OFFICIAL PROCEEDINGS

ST. BERNARD PORT, HARBOR AND TERMINAL DISTRICT

REGULAR MONTHLY MEETING – NOVEMBER 13, 2012

The Board of Commissioners of the St. Bernard Port, Harbor and Terminal District met in regular session on Tuesday, November 13, 2012, 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. Elton J. LeBlanc, President; Mr. Harold J. Anderson, Vice President; Mr. Bradley J. Cantrell, Secretary and Mr. P. James DiFatta, Treasurer. Absent was 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. Ted Roche, Project Manager; Mr. David Fennelly, Associated Terminals of St. Bernard; Mr. Bill Stamm, Duplantier, Hrapmann, Hogan & Maher, LLP; Mr. Jim Simmons, N-Y & Associates; Mr.’s James Garner and Elwood Cahill and Mrs. Ashley Coker, Sher Garner; Mr. William Evans, URS Corp and Rep. Ray Garofalo, District 103.

President LeBlanc 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. Anderson, seconded by Mr. Cantrell, and after asking for any public comment, the Board unanimously approved the minutes of the regular meeting held on October 2, 2012.

President LeBlanc recognized Mr. Stamm who presented the Fiscal Year 2011 – 2012 Audit. Mr. Stamm informed the Board that the Port received a Clean Audit. The Board discussed the Audit and thanked Mr. Stamm. The Board and Executive Director thanked the Administration and Staff for their role in receiving a clean audit.

On motion of Mr. DiFatta, seconded by Mr. Cantrell, and after asking for any public comment, the Board unanimously approved the presentation by Duplantier, Hrapmann, Hogan & Maher, LLP and acceptance of Fiscal Year 2011 – 2012 Audit.

On motion of Mr. Anderson, seconded by Mr. DiFatta, and after asking for any public comment, the Board unanimously approved to discuss a new lease for Chalmette Refining, L.L.C. for the 10,000 sq. ft. Foothill Warehouse, 130,680 sq. ft. of laydown area and 174,000 sq. ft. of laydown area all located in the Chalmette Terminal.

On amended motion of Mr. DiFatta, seconded by Mr. Anderson, and after asking for any public comment, the Board unanimously approved a new lease for Chalmette Refining, L.L.C. for 174,000 sq. ft. of laydown area located in the Chalmette Terminal.

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On motion of Mr. Anderson, seconded by Mr. Cantrell, and after asking for any public comment, the Board unanimously approved to discuss a lease amendment for The Kearney Company to extend the south warehouse lease term by 2 ½ years.

On amended motion of Mr. Anderson, seconded by Mr. Cantrell, and after asking for any public comment, the Board unanimously approved a lease amendment for the Kearney Company to extend the south warehouse lease by 1 ½ years including three (3) one year options and a 50% abatement for the first six (6) months.

On motion of Mr. Cantrell, seconded by Mr. Anderson, and after asking for any public comment, the Board unanimously approved consent request for the following:

Cox Operating, LLC to install a 4” flowline for Well No. 2, Blocks 47 & 72, Chandeleur Sound Area, Half Moon Lake Field, St. Bernard, La.

Cox Operating, LLC to install and maintain a 4” flowline at Block 48, Chandeleur Sound Area, St. Bernard, La.

Cox Operating, LLC to install and maintain a 3” flowline for Well No. 100, Block 48, Chandeleur Sound Area, St. Bernard, La.

Cox Operating, LLC to remove a 6’x 23’ well protector platform, barge remains, pile clusters, single piling, one 6’ flowline, one 3’ flowline and one 3’ has lift line previously serving Well No. 1.

Cox Operating, LLC for re-entry of Well No. 13, Block 47, Chandeleur Sound Area, St. Bernard, La.

President LeBlanc informed the Board that Proposals were received in the Port office on Wednesday, November 7, 2012, at 2:00 p.m. for the Demolition of Buildings # 40, 74, 63, 9-A and 61-B project: The Proposals were as follows:

Contractor Base Bid Alt. Bid Total Bid

AGS, INC. $ -4,000.00 $ 41,061.00 $ 37,061.00

D.H. Griffin $ -10,000.00 $ 61,700.00 $ 51,700.00

Salvage Nine $ 45,678.00 $ 55,555.00 $101,233.00

Hamp Construction $ 87,300.00 $ 67,500.00 $154,800.00

Durr Heavy Lift $113,177.20 $125,786.00 $238,963.20

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On motion of Mr. Anderson, seconded by Mr. Cantrell, and after asking for any public comment, the Board unanimously approved to award the project to AGS, INC. in the amount of $37,061.00.

On motion of Mr. Anderson, seconded by Mr. Cantrell, and after asking for any public comment, the Board unanimously approved authorization for the Executive Director to enter into a Cooperative Endeavor Agreement with the State of Louisiana Facility, Planning & Control for 3,800,000. relating to Rehabilitation of Dock #1 Section A Seawall, Planning and Construction project. Dr. Scafidel thanked the Port’s Legislative Delegation and Senate President, John Alario, for their efforts in obtaining the funds.

President LeBlanc recognized Mr. Heaphy who gave the Finance Report. Mr. Heaphy reported on the operating and capital budgets, professional services and Lessees Arrears. The Board discussed the Finance Report. President LeBlanc thanked Mr. Heaphy for his report.

President LeBlanc recognized Dr. Scafidel who gave the Executive Director’s Report. Dr. Scafidel reported on Construction, Cargo Stats, Consolidation of Associated Terminals of St. Bernard leases, M/V Balder and Royal Flush and the Christmas Open House.

On motion of Mr. Anderson, seconded by Mr. DiFatta, and after asking for any public comment, the Board unanimously approved to convene Executive Session to discuss litigation relating to the expropriation of the Violet Dock Port at 1:03 p.m.

On motion of Mr. Anderson, seconded by Mr. Cantrell, and after asking for any public comment, the Board unanimously approved to reconvene regular session at 2:00

p. m.

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

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

On motion of Mr. Cantrell, seconded by Mr. Anderson, the meeting was adjourned.

/s/ Bradley J. Cantrell, Secretary