

**PORT OF IBERIA DISTRICT  
BOARD OF COMMISSIONERS  
REGULAR MEETING – TUESDAY, DECEMBER 17, 2019  
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 Commissioner Elbridge “Smitty” Smith, III, Board President, at the Port of Iberia Administrative Office, on Tuesday, December 17, 2019, at 5:30 P.M.

In attendance were Commissioners Elbridge “Smitty” Smith, III, President, Danny J. David, Sr., Secretary – Treasurer, Roy A. Pontiff, and Shane Walet.

Commissioners Mark Dore’, Vice-President, Larry G. Rader, and Simieon d. Theodile were absent.

Also present were Craig Romero, Executive Director, Tracy Boudreaux, Bookkeeper-Secretary, Brandi Landry, Receptionist-Secretary, and Ray Allain, Port Attorney.

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

**I. APPROVAL OF MINUTES – Regular Meeting Thursday, November 21, 2019.**

The minutes from Thursday, November 21, 2019 will be approved at the January 2020 Regular monthly Board meeting.

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

- (a) Budget Summary for Five (5) Months Ending November 2019.**
- (b) Listing of Tenant Lease Billings for 2019.**
- (c) Listing of Boat Stall Tenant Lease Billings for 2019.**
- (d) Approve Payment of Bills & Checks Issued During Interim Period.**

A motion was made by Commissioner Roy A. Pontiff, seconded by Commissioner Shane Walet, to approve and authorize the payment of bills for November 2019, and ratify those paid during the interim period.

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

**Yeas: Elbridge “Smitty” Smith, III, Danny J. David, Sr., Roy A. Pontiff, Shane Walet.**

**Nays: None.**

**Absent at Voting: Mark Dore’, Larry G. Rader, and Simieon d. Theodile.**

**And the motion was therefore passed on this the 17<sup>th</sup> day of December, 2019.**

### **III. EXPANSION OF AGENDA**

**A motion was made by Commissioner Roy A Pontiff, seconded by Commissioner Danny J. David, Sr. to expand the Port of Iberia District Board of Commissioners Regular monthly Board meeting of Tuesday, December 17, 2019 for Port Attorney Ray Allain to introduce a possible new attorney that will be working with the Port of Iberia District.**

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

**Yeas: Elbridge “Smitty” Smith, III, Danny J. David, Sr., Roy A. Pontiff, Shane Walet.**

**Nays: None.**

**Absent at Voting: Mark Dore’, Larry G. Rader, and Simieon d. Theodile.**

**And the motion was therefore passed on this the 17<sup>th</sup> day of December, 2019.**

Port Attorney Ray Allain introduced Ms. Ashley Philen, who is an attorney who has applied for employment with Allain and Allain. Mr. Ray Allain stated that he has met and spoken at length on three occasions and he is very impressed with her experience and qualifications and feels that she would be an asset to the Port of Iberia. He stated that Ms. Ashley would be particular help to the Port of Iberia in the area of the AGMAC Project, Pipeline Relocations and related issues. Mr. Ray Allain stated he would like to bring Ms. Ashley on board and have her begin working on the AGMAC Project. He asked that the Board consider letting her work on its projects and he would like to get her on board as quickly as the Commission feels comfortably making a decision about it. Mr. Ray Allain stated, that at this point, she would only be working in connection with the AGMAC Project; his contract and the Port of Iberia is for the firm Allain and Allain so the billing would come through that contract.

There was no action taken on the above agenda item.

### **IV. ELECTION OF 2020 OFFICERS – PRESIDENT, VICE-PRESIDENT, SECRETARY-TREASURER.**

**A motion was made by Commissioner Danny J. David, Sr., seconded by Commissioner Roy A. Pontiff, to open the nominations for Board President of the Port of Iberia District Board of Commissioners for the year 2020.**

**A motion was made by Commissioner Danny J. David, Sr., seconded by Commissioner Shane Walet, to nominate Commissioner Mark Dore’, to serve as President of the Port of Iberia District Board of Commissioners for the year 2020.**

**There being no further nominations for President, a motion was made by Commissioner Danny J. David, Sr., seconded by Commissioner Shane Walet, and unanimously carried, that the nominations for President be closed, and further**

that Commissioner Mark Dore', be elected President of the Port of Iberia District Board of Commissioners for the year 2020 by acclamation.

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

Yeas: Elbridge "Smitty" Smith, III, Danny J. David, Sr., Roy A. Pontiff, Shane Walet.

Nays: None.

Absent at Voting: Mark Dore', Larry G. Rader, and Simieon d. Theodile.

And the motion was therefore passed on this the 17<sup>th</sup> day of December, 2019.

A motion was made by Commissioner Roy A. Pontiff, seconded by Commissioner Shane Walet, to open the nominations for Vice-President of the Port of Iberia District Board of Commissioners for the year 2020.

A motion was made by Commissioner Shane Walet, seconded by Commissioner Roy A. Pontiff, to nominate Commissioner Danny J. David, Sr., to serve as Vice-President of the Port of Iberia District Board of Commissioners for the year 2020.

There being no further nominations for Vice-President, a motion was made by Commissioner Shane Walet, seconded by Commissioner Roy A. Pontiff, and unanimously carried, that the nominations for Vice-President be closed, and further that Commissioner Danny J. David, Sr., be elected Vice-President of the Port of Iberia District Board of Commissioners for the year 2020 by acclamation.

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

Yeas: Elbridge "Smitty" Smith, III, Danny J. David, Sr., Roy A. Pontiff, Shane Walet.

Nays: None.

Absent at Voting: Mark Dore', Larry G. Rader, and Simieon d. Theodile.

And the motion was therefore passed on this the 17<sup>th</sup> day of December, 2019.

A motion was made by Commissioner Roy A. Pontiff, seconded by Commissioner Danny J. David, Sr., to open the nominations for Secretary-Treasurer of the Port of Iberia District Board of Commissioners for the year 2020.

A motion was made by Commissioner Danny J. David, Sr., seconded by Commissioner Shane Walet, to nominate Commissioner Roy A. Pontiff to serve as Secretary-Treasurer of the Port of Iberia District Board of Commissioners for the year 2020.

There being no further nominations for Secretary-Treasurer, a motion was made by Commissioner Danny J. David, Sr., seconded by Commissioner Shane Walet, and unanimously carried, that the nominations for Secretary-Treasurer be closed, and further that Commissioner Roy A. Pontiff, be elected Secretary-Treasurer of the Port of Iberia District Board of Commissioners for the year 2020 by acclamation.

This motion having been submitted to a vote, the vote thereon was as follows:  
Yeas: Elbridge "Smitty" Smith, III, Danny J. David, Sr., Roy A. Pontiff, Shane Walet.  
Nays: None.

Absent at Voting: Mark Dore', Larry G. Rader, and Simieon d. Theodile.

And the motion was therefore passed on this the 17<sup>th</sup> day of December, 2019.

**V. REPRESENTATIVE FROM JOULON TO ADDRESS THE BOARD TO DISCUSS RAM DESIGN, LLC PRIMARY TERM OF LEASE AGREEMENT EXPIRING ON DECEMBER 31, 2019 (TRACT "L" – 18.130 ACRES LOCATED ON THE POI MILLENNIUM EXPANSION PHASE II PROPERTY SITE).**

{1} Mr. Harinder Arya (Joulon).

Executive Director Craig Romero reported that Mr. Harinder Arya was out of the country and could not make the Board meeting but should be at the January 21, 2020 Board meeting.

**VI. DISCUSS POLICIES AND PROCEDURES COMMITTEE RECOMMENDATIONS & FINDINGS FROM FRIDAY, MAY 10, 2019 COMMITTEE MEETING:**

(a) Discuss/Review Port of Iberia District Policies & Procedures.

(b) Discuss/Review Lease Provisions Relative to Maintenance/Improvements.

Committee Chairman Shane Walet stated that he would like to schedule a Policies and Procedures Committee meeting for late January 2020 or early February 2020 to discuss the above Agenda item.

**VII. REPORT FROM MR. GERALD GESSER, GESSER GROUP, APC ON:**

(a) All Points Equipment Company, LLC Fabrication/Warehouse Building ("Building C"):

{1} Status Report – Roof Replacement.

Mr. Gerald Gesser reported that the roof replacement project is complete.

{2} Status Report – Folding Door Repairs (Rear Door / Wall Replacement).

\*\*\*Discuss/Consider Approval of Gesser Group Invoice Number 01-POI-APRDWR.

A motion was made by Commissioner Roy A. Pontiff, seconded by Commissioner Shane Walet to approve and authorize the payment of Invoice Number 01-POI-APRDWR to Gesser Group APC in the amount of \$6,500.00 for architectural services provided for the folding door repairs (Rear Door/Wall Replacement) Project.

This motion having been submitted to a vote, the vote thereon was as follows:  
Yeas: Elbridge "Smitty" Smith, III, Danny J. David, Sr., Roy A. Pontiff, Shane Walet.

Nays: None.

**Absent at Voting: Mark Dore', Larry G. Rader, and Simieon d. Theodile.**  
**And the motion was therefore passed on this the 17<sup>th</sup> day of December, 2019.**

**(b) Port of Iberia Administrative Office Building: (Generator Replacement; Aqua Dam Flood Control Structure.**

**{1} Status Report – Emergency Generator Replacement.**

Mr. Gerald Gesser reported that the POI Natural Gas Generator was installed and he is currently waiting on a factory representative to start it up and make sure everything works properly.

**{2} Status Report – Aqua Dam Flood Control Structure.**

**\*\*\*Update on Vendor's Contracts (Base Contract; Storage Contract; and Installation Contract).**

Mr. Gerald Gesser reported that the contracts were in the process of being signed and would be submitted to the contractor.

**(c) Proposed Emergency Command Center/File Storage Building:**

**{1} Status Report – Proposed Design & Budget Estimate.  
(Port Improvement & Development Committee).**

Mr. Gerald Gesser reported that he is currently waiting on a Port Improvement & Development Committee Meeting to move further with this project.

**(d) Ram Design Warehouse:**

**{1} Status Report – Hurricane Barry Damages (Permanent).**

Mr. Gerald Gesser reported that the above agenda item has been completed.

**(e) Discuss/Consider Gesser Group Invoice No. 2019-01 for General Architectural Services Provided.**

**A motion was made by Commissioner Danny J. David, Sr., seconded by Commissioner Shane Walet to approve and authorize the payment of Invoice Number 2019-01 to Gesser Group, APC in the amount of \$2,730.00 for architectural services provided to develop documentation of All Points for Chart.**

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

**Yeas: Elbridge "Smitty" Smith, III, Danny J. David, Sr., Roy A. Pontiff, Shane Walet.  
Nays: None.**

**Absent at Voting: Mark Dore', Larry G. Rader, and Simieon d. Theodile.**

**And the motion was therefore passed on this the 17<sup>th</sup> day of December, 2019.**

**VIII. LOUISIANA PORT CONSTRUCTION & DEVELOPMENT PRIORITY PROGRAM  
SPN H.011928 "EAST & WEST YARD" EXPANSION & SITE IMPROVEMENTS  
PROJECT:**

**(a) Report from Mr. Oneil Malbrough of GIS Engineering, LLC. on:  
{1} Update on Status of West Yard Expansion Project.**

Mr. Oneil Malbrough reported that GIS Engineering LLC performed a site visit with a potential contractor, along with Gesser Group, to evaluate the requested repairs for the potential tenant. After the site visit, GIS Engineering LLC reevaluated the cost estimate for all the required and requested repairs and met with Executive Director Craig Romero in an attempt to take the original numbers and see if there was a way to get the numbers down. That is currently being worked on.

CASE had done the original structural forensic work in the main building. They were working on beginning the forensic work in Bay 5, or the back building. In the meantime, there was discussion from the tenant to eliminate one of the cranes in the building, so Mr. Oneil Malbrough and Mr. Craig Romero stopped CASE from the work they were doing and they are completing the work on the building. Mr. Oneil Malbrough stated that he received a report from the engineer on what CASE is doing. The contract that was given to CASE was for about \$11,000 and they have currently completed about \$5,000 of that work.

Mr. Craig Romero, Executive Director, reported that they know they have a certain amount of money available, and there were prices for all the different line items from electrical to plumbing, to washing and painting, to cranes and the number is bigger than the amount of money available so they continued to meet with Seadrill.

On the long building, CASE was called in because Seadrill originally wanted a 25-ton crane where they only had a 10-ton crane. Mr. Craig Romero stated that one crane company volunteered to come with a manlift and spend a whole day getting up on top to see exactly what would need to be done to convert the 10-ton crane to a 25-ton crane. He stated that the rail itself is not sufficient enough to support a 25-ton crane, and then when the bigger rail is put on top of the I-beam on top, the base of the rail is wider than the I-beam. A major modification would need to be made.

Mr. Craig Romero stated that in explaining that to Seadrill, Mr. Lynn Usie, the Shore Base Manager, stated that he could do without a crane right now, and would like to just be moved and if they have to do it in a year or two they could possibly absorb the cost, but he would be able to operate with a forklift in that part of the building.

**{2} Drainage Update.**

Mr. Oneil Malbrough stated that there were no bids received on the original bid date. Re-advertisement will begin on December 19, 2019 with a bid-opening date of January 20, 2019.

**{3} Discuss/Approve GIS Engineering, LLC Invoice Number 70003108.**

A motion was made by Commissioner Shane Walet, seconded by Commissioner Roy A. Pontiff to approve and authorize the payment of Invoice Number 70003108 to GIS Engineering, LLC in the amount of \$26,833.45 for the period November 1, 2019 thru November 30, 2019 which includes November activities for the General Engineering Services Contract, including Gesser Group activities, coordination with potential tenant for requested repairs, coordination with CASE for required structural repairs, and cost estimating associated with Building B repairs; in accordance with contract dated August 21, 2018.

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

**Yeas: Elbridge “Smitty” Smith, III, Danny J. David, Sr., Roy A. Pontiff, Shane Walet.  
Nays: None.**

**Absent at Voting: Mark Dore’, Larry G. Rader, and Simieon d. Theodile.**

**And the motion was therefore passed on this the 17<sup>th</sup> day of December, 2019.**

**(b) Report from Executive Director on:**

**{1} Status/Update on POI West Yard.**

Mr. Craig Romero stated that Seadrill’s legal department hadn’t gotten back to the Port of Iberia yet to sign the lease.

Commissioner Roy Pontiff stated that he would like a spreadsheet created that shows the budget for each item and the remaining budget for the West Yard Expansion to keep the Board updated on the expenditures.

**IX. REPORT FROM MR. ONEIL MALBROUGH AND MS. LEAH SELCER OF GIS ENGINEERING, LLC ON:**

**(a) Port Millennium Expansion Phase III Project – Site Excavations & Dredging.**

**{1} Update on the Status of the Port Millennium Expansion Phase III Project.**

Mr. Oneil Malbrough stated that at the last Board meeting there was some discussion about the navigability of the barges going in and out of the site, so GIS Engineering LLC coordinated with Mr. Craig Romero and Mr. Ray Allain. GIS Engineering LLC evaluated the navigability of a 110 ft x 50 ft barge at the Commercial Canal and Bernard Slip, interchange. After further evaluation, it was determined that a barge and tug would be able to navigate and make the turn through the slip. Mr. Oneil Malbrough stated that it would be his recommendation, when doing the project, to include some kind of fendering system in the corner or some kind of pipes with lights to protect the corners.

He stated that when the Port did the dredging of the Millennium Expansion Phase II Project, they used the same soil requirements and soil moving characteristics as they had done in Millennium Phase I. The contractor that worked on the first expansion used

more due diligence in drying out the dirt. Mr. Oneil Malbrough stated that Mr. Craig Romero voiced his concerns about this and stated that what he wanted to do was when the slip was dredged and the dirt was put on each side of the slip, that the Port wouldn't end up with the same problems as with RAM Designs and Logan Industries. Mr. Oneil Malbrough stated that to do that, geotechnical work would need to be done and have the geotechnical people establish the requirements of how to place the soil. Mr. Oneil Malbrough stated that they received a cost estimate to do the soil borings and the geotechnical work that is needed in the amount of \$13,340.00 and that environmental permitting would be put under GIS Engineering's existing contract in the amount of \$25,000.00.

**A motion was made by Commissioner Roy A. Pontiff, seconded by Commissioner Shane Walet to approve and authorize GIS Engineering, LLC to perform the geotechnical work in the amount of \$13,340.00 and for environmental permitting in the amount of \$25,000.00 regarding the Port of Iberia Millennium Expansion Phase III Project, in accordance with contract dated February 1, 2018.**

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

**Yeas: Elbridge "Smitty" Smith, III, Danny J. David, Sr., Roy A. Pontiff, Shane Walet.**

**Nays: None.**

**Absent at Voting: Mark Dore', Larry G. Rader, and Simieon d. Theodile.**

**And the motion was therefore passed on this the 17<sup>th</sup> day of December, 2019.**

**(b) Bank Stabilization Project.**

**{1} Update (Chart, All Points, Dynamic).**

Mr. Oneil Malbrough stated that GIS Engineering LLC is awaiting the final Geotechnical Report from Louisiana Testing. They have received the soil borings for all Three (3) sites. GIS Engineering LLC has a preliminary set of design plans prepared and have been sent to the LA DOTD for review and approval. Mr. Oneil Malbrough stated that once GIS Engineering LLC receives the approval from LA DOTD they will be ready to go out for bids.

**A motion was made by Commissioner Danny J. David, Sr., seconded by Commissioner Shane Walet, to approve and authorize GIS Engineering, LLC to advertise for bids for the POI Bank Stabilization Project (Chart, All Points, and Dynamic); and motion is contingent upon the LA DOTD review and approval.**

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

**Yeas: Elbridge "Smitty" Smith, III, Danny J. David, Sr., Roy A. Pontiff, Shane Walet.**

**Nays: None.**

**Absent at Voting: Mark Dore', Larry G. Rader, and Simieon d. Theodile.**

**And the motion was therefore passed on this the 17<sup>th</sup> day of December, 2019.**



**{2} Discuss/Approve GIS Engineering Inv. Number 70003110.**

A motion was made by Commissioner Roy A. Pontiff, seconded by Commissioner Danny J. David, Sr. to approve and authorize the payment of Invoice Number 70003110 to GIS Engineering, LLC in the amount of \$5,990.77 for the period November 1, 2019 thru November 30, 2019 which includes November activities including survey subcontractor and preparation of preliminary plans; in accordance with proposal dated October 10, 2019 regarding the POI Bank Stabilization Project.

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

Yeas: Elbridge "Smitty" Smith, III, Danny J. David, Sr., Roy A. Pontiff, Shane Walet.

Nays: None.

Absent at Voting: Mark Dore', Larry G. Rader, and Simieon d. Theodile.

And the motion was therefore passed on this the 17<sup>th</sup> day of December, 2019.

**(c) AGMAC Project General Engineering and Consulting Services:**

**{1} Update on Status of AGMAC Project.**

**{2} AGMAC Port's Maintenance Dredging Permit Update.**

Mr. Oneil Malbrough stated that the AGMAC Port's Maintenance Dredging Permit will be obtained by the second week of January 2020.

**(d) AGMAC Phase I Dredging Project:**

**{1} AGMAC Dredging Project – Update on Permit.**

Mr. Oneil Malbrough stated that the Pre-application meeting was held with the USACE on November 20, 2019 and the Pre-application meeting was held with the LDNR on November 26, 2019. He stated that both of these meetings went very well. On December 12, 2019 the Permit Application was applied for.

**{2} AGMAC Dredging Project – Pipeline Coordination.**

Mr. Oneil Malbrough stated that GIS Engineering LLC is currently coordinating with Five (5) pipeline companies and subconsultants. He stated that he met recently with Mr. Ed Landgraf in regards to relocation and matting.

**{3} Landowner Coordination.**

There was no update on the above agenda item.

Mr. Oneil Malbrough stated that GIS Engineering LLC has completed the survey of Commercial Canal and is currently surveying the overbanks to finalize the disposal areas. The next phase of work will be the hydrographic survey of the GIWW.

**{4} Discuss/Approve GIS Engineering, LLC Invoice Number 70003109.**

A motion was made by Commissioner Shane Walet, seconded by Commissioner Danny J. David, Sr. to approve and authorize the payment of Invoice Number 70003109 to GIS Engineering, LLC in the amount of \$28,698.49 for the period of November 1, 2019 thru November 30, 2019 which includes activities meetings and coordination with pipeline companies requiring relocation, coordination with pipeline companies requiring engineered cover, preparation of figures for pipeline relocation, preparing permit and permit figures, disposal site location analysis and site meetings.

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

Yeas: Elbridge "Smitty" Smith, III, Danny J. David, Sr., Roy A. Pontiff, Shane Walet.  
Nays: None.

Absent at Voting: Mark Dore', Larry G. Rader, and Simieon d. Theodile.

And the motion was therefore passed on this the 17<sup>th</sup> day of December, 2019.

**X. REPORT FROM PORT ATTORNEY ON:**

**(a) Update on Henry Bernard Property Located Behind the POI Administrative Office.**

**{1} Status of Navigation Servitudes on Bernard Canal.**

**{2} Status of Navigation Servitude – (MIF & Henry Bernard).**

Mr. Ray Allain stated that Mr. Oneil Malbrough did the studies on the Commercial Canal and Bernard Slip interchange in order to help him determine what could be done in the channel with the MIF Navigational Servitude. After the study was done, it seemed apparent MIF could navigate without having to move the barges. Mr. Oneil Malbrough requested that Mr. Ray Allain to ask Mr. Durand how much space would be needed to moor the barges. Mr. Durand responded by saying, "75 ft would be enough." Mr. Ray Allain stated that he modified the Navigational Servitude to allow MIF to keep vessels within 75 feet of the bank, but it is conditioned upon any situation that arises under the Port's discretion that requires more width within the channel in which case they would have Seven (7) days to move the vessels to accommodate the traffic.

**(b) Update on AGMAC Dredging Project – Pipeline Coordination (Legal Counsel)**

Mr. Ray Allain stated that he has been working on this project considerably and there is additional work that needs to be done. There is a plan to meet with the Attorney General to see how the State may be able to assist the Port in proceeding in the negotiations with the pipeline companies. Mr. Ray Allain stated that there was a letter submitted to the Attorney General outlining the Port's needs and the background of the project. It also outlines what the Port is trying to do in Phase I of the project and contains a copy of the original opinion from 2009 that Mr. Ray Allain did with attachments and exhibits. Mr. Ray Allain stated that the opinion needs to be updated.

**XI. REPORT FROM EXECUTIVE DIRECTOR ON:**

**(a) Update on Lease Agreement Between RedGuard & the POI Regarding Lots 23-26 (0.827 acres) at the Port of Iberia.**

Administrative Assistant Joanna Durke is finalizing the lease for RedGuard.

**(b) Update on the Lease Agreement between Noble Drilling Services & the POI Regarding Lot 14R-A (0.992 acres) at the Port of Iberia for Module Storage.**

Administrative Assistant Joanna Durke is finalizing the lease for Noble Drilling Services.

**(c) Update on Lease Agreement Between Seadrill Americas, Inc. & the POI Regarding Site B-1 (57.4 acres) Located at the POI West Yard.**

Mr. Craig Romero stated that is talking with Seadrill every week.

**(d) Executive Director's Monthly Report.**

- Recently notified that NOV will not be renewing their lease with the POI. There is someone wanting to sign a lease for the 15 acres after January 15, 2020.
- Dynamic is up to 480 employees and has work through early summer of 2020, Chart is now up to 100 employees and will be hiring more soon, Bayou Pipe is up to about 380 employees and has finished offloading the TransCanada pipe for the Keystone Pipeline job, CCS is up to about 180 employees and is looking to expand.

**(e) Announcements:**

**XII. ADJOURNMENT.**

**On a motion made by Commissioner Roy A. Pontiff, and seconded by Commissioner Shane Walet the meeting was adjourned at 6:53 p.m.**