Dr. Jim Richardson, LSU, to Produce an Economic Report on the Impact the Port of Iberia has on Acadiana and the State of Louisiana at an Estimated Cost of \$2,500.00.**

The Executive Director indicated that Dr. Richardson has not been able to provide the Port with a written proposal report to date, due to unforeseen health circumstances at the present time. Dr. Richardson, on his return, will provide the necessary information to the Executive Director.

- (b) **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 reported that the repairs relative to the damaged power & fiber lines of the Port's security cameras located at Frank's Casing Crew & Rental Tools, Inc., are scheduled to commence in the next few weeks.

- (c) **Iberia Parish Government Bridge Replacement Project.**

The Executive Director presented an email dated April 16, 2012 from the Iberia Parish Government Public Works Department which makes reference to Port Road Bridge @ Rodere Lateral. The bridge has been opened. In addition, contracts have been awarded to the low

bidder for the Port Road Bridge over the Commercial Canal and the David Duboin Bridge over the Commercial Canal. Pre-construction conferences are in the process of being scheduled for those bridge projects in early May 2012.

(d) **Report on Port Millennium Expansion Phase II Project.**  
**{1} Discuss/Approve Navigation Servitude, Drainage Easement, & Right-of-Way from the Shea Family with Regards to a Barricade Placement between the end of the Road and Slip C-8.**

The Executive Director indicated that for the past six (6) months, ongoing negotiations have transpired with the Shea family with regards to a Navigation Servitude on Slip C-8 relative to the Port Millennium Expansion Phase II Project. He presented an email dated April 3, 2012 regarding four (4) conditions agreed upon to offer the Board for consideration regarding the Shea family servitude. In addition, a schematic drawing depicting the site location (an additional option for a channel re-alignment circumventing the 50ft servitude which would not require an additional Servitude) has been prepared by Shaw Environmental & Infrastructure, Inc., and was also presented for review. The Executive Director would like some direction from the Board due to the fact that this matter is in the preliminary design phase. Lengthy discussion ensued.

**A motion was made by Commissioner Danny David, Sr., seconded by Commissioner Gene Jefferies, to move forwards and accept the four (4) conditions as outlined in the April 3, 2012 email presented by the Executive Director, relative to the Shea Family Navigation Servitude, and motion further declines necessity of performing an appraisal to support the servitude compensation; and motion further authorizes the Port Attorney to prepare the Navigational Servitude and present to the Shea Family's Legal Attorney for further review and approval.**

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

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

**Nays: None.**

**Absent at Voting: Millie Martinez.**

**And the motion was therefore passed on this the 17th day of April 2012.**

**{2} Discuss Status of Iberia Parish Government's Drainage Easement & Right-of-Way from Sterling Sugar with Regards to the Construction of a Cul-de-Sac.**

The Executive Director reported that the Iberia Parish District Attorney's Office has prepared a "draft" Drainage Easement & Right-Of-Way from Sterling Sugar with regards to the construction of a cul-de-sac. The Executive Director and Port Attorney has reviewed the documents. The Executive Director plans on submitting the documents to the Iberia Parish Council for their consideration in the near future. The Iberia Parish Government has agreed to accept the cost of the traffic barricade and also accepted the responsibility to re-route the drainage accordingly. The cul-de-sac, however, will be the responsibility of the Port of Iberia District. The Port Attorney indicated a Cooperative Endeavor Agreement will

be necessary between the POI and the Iberia Parish Government relative to the aforementioned necessary actions.

**A motion was made by Commissioner Mark Dore', seconded by Commissioner Frank Minvielle, to authorize the Board President to execute a Cooperative Endeavor Agreement between the Iberia Parish Government and the Port of Iberia District, relative to the Traffic Barricade, Drainage Easement (re-route drainage) & Right-of-Way from Sterling Sugar, and the Cul-de-Sac Construction for the Port's Millennium Expansion Phase II Project; and motion further acknowledges that the Cooperative Endeavor Agreement will be prepared by the Iberia Parish District Attorney's Office and reviewed and approved by the Port Attorney.**

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

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

**Nays: None.**

**Absent at Voting: Millie Martinez.**

**And the motion was therefore passed on this the 17th day of April 2012.**

**{3} Update on the Tax Incremental Finance District (TIF) Revenues.**

The Executive Director reported that the Cooperative Endeavor Agreement has been executed by all parties and subsequently recorded. The \$2.5 Million should be received in the near future, and the remaining \$2.5 Million will be received once the Port has executed a construction contract. The Executive Director feels that the anticipated date for having a construction contract in place is September 18, 2012.

**{4} Revised Project Schedule.**

The Executive Director presented an email dated April 16, 2012 from Mr. Glenn Ledet, Shaw Coastal, Inc., relative to the Port's Millennium Expansion Phase II Project Revised Schedule. The Executive Director reported that after having discussions with Sterling Sugar, the sugarcane farmer, and Mr. Ben LeBlanc, LeBlanc Marine (tenant secured Tract "N" on newly acquired property site), all parties have agreed that it would be in the best interest to delay the start of construction of the project until October 3, 2012. This would allow the sugarcane farmer the opportunity to remove all of his sugarcane crop. It would also eliminate the Port having to compensate the sugarcane farmer for his damaged crop. In addition, the landlord Sterling Sugar, would provide the POI with revenues from the harvested sugarcane. Furthermore, there would be no impact on LeBlanc Marine's company operations.

**A motion was made by Commissioner Frank Minvielle, seconded by Commissioner Mark Dore', to accept and approve the Port of Iberia District Millennium Expansion Phase II Project Revised Schedule as presented in Mr. Glenn Ledet, Shaw Coastal, Inc., April 16, 2012 email; and motion further acknowledges that the Revised Project Schedule revisions shall replace the previously approved Project Schedule dated January 13, 2012.**

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

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

Nays: None.

Absent at Voting: Millie Martinez.

And the motion was therefore passed on this the 17th day of April 2012.

A motion was made by Commissioner Danny David, Sr., seconded by Commissioner Frank Minvielle, to approve and authorize payment of Invoice Number 1232971-R8-00541 in the amount of \$8,647.00 (Engineering Services Lump Sum \$7,492.00 & Time & Materials - Permit Services- \$1,155.00) to Shaw Coastal, Inc., for the period February 10, 2012 thru March 31, 2012 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: Raymond Bernard, Jr., Frank Minvielle, Gene Jefferies, Mark Dore', Mike Resweber and Danny J. David, Sr.

Nays: None.

Absent at Voting: Millie Martinez.

And the motion was therefore passed on this the 17th day of April 2012.

- (e) Update on Environmental Compliance Solutions, LLC, Operations:
- {1} EDI Environmental Services Phase II Analysis Report.
  - {2} Status of Tract "I-2": Clean Environmental Phase I; Evidence ECS Compliance w/LA DEQ Compliance Order Issued; Property Site Clean & Acceptable.
  - {3} 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.
  - {4} 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.

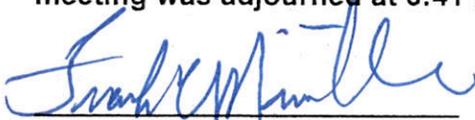
The Executive Director reported that all of the issues have been resolved. A DEQ Undersecretary is to sign the Memo of No Further Action Necessary before the POI can move forwards on this matter. It is anticipated that the Memo will be signed within the next few weeks.

(f) Announcements.

\*\*\*Finance Committee Meeting Thursday, 5/10/12 @ 12:00 p.m.

#### VIII. ADJOURNMENT

On a motion made by Commissioner Mike Resweber, and unanimously seconded, the meeting was adjourned at 6:41 p.m.

  
SECRETARY-TREASURER

  
PRESIDENT