SOUTH TANGIPAHOA PARISH PORT COMMISSION

REGULAR MEETING

THURSDAY APRIL 21, 2022 -12:00 NOON

110 W. Hickory Street

CITY HALL ANNEX BUILDING

President Daryl Ferrara called the Regular Meeting to order Thursday, April 21, 2022 at 12:00 Noon.

Held at the City Hall Annex Building, located at 110 W. Hickory Street, Ponchatoula, LA.

After the invocation Commissioner James Wes Daniels II followed with the Pledge of Allegiance.

Commissions Present: James Wes Daniels II, Daryl Ferrara, Wm. “Bill” Joubert, James Nelson, Tina Roper and Jimmy Schliegelmeyer, Jr.

Commissioner Absent: None

Others Present: Patrick Dufresne, Director; Andre Coudrain, Lee Barends, Mike Thompson, Kim Coates, and Bridget Hyde.

***APPROVAL OF AGENDA/MINUTES***

It was moved by Commissioner Nelson and seconded by Commissioner Daniels II that the South Tangipahoa Parish Port Commission approve the Meeting Agenda for April 21, 2022 as presented. Motion passed. Yeas: 6 Daniels II, Ferrara, Joubert, Nelson, Roper and Schliegelmeyer, Jr.

Nays: 0 Absent: None

President Ferrara announced that the minutes of March 8, 2022 and Special Meeting of March 29, 2022 minutes were sent to the Commissioners by e-mail for their review prior to this meeting and a copy was also presented in the meeting folders, as well. After reviewing the minutes the following motions were made.

It was moved by Commissioner Daniels II and seconded by Commissioner Nelson that the South Tangipahoa Parish Port Commission adopt/approve the March 8, 2022 minutes as presented. Motion passed. Yeas: 6 Daniels II, Ferrara, Joubert, Nelson, Roper and Schliegelmeyer, Jr. Nays: 0 Absent: None

It was moved by Commissioner Nelson and seconded by Commissioner Roper that the South Tangipahoa Parish Port Commission adopt/approve the Special Meeting minutes held on March 29, 2022. Motion passed. Yeas: 6 Daniels II, Ferrara, Joubert, Nelson, Roper and Schliegelmeyer, Jr. Nays: 0 Absent: None

TREASURER’S REPORT:

Commissioner/Treasurer Nelson informed the Commissioners that the financial reports for the period ending March 31, 2022 were e-mailed to the Commissioners, by Ms. Lee Barends with ITL Accounting, for their review prior to this meeting.

He also reported that he had included three documents/reports in the Commissioners meeting folders relative to his financial summations for period ending March 31, 2022.

The *first* report was the March 22, 2022 Financial Summation which showed the Operating income was $34,965.41. Operating expense as $23,940.24 with a Net income $11,077.71 (including non-operating income). The *second* report showed a summation list on Fixed Income Holdings, Current Value, Mature Dates and Earnings on the STPPC investments account as of March 31, 2022. Donnie Riley, with Hancock/Whitney Bank, who manages the Ports investment accounts gave the treasurer four possible ways in which the Port could make its investments. As a result, the *third* summation report showed rates relative to T-Bills, as of Tuesday April 19, 2022, for the Commissioners review and discussion prior to making any decisions on Ida insurance claims. After reviewing the Ports current resources now in the general account it was suggested/recommended that the STPPC invest $2,500,000 split evenly between 3 and 6 month T-Bills leaving approximately $581,461.34 for Ida liabilities that might come due within a 3 month time frame. Other matters discussed were: port liabilities relative to property repairs, temporary roof repairs, prior insurance claims, time frame for repairs, investment options, limitations on public funds investments, replacement of damaged scale, scale location, usage of scale and re-advertising a delayed Port Apriority project and proceeding with Floodwall project.

It was moved by Commissioner Daniels II and seconded by Commissioner Roper that the Commission authorize its port director, Patrick J. Dufresne, to move $2 million dollars from the STPPC operating account for the purpose of seeking/purchasing investments on a 3 or 6 month period. Motion passed. Call vote. Yeas: 6 Daniels II, Ferrara, Joubert, Nelson, Roper and Schliegelmeyer, Jr. Nays: 0 Absent: None

It was moved by Commissioner Daniels II and seconded by Commissioner Schliegelmeyer that the Commission accept/approve the financials, as presented, by Treasurer Nelson for the month ending March 31, 2022. Motion passed. Call vote. Yeas: 6 Daniels II, Ferrara, Joubert, Nelson, Roper and Schliegelmeyer, Jr. Nays: 0 Absent: None

**OLD BUSINESS:**

 **1. LA DOTD Port Priority State H. 011927-(322) Transload Improvements**

 **a) Resolution**

The port director gave a report on the status of the LA DOTD Port Priority Transload Improvements project and informed the Commission that the LA DOTD has authorized the STPPC to re-advertise the Floodwall (Phase II), Truck-Scale Foundation Installation, Asphalt Paving and Site Grading that was previously advertised before Hurricane Ida. There were approximately twelve contractors who were going to submit bids, but only four were received after the storm. Bids that were received on the project in October, 2021 exceeded the Port’s budget and STPPC may have to re-bid the project to include changes since Ida. Other matters discussed were relative to scale usage, replacement cost, tenants usage, scale location/foundation, return on investment, mitigation fee, authorized funding 90% for project infrastructure, future usage of scale for new tenants, floodwall and paving and submittal of a FEMA application to help defray some cost for expensed caused by Ida’s storm damages.

Secretary Daniels II introduced the Resolution Certifying Compliance with the Public Bid Laws as requested by the Department of Transportation prior to re-advertising the project.

It was moved by Commissioner Nelson and seconded by Commissioner Joubert that the STPPC authorize its port director, Patrick Dufresne, to submit the requested resolution in accordant with the current bid laws of the state of Louisiana to DOTD to re-advertise LA DOTD Port Priority State Project J.011927 (322) Floodwall, Phase II, Truck-Scale Foundation Installation, Asphalt Paving and Site Grading. Motion passed. Call vote. Yeas: 6 Daniels II, Ferrara, Joubert, Nelson, Roper and Schliegelmeyer, Jr. Nays: 0 Absent: None

 **2. Prospective Tenant (s) Update**

 **a) Resolution**

The port director gave an update on the recent negotiations regarding the lease agreement with Air Products that had been prepared with the help from the Ports legal council, Andre Coudrain, and he presented the lease agreement document for the Commissions review and approval. Topics/matters discussed prior to the approval were as follows: specific provisions were addressed, notice of flexibility of the company’s operation, rail spur storage, trans-loading, current tenant leases, professional environmentalist engineer, maintenance of the North Pass, permit application, future barge traffic, renewal lease options, an emergency response plans, and hazardous substance.

Secretary Daniels introduced the resolution relative to the proposed lease agreement with Air Products Blue Energy, LLC.

It was moved by Commissioner Joubert, seconded by Commissioner Roper that the Commission authorizes its Executive Director, Patrick J. Dufresne to enter into an agreement with Air Products Blue Energy, LLC, a Delaware based corporation, authorized to do and currently doing business in the State of Louisiana, whose business address is 7201 Hamilton Blvd., Allentown, Pennsylvania 18195 for the purposes of a storage and trans-loading operations at the Port Manchac inter-modal terminal. The lease agreement will include a four (4) year term with two (2) one (1) year options and will commence on July 1, 2022 or earlier if agreed to by both the STPPC and Air Products Blue Energy, LLC. Motion passed. Call vote. Yeas: 6 Daniels II, Ferrara, Joubert, Nelson, Roper and Schliegelmeyer, Jr. Nays: 0 Absent: None.

In concluding the update relative to Prospective Tenant(s) he informed the Commission that two additional inquiries in the past month were received relative to two trans-loading projects 1) a barge trans-loading and 2) a rail trans-loading project. The port director will keep the Commissioner up-to-date on the projects.

 **3. Invoice Payment Approval**

*Commissioner/Treasurer Nelson presented the April, 2022 invoices for payment approval.*

 1. Cash Coudrain & Bass – services rendered March 31, 2022 – Inv. # 122448, Matter 4623-1

 Amount $2,700.00; and Inv. # 122449, Matter 4623-4 Amount $1,700.00; and Inv. # 122450

 Matter 4623-7 Amount $240.00

 2. AECOM Inv. # 2000599980 Jan. 22 - Feb. 25, 2022 Amount $3017.50

 3. AECOM Inv. # 2000608260 Feb. 26 – Mar. 18 2022 Amount $2815.00

It was moved by Commissioner Joubert and seconded by Commissioner Daniels that the Commission approve for payment the April, 2022 invoices as presented by Treasurer Nelson. Motion passed. Call vote. Yeas: 6 Daniels II, Ferrara, Joubert, Nelson, Roper and Schliegelmeyer, Jr. Nays: 0 Absent: None

  **4. Port Manchac Priority Discussion Update/National Estuarine Research Reserve (NERR)**

Commissioners Joubert and Roper gave an update relative to the latest on the National Estuarine Research Reserve (NERR) reporting that it’s under review by the Governor’s Office and a site selection decision will be made this summer. President Ferrara acknowledged that the STPPC had submitted their letter of support for the LANERR site location in Lake Pontchartrain Basin area for an estuary.

 **5. Hurricane Ida Damage Repair Update**

 **a) Resolution**

Port Director, Patrick Dufresne gave an update on Hurricane Ida damages regarding Buildings 2 & 3 pertaining to the temporary roof and siding repairs. Discussed were options to take into consideration prior to making a decision on related repairs to the buildings now being occupied by Premier Chemicals, a current tenant at Port Manchac. The port director recommended that the existing temporary repaired roof for Building #3 should be repaired as soon as possible, since it will only last for a short period of time. As a result, the repairs will have to be advertised and a resolution was presented by the port director for commission approval.

It was moved by Commissioner Nelson, seconded by Commissioner Schliegelmeyer, Jr., that the Commission authorizes its Executive Director, Patrick J. Dufresne to advertise a Request for Proposals (RFP) for the roof and siding repairs related to Hurricane Ida for Building #3 at the Port Manchac inter-modal terminal. The advertisement will be placed in the STPPC’s journal of record for a period of 45-days and the project will be awarded to the lowest qualified bidder, in accordance with all State of Louisiana and State of Louisiana bid law rules & regulations. In addition, the awarded contractor must perform the repair work in accordance with all related local and State of Louisiana Permit rules and regulations. Motion passed. Call vote. Yeas: 6 Daniels II, Ferrara, Joubert, Nelson, Roper and Schliegelmeyer, Jr. Nays: 0 Absent: None

 **6. Premier Chemicals Lease Agreement Update**

 **a) Resolution**

Discussed were issues/matters and options relative to the occupied buildings currently leased by Premier Chemicals pertaining to building repairs in order that they may continue their operation at the Port Manchac Terminal since Hurricane Ida. A proposed resolution for authorization to enter into a revised agreement with Premier Chemicals was tabled until further discussion at a later time.

**Public Comment**

Kim Coates, Tangipahoa Parish Councilwoman, District 10 addressed the Commission asking that the public take some time to read/review the Air Products Blue Energy LLC lease agreement stating that everyone said that a cut through North Pass to South Pass with all of them that help would be given to get permits and she thought that it wasn’t right. She asked the ports legal council, Andre Coudrain, to respond to a paragraph in the lease agreement to clarify that discretion. He read the following paragraph under 4. *Used Leased Premises* – *E (Lessee shall implement a high level of discretion regarding maritime vessel operation in the North Pass Channel during the summer months weekends and use its reasonable best efforts to avoid any interaction with public recreational boating activities. In addition, Lessee and Lessor agree to further examine the conceptual design of a 1,200’ channel between the North Pass and South Pass to avoid the most active public recreational areas previously mentioned. It is understood that if feasible as determined by Lessee, this work will require approval of the U.S. Army Corps of Engineers and other jurisdictional agencies and shall be a Lessee’s expense. Lessor shall assist and cooperate as requested by Lessee with the permit/approval process.* Ms. Coates interest was mostly in reference to less barge traffic. Andre Coudrain stated that the U.S. Army Corps of Engineers jurisdiction is not to accept an application unless the land owner signs off on it whenever that happens. It was noted that the port would only be listed on a potential permit as a project location in regards to the tenants permit request.

 **7. Administrative Assistant Update**

The port director reported that since the last meeting the ports legal council, Andre Coudrain, drafted an agreement for the new Administrative Assistant who will be starting the first week of May 2, 2022. Commissioner Roper is also reviewing/researching the current STPPC Policy and Procedures Manual for modifications to include a higher level of efficiency and technology for new employees. The modifications/changes will be reviewed/discussed in the future relative to her suggestions and recommendations.

**New Business:**

 **1. None**

**Remarks:**

The port director announced that the next meeting will be held on Tuesday, May 17, 2022. The port recently hosted and assisted with two emergency response events that were coordinated with the CN Railroad and Tangipahoa Parish National Guard.

Having no further business, a motion for adjournment was made by Commissioner Daniels II and seconded by Commissioner Nelson. Motion passed. Yeas: 6 Daniels II, Ferrara, Joubert, Nelson, Roper and Schliegelmeyer, Jr. Nays: 0 Absent: None

Meeting adjourned 1:40 pm.

James Wes Daniels II, Secretary STPPC Daryl Ferrara, President STPPC