

**PORT OF IBERIA DISTRICT  
BOARD OF COMMISSIONERS  
REGULAR MEETING - TUESDAY, JULY 19, 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, July 19, 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, Mark Dore', and Mike Resweber.

There were no Commissioners absent.

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

Thus, with a quorum being acknowledged, Commissioner Millie Martinez, recited the opening prayer and Commissioner Danny David, Sr., recited the Pledge of Allegiance.

**I. APPROVAL OF MINUTES**

On a motion by Commissioner Raymond Bernard, Jr., seconded by Commissioner Frank Minvielle, the Commission approved the minutes of the Regular meeting held on Tuesday, June 21, 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 Mark Dore'.

**Nays:** None.

**Absent at Voting:** Mike Resweber

And the motion was therefore passed on this the 19th day of July 2011.

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

- (a) Budget Summary For Twelve (12) Months Ending June, 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 Twelve (12) months ending June, 2011. Commissioner Bernard complimented the Administrative Staff for another successful and favorable Fiscal Year ending June 30, 2011. A listing of bills to be paid for

the month of July 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 Gene Jefferies, seconded by Commissioner Frank Minvielle, to approve and authorize the payment of bills for July 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 Mark Dore'.**

**Nays: None.**

**Absent at Voting: Mike Resweber.**

**And the motion was therefore passed on this the 19th day of July 2011.**

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

**A motion was made by Commissioner Mark Dore', seconded by Commissioner Raymond Bernard, Jr., to approve and ratify the renewal of Certificate of Deposit Number 1140611 (Dynamic Security) which matured on June 20, 2011, with Iberia Bank for 12 months at the rate of 0.70% and 0.70% A.P.Y.**

**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 Mark Dore'.**

**Nays: None.**

**Absent at Voting: Mike Resweber.**

**And the motion was therefore passed on this the 19th day of July 2011.**

**A motion was made by Commissioner Raymond Bernard, Jr., seconded by Commissioner Frank Minvielle, to approve and ratify the renewal of Certificates of Deposit Numbers 40000181021, 40000181056, 40000181072, and 40000181080, which matured on July 6, 2011, with Iberia Bank, for Six (6) months at the rate of 0.60% and 0.60% A.P.Y.**

**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 Mark Dore'.**

**Nays: None.**

**Absent at Voting: Mike Resweber.**

**And the motion was therefore passed on this the 19th day of July 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 had nothing to report on this item.

**V. REPORT FROM PROJECT ENGINEER MR. DAVID BOURQUE, PENSCO 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} Contractor Request for Payment Number 5.

{2} Engineer's Request for Payment Number 7.

{3} Geotechnical Testing Approval of Invoice.

The Project Engineer reported that the roof is under construction. The Site Stabilization is approximately 70% completed. Roll up doors have also been installed. The contractor is also in the process of performing the necessary carpentry work inside the office area. The project is approximately 67% complete. The Project Engineer anticipates that a Change Order will be presented at the August 2011 Regular Board Meeting for review and approval. A motion was made by Commissioner Mark Dore', seconded by Commissioner Raymond Bernard, Jr., to approve and authorize Contractor's Application for Payment Number 5 in the amount of \$389,456.93, to Quality Concrete Contractors, Inc., for the period June 8, 2011 thru July 5, 2011 in accordance with the contract dated November 8, 2010, regarding State Project Number 578-23-0019 for the Construction of a 75'x240' 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: Danny J. David, Sr., Raymond Bernard, Jr., Millie Martinez, Frank Minvielle, Gene Jefferies, and Mark Dore'.

Nays: None.

Absent at Voting: Mike Resweber.

And the motion was therefore passed on this the 19<sup>th</sup> day of July 2011.

A motion was made by Commissioner Frank Minvielle, seconded by Commissioner Gene Jefferies, to approve and authorize payment of Request for Payment Number 7 (Invoice #12390) in the amount of \$15,675.00, to PENSCO for engineering services rendered for the period June 1, 2011 thru June 30, 2011 on the Louisiana Port Construction & Development Priority Program, Port Improvements Project - State Project Number 578-23-0019, Site Stabilization, Building, and Utilities at Lots 77-82 (All Points Equipment), in accordance with the Contract dated April 20, 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 Mark Dore'.

Nays: None.

Absent at Voting: Mike Resweber.

And the motion was therefore passed on this the 19<sup>th</sup> day of July 2011.

A motion was made by Commissioner Gene Jefferies, seconded by Commissioner

Millie Martinez, to approve and authorize payment of Invoice Number 36-18313 in the amount of \$904.00, to Louisiana Testing & Inspection Inc., regarding services rendered for June 2011 for State Project Number 578-23-0019 for the Construction of a 75'x240' Building, Utilities, & Site Stabilization @ Lots 77-82 Phase II (All Points Equipment Company).

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 Mark Dore'.

Nays: None.

Absent at Voting: Mike Resweber.

And the motion was therefore passed on this the 19<sup>th</sup> day of July 2011.

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

**(a) POI Administrative Office Soffit Repairs.**

The Executive Director presented a letter dated June 29, 2011 from the Gesser Group, which indicated that Mr. Huey Hubert, Hubert Hulin Lumber Company, is planning on commencing the POI Administrative Office Soffit Repairs in the month of August 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)).**

The Executive Director informed the Board that because Shaw Coastal has several ongoing projects for the Port, a detailed project budget sheet will be presented each month, along with the corresponding invoices being requested for payment, for review and approval. The July 19, 2011 Detailed Project Budgets Spreadsheet was presented for review.

Mr. O'Neil Malbrough presented a letter dated July 11, 2011 from Mr. Phil Jones, Deputy Assistant Secretary with the LA DOTD, regarding the 2011 Regular Session of the Louisiana Legislature as it relates to the funding provided for the Port for State Project Number 578-23-0018/H.009021 Port - Site Bulkhead Relocations Phase II - A (AGMAC) Project. The estimated construction cost is \$8.4 Million. The State's funding amount for Fiscal Year 2011-2012 is \$4,083,732.00. The State plans to incrementally provide funding each year. As funding is made available by the Legislature, the Port of Iberia District will receive priority for an additional \$3,476,262.00.

Commissioner Raymond Bernard, Jr., made a request for an "Appreciation Letter" to be sent to U.S. Congressman Jeff Landry, LA State Senator Fred Mills, LA Representative Taylor Barras, and LA Representative Simone Champagne thanking them for their diligent efforts and support relative to this vital project.

**A motion was made by Commissioner Frank Minvielle, seconded by Commissioner Mark Dore', to adopt the following:**

RESOLUTION AUTHORIZING A REPLACEMENT AGREEMENT  
AND DESIGNATION OF PERSON AUTHORIZED TO SIGN  
STATE PROJECT NO. 578-23-018/H.009021  
PARISH OF IBERIA

RESOLUTION  
PORT OF IBERIA DISTRICT BOARD OF COMMISSIONERS

A Resolution authorizing the Port of Iberia District to enter into an agreement with the State of Louisiana, Department of Transportation and Development under the Louisiana Port Construction and Development Priority Program for assistance in the implementation of a Port improvement project; providing for the necessary documentation of the need for the Port improvement; and providing for other matters in connection therewith.

WHEREAS, the Port of Iberia District Board of Commissioners duly convened at its regular meeting on July 19, 2011; and

WHEREAS, the Port of Iberia District has a need for Port improvements; and

WHEREAS, the Port of Iberia District has reviewed the application for Port – Site Bulkhead Relocations Phase II –A (AGMAC), and agrees with said agreement; and

WHEREAS, the Port of Iberia District has applied for State matching funds pursuant to Chapter 47 of Title 34 of the Louisiana Revised Statutes of 1950, as amended, to implement a project to improve its Port operation and the Port of Iberia District is fully aware of its obligations under said Statute; and

WHEREAS, the Port of Iberia District is a political body duly organized and existing under the laws of the State of Louisiana and is eligible to apply for funds under said Statute; and

NOW, THEREFORE, BE IT RESOLVED by the Port of Iberia District as follows:

Section 1. That the Port of Iberia District acknowledges that an application was submitted to the Louisiana Port Construction and Development Priority Program.

Section 2. That at the appropriate time and prior to commencement of work on the project the Port of Iberia District agrees to execute a Project Replacement Agreement and a Statement of Sponsorship pursuant to the Statute and hereby authorizes and empowers Commissioner Danny J. David, Sr., Board President, to enter into and execute said agreement with the Louisiana Department of Transportation and Development.

Section 3. That Commissioner Danny J. David, Sr., Board President, is hereby Authorized Representative for the Port of Iberia District to represent the Port with regards to the receipt of funds from the Louisiana Port Construction and Development Priority Program

for a Port improvement project.

Section 4. That said Authorized Representative shall have the authority to sign and approve all documents that are necessary under the circumstances to accomplish the above 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 Mark Dore'.**

**Nays: None.**

**Absent at Voting: Mike Resweber.**

**And the Resolution was therefore adopted on this the 19<sup>th</sup> day of July 2011.**

As per the Executive Director's request, Mr. Malbrough indicated to the Board that he will be preparing a letter to the LA DOTD relative to the Capital Outlay funding portion in the amount of \$8 Million which has been earmarked for the Port Site Bulkhead Relocation Project as it relates to bulkheads on private property.

**A motion was made by Commissioner Raymond Bernard, Jr., seconded by Commissioner Frank Minvielle, to approve and authorize the Executive Director and Mr. O'Neil Malbrough, Shaw Coastal, Inc., to prepare a letter to be submitted to the LA DOTD requesting the release of the \$8 Million in Capital Outlay funding to the Port of Iberia District, to supplement the current Port Priority Funding allocation (\$4,083,732.00) to the POI, in order to commence the Port Site Bulkhead Relocation Phase II-A Project (AGMAC).**

**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 Mark Dore'.**

**Nays: None.**

**Absent at Voting: Mike Resweber.**

**And the motion was therefore passed on this the 19<sup>th</sup> day of July 2011.**

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

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

Mr. O'Neil Malbrough did not have anything to report on this agenda item.

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

Mr. Ben Malbrough, Shaw Coastal, Inc., reported to the Board that the Port's General Permit for Channel Maintenance and Bulkhead Construction is being delayed by the USACE due to wetland issues. This Permit is also delaying the Central Gulf Dry Dock Project from commencing. A Jurisdictional Determination was conducted by Shaw Coastal, Inc., and presented to the USACE, which reflects that the Port's disposal area is outside the wetlands area. Mr. Malbrough feels that the permit may be received in a few weeks from the USACE.

The DNR Permit has already been received by the Port of Iberia.

A motion was made by Commissioner Raymond Bernard, Jr., seconded by Commissioner Millie Martinez, to approve and authorize payment of Invoice Number 626740-R8-00501 in the amount of \$1,562.85, to Shaw Coastal, Inc., for the period May 28, 2011 thru July 1, 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 Mark Dore'.

Nays: None.

Absent at Voting: Mike Resweber.

And the motion was therefore passed on this the 19<sup>th</sup> day of July 2011.

(d) Coastal Timbers, Inc., Erosion Issues @ POI (Slip C-8).

{1} Project Acceptance.

{2} Industrial Fabrics, Inc. Approval of Materials Invoice.

{3} M. Matt Durand, L.L.C. Approval of Materials Invoice.

Mr. Ben Malbrough indicated that the Coastal Timbers, Inc., Erosion Issues @ POI Slip C-8 Project is now complete. The total project costs remained under budget. Coastal Timbers and LeBlanc Marine have both expressed that they are satisfied with the project. Commissioner Frank Minvielle thanked Coastal Timbers for their patience and cooperation regarding this matter.

A motion was made by Commissioner Mark Dore', and unanimously seconded by the POI Board of Commissioners, to accept the Coastal Timbers, Inc., Erosion Issues at Port of Iberia District Slip C-8 Project as 100% complete.

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 Mark Dore'.

Nays: None.

Absent at Voting: Mike Resweber.

And the motion was therefore passed on this the 19<sup>th</sup> day of July 2011.

A motion was made by Commissioner Gene Jefferies, seconded by Commissioner Mark Dore', to approve and authorize payment of Invoice Number 74275 in the amount of \$9,947.89, to Industrial Fabrics, Inc., for the Geotextile Fabric regarding the POI Rip Rap Project at Slip C-8 (Erosion Control Coastal Timbers, Inc.).

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 Mark Dore'.

Nays: None.

Absent at Voting: Mike Resweber.

And the motion was therefore passed on this the 19<sup>th</sup> day of July 2011.

A motion was made by Commissioner Frank Minvielle, seconded by Commissioner Raymond Bernard, Jr., to approve and authorize payment of Invoice Number 1 in the amount of \$9,414.45, to M. Matt Durand, L.L.C., for the recycled crushed concrete regarding the POI Rip Rap Project at Slip C-8 (Erosion Control Coastal Timbers, Inc.). 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 Mark Dore'.

Nays: None.

Absent at Voting: Mike Resweber.

And the motion was therefore passed on this the 19<sup>th</sup> day of July 2011.

A motion was made by Commissioner Raymond Bernard, Jr., seconded by Commissioner Mark Dore', to approve and authorize payment of Invoice Number 626742-R8-00501 in the amount of \$8,561.00, to Shaw Coastal, Inc., for the period May 28, 2011 thru July 1, 2011 (not reimb. To POI by DOTD), regarding the Erosion Control Project located at the POI (Slip C-8 - Coastal Timbers), in accordance with the contract between the POI and Shaw Coastal, Inc. dated September 3, 2002 and Amendment No. 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 Mark Dore'.

Nays: None.

Absent at Voting: Mike Resweber.

And the motion was therefore passed on this the 19<sup>th</sup> day of July 2011.

(e) **Maintenance Dredging of Slip C-8:**

{1} Update on Advertisement for Bid.

{2} Discuss Spoil Disposal, Drainage Issues, and Permit.

Mr. Malbrough reported that the final plans and specifications have been compiled and are complete. Once the POI receives its General Maintenance Permit, the project can be advertised for bid. Discussion ensued.

A motion was made by Commissioner Raymond Bernard, Jr., seconded by Commissioner Frank Minvielle, to authorize the Executive Director and Shaw Environmental & Infrastructure to proceed with the Advertisement for Bid for the Port of Iberia District Maintenance Dredging of Slip C-8 Project, contingent upon the receipt of the Port's General Maintenance Permit.

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 Mark Dore'.

Nays: None.

Absent at Voting: Mike Resweber.



And the motion was therefore passed on this the 19<sup>th</sup> day of July 2011.

A motion was made by Commissioner Gene Jefferies, seconded by Commissioner Mark Dore', to approve and authorize payment of Invoice Number 1105564-R8-00511 in the amount of \$2,554.00, to Shaw Environmental, Inc., for the period June 2011, 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: Danny J. David, Sr., Raymond Bernard, Jr., Millie Martinez, Frank Minvielle, Gene Jefferies, and Mark Dore'.

Nays: None.

Absent at Voting: Mike Resweber.

And the motion was therefore passed on this the 19<sup>th</sup> day of July 2011.

(f) Central Gulf Shipyard, L.L.C. (Lots 62-67 & Tract A & B Located at POI Public Dock (10.520 acres):

{1} Status of the 160' x 70' 1800 Ton Dry Dock & Slip C-2 Modifications.

\*\*\*Issuance of Modified Permit (due to change in Spoil Disposal Site).

\*\*\*USACE Jurisdictional Determination on Wetland Delineation at the Frank's Casing Crew Disposal Site.

Mr. Ben Malbrough indicated to the Board that the spreadsheet presented (7/19/11) reflects that this project has gone over budget due to the unforeseen circumstances. The project has changed substantially. Mr. Malbrough will provide the Board, at their August regular meeting, a history and detailed timeline regarding same. The DNR has issued a Permit, and the USACE has made the determination on the wetlands jurisdictional determination at the Frank's Casing Crew Disposal Site. The Permit analyst has not released the determination as of this meeting date. Mr. Malbrough reported that the proposed disposal area is not impeding on any wetland area. In addition, the Executive Director spoke with Mr. Matt Matherne, Central Gulf Shipyard, in an effort to inform him of the reasoning for the delays, and the tenant has indicated that the unresolved issues has not impacted their business plan.

#### VIII. REPORT FROM EXECUTIVE DIRECTOR ON:

(a) Update on Board President Executing the 4<sup>th</sup> Amendment to Lease Agreement Between Chart Energy & Chemicals, Inc., & the POI Regarding Tracts B1 & B2 (19.550 acres) @ the POI.

The Executive Director reported that Chart Energy & Chemicals plans to make a \$5 Million investment with their own funds, by constructing improvements to the largest Port-Owned building on the property site. The 4<sup>th</sup> Amendment has been forwarded to the tenant, and Chart's attorney made proposed changes to the Amendment. The Port Attorney has reviewed and made suggestive language changes. The Executive Director will be meeting

with the tenant to discuss in the near future.

**(b) Update on the Executive Director's Negotiations & Board President's Execution of the Following Items Regarding LeBlanc Marine, LLC & Stark Services, Inc:**

- {1} Cancellation of 1<sup>st</sup> Amendment of Lease Agreement between LeBlanc Marine, LLC & the POI Regarding "Tract A".**
- {2} Cancellation of Lease Agreement between Carlin Fleet, Inc. & the POI Regarding Lot 7.**
- {3} First Amendment of Lease Agreement between LeBlanc Marine, L.L.C. & the POI Regarding Tracts A & B, Including Portions of Columbia Gulf and Tennessee Gas Pipelines, and Lot 7.**
- {4} Cancellation of Lease Agreement between Stark Services, Inc. & the POI Regarding "Tract B".**
- {5} Stark Services, Inc., Environmental Phase I (rec'd 12/21/10).**

The Executive Director reported that Mr. Ben LeBlanc, LeBlanc Marine, is prepared to execute all the Lease paperwork relative to items 1 and 3 noted above, effective August 1, 2011. The Lease Cancellations regarding items 2 and 4 noted above, will be effective July 31, 2011. The Executive Director indicated that there are a few items remaining on the property site with regards to creosote timbers and tires. Mr. Ben LeBlanc has agreed to accept the property site "as is", and he plans on removing the remaining items from the area.

**(c) Iberia Parish Government's 2010 Road Improvement Project - Port of Iberia Road Repairs.**

- {1} Phase II - Concrete Street Improvements: Quality Concrete Commercial Contractors, Inc.**

The Executive Director presented an email dated June 20, 2011 from BH&A, which indicates that the IPG 2010 Road Improvement Project - Port of Iberia Road Repairs is now complete.

**(d) Iberia Parish Government Bridge Replacement Project.**

- {1} Port Road Bridge Replacement.**

The Executive Director presented an email dated July 13, 2011 from Domingue, Szabo & Associates, Inc., which indicates that the contractor intends to take the Port Road Bridge out of service sometime in mid-September and return it to service in mid-December. In addition, a schedule will be updated approximately on a monthly basis or as major changes occur.

**(e) Report on Port Millennium Expansion Phase II Project.**

- {1} Update from Port Attorney Regarding a Request for a Modified Abandonment (if necessary) from the Iberia Parish Council Relative to the Construction of a Cul-de-Sac & Barricade**

**Placement between the end of the Road and Slip C-8.**

**{2} Update from Port Attorney on Navigation Servitude.**

The Port Attorney had nothing to report on the above agenda items.

The Executive Director reported to the Board that he has been pursuing supplemental Federal funding through the United States Department of Commerce Economic Development Administration (EDA), and through the Delta Regional Authority (DRA). The funding he is pursuing would supplement the \$5 Million that the Iberia Parish Government has committed to the POI under the TIF Program.

**A motion was made by Commissioner Mark Dore', seconded by Commissioner Raymond Bernard, Jr., to approve and authorize the Executive Director and Mr. O'Neil Malbrough, Shaw Coastal, Inc. to prepare and submit an application to the U.S. Department of Commerce Economic Development Administration (EDA), and to the Delta Regional Authority, on behalf of the Port of Iberia District for supplemental funding assistance of a Port improvement project as it relates to the TIF allocated funding (\$5 Million) to the Port of Iberia District; and motion further authorizes the Executive Director and/or Board President to execute the applications and necessary paperwork accordingly.**

**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 Mark Dore'.**

**Nays: None.**

**Absent at Voting: Mike Resweber.**

**And the motion was therefore passed on this the 19<sup>th</sup> day of July 2011.**

**A motion was made by Commissioner Frank Minvielle, seconded by Commissioner Gene Jefferies, that the following be adopted:**

**PORT OF IBERIA DISTRICT BOARD OF COMMISSIONERS  
RESOLUTION**

A Resolution authorizing the Port of Iberia District to prepare and submit an application to the United States Department of Commerce Economic Development Administration (EDA) for assistance in the implementation of a Port improvement project; providing for the necessary documentation of the need for the Port improvement; and providing for other matters in connection therewith.

WHEREAS, the Port of Iberia District Board of Commissioners duly convened at its Regular meeting on Tuesday, July 19, 2011; and

WHEREAS, the Port of Iberia District has a need of Port improvements; and

WHEREAS, the Port of Iberia District desires to apply for Federal funds to

implement a project to improve its Port operation, and the Port of Iberia District is fully aware of its obligations regarding EDA funding; and

WHEREAS, the Port of Iberia District is a political body duly organized and existing under the laws of the State of Louisiana, created under the provisions of Act 128 of 1938, and is eligible to apply for funds under said Statute;

NOW, THEREFORE, BE IT RESOLVED by the Port of Iberia District as follows:

Section 1. That the Port of Iberia District acknowledges that a formal application will be prepared and submitted to the Economic Development Administration.

Section 2. That Roy Pontiff, Executive Director, is hereby designated Authorized Representative for the Port of Iberia District to effect the preparation of an application to the EDA for funding assistance of a Port improvement project.

Section 3. That said Authorized Representative's responsibilities shall pertain to technical matters only and shall not include any official act on behalf of the Port of Iberia District. **This Resolution 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 Mark Dore.**

**Nays: None**

**Absent at Voting: Mike Resweber.**

**And the Resolution was declared adopted this 19<sup>th</sup> day of July 2011.**

**A motion was made by Commissioner Raymond Bernard, Jr., seconded by Commissioner Millie Martinez, that the following be adopted:**

PORT OF IBERIA DISTRICT BOARD OF COMMISSIONERS  
RESOLUTION

A Resolution authorizing the Port of Iberia District to prepare and submit an application to the Delta Regional Authority (DRA) for assistance in the implementation of a Port improvement project; providing for the necessary documentation of the need for the Port improvement; and providing for other matters in connection therewith.

WHEREAS, the Port of Iberia District Board of Commissioners duly convened at its Regular meeting on Tuesday, July 19, 2011; and

WHEREAS, the Port of Iberia District has a need of Port improvements; and

WHEREAS, the Port of Iberia District desires to apply for Federal funds to implement a project to improve its Port operation, and the Port of Iberia District is fully aware of its obligations regarding Delta Regional Authority (DRA) funding; and

WHEREAS, the Port of Iberia District is a political body duly organized and existing under the laws of the State of Louisiana, created under the provisions of Act 128 of 1938, and is eligible to apply for funds under said Statute;

NOW, THEREFORE, BE IT RESOLVED by the Port of Iberia District as follows:

Section 1. That the Port of Iberia District acknowledges that a formal application will be prepared and submitted to the Delta Regional Authority.

Section 2. That Roy Pontiff, Executive Director, is hereby designated Authorized Representative for the Port of Iberia District to effect the preparation of an application to the Delta Regional Authority for funding assistance of a Port improvement project.

Section 3. That said Authorized Representative's responsibilities shall pertain to technical matters only and shall not include any official act on behalf of the Port of Iberia District.

**This Resolution 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 Mark Dore.**

**Nays: None**

**Absent at Voting: Mike Resweber.**

**And the Resolution was declared adopted this 19<sup>th</sup> day of July 2011.**

- (f) **Update on Environmental Compliance Solutions, LLC, Operations:**
- {1} Assets Remaining on 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.**

The Executive Director reported that the property site has been cleaned to a point where it is acceptable to a new tenant. The new tenant has contacted the Executive Director and would like to occupy the property site. The Executive Director indicated that the Port does not have a clean Environmental Phase I, nor the appropriate documentation notifying the Port that Environmental Compliance Solutions has complied with the LA DEQ Compliance Order which was issued. In addition, an outstanding balance remains and is due the POI. The Port Attorney has been unsuccessful in reaching Mr. George Bevan. Commissioner Raymond Bernard visited the property site. He expressed his concern with the gate being left open, and also the dike containment area where the tanks were located is close to overflowing. Discussion ensued.

A motion was made by Commissioner Raymond Bernard, Jr., seconded by Commissioner Frank Minvielle, to authorize the Port Attorney to prepare and forward (certified mail) on behalf of the Port of Iberia District Board of Commissioners, a "Demand Letter" to Environmental Compliance Solutions, L.L.C. regarding: the Assets Remaining on Tract "I-2" (2.0 acres); Clean Environmental Phase I; Evidence ECS Compliance w/LA DEQ Compliance Order Issued; Property Site Clean & Acceptable.

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, Mark Dore', and Mike Resweber.

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 19<sup>th</sup> day of July 2011.

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

The Executive Director reported that he has been attending the Iberia Parish Council and Iberia Economic Development District Number 1 meetings. It appears that the Parish is moving forward. The boundary issues are in the process of being addressed. An Injunction has been filed and a hearing has been scheduled for sometime in August 2011. There has been \$5 Million committed to the Port of Iberia District by the TIF Program.

**(h) Update on Eleventh (11th) Amendment of Lease between All Points Equipment Company, LLC. & the POI Regarding Lot 14R-A (.992 Acres) (10<sup>th</sup> Amendment Expired 6/30/2011).**

The Executive Director reported that the 11<sup>th</sup> Amendment of Lease between All Points Equipment Company, L.L.C. and the POI has been forwarded to the tenant. The tenant would like minor changes to be made to the 11<sup>th</sup> Amendment. The Board President has authorization to execute the Amendment.

**(i) Update on Lexicon, Inc. New Lease Agreement upon the Expiration of the Current Lease on January 31, 2012, Regarding Lots 29-34, 68-76, and a Portion of the Tennessee Gas Pipeline Right-of-Way (total of 16.307 acres)(currently subleased to Nabors Offshore)at the Port of Iberia.**

A motion was made by Commissioner Frank Minvielle, seconded by Commissioner Raymond Bernard, Jr., to approve and authorize the Board President to execute the new Lease Agreement between Lexicon, Inc., and the Port of Iberia District regarding Lots 29-34, 68-76, and a Portion of the Tennessee Gas Pipeline Right-of-Way (total of 16.307 acres) (currently subleased to Nabors Offshore) at the Port of Iberia, effective January 1, 2012.

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, Mark Dore', and Mike Resweber.

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 19<sup>th</sup> day of July 2011.

(j) **Announcements.**

There were no announcements.

**IX. ADJOURNMENT.**

On a motion by Commissioner Raymond Bernard, Jr., and seconded by Commissioner Millie Martinez, the meeting was adjourned at 6:15 P.M.

  
SECRETARY-TREASURER

  
PRESIDENT