

**PORT OF IBERIA DISTRICT BOARD OF COMMISSIONERS
REGULAR MONTHLY MEETING
TUESDAY, AUGUST 24, 2021
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 Roy A. Pontiff, Vice-President, at the Port of Iberia Administrative Office, on Tuesday, August 24, 2021, at 5:50 P.M.

In attendance were Commissioners Roy A. Pontiff, Vice-President, Shane Walet, Secretary-Treasurer, Patrick Broussard, and Mark Dore’.

Commissioners Danny J. David, Sr., Board President, Simieon d. Theodile, and Elbridge “Smitty” Smith, III. were absent.

Also present were Craig Romero, Executive Director, Joanna Durke, Chief Administrative Officer, Tracy Boudreaux, Administrative Assistant, Shari Landry, Secretary-Receptionist, and Donelson Caffery, Port Attorney.

Thus, with a quorum being acknowledged, Commissioner Mark Dore’ recited the opening prayer and the Pledge of Allegiance.

- I. APPROVAL OF MINUTES – Regular Meeting Tuesday, June 15, 2021.**
- Special Meeting Friday, July 9, 2021.
- Regular Meeting Tuesday, July 20, 2021.

On a motion by Commissioner Patrick Broussard, and seconded by Commissioner Mark Dore’, the Commission approved the minutes of the Regular Meeting held on Tuesday, June 15, 2021.

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

Yeas: Roy A. Pontiff, Shane Walet, Patrick Broussard, and Mark Dore’.

Nays: None.

Absent at Voting: Danny J. David, Sr., Simieon d. Theodile, and Elbridge “Smitty” Smith, III.

And the motion was therefore passed on this the 24th day of August, 2021.

On a motion by Commissioner Shane Walet, and seconded by Commissioner Mark Dore’, the Commission approved the minutes of the Special Meeting held on Friday, July 9, 2021.

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

Yeas: Roy A. Pontiff, Shane Walet, Patrick Broussard, and Mark Dore’.

Nays: None.

Absent at Voting: Danny J. David, Sr., Simieon d. Theodile, and Elbridge “Smitty” Smith, III.

And the motion was therefore passed on this the 24th day of August, 2021.

On a motion by Commissioner Mark Dore’, and seconded by Commissioner Shane Walet, the Commission approved the minutes of the Regular Meeting held on Tuesday, July 20, 2021.

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

Yeas: Roy A. Pontiff, Shane Walet, Patrick Broussard, and Mark Dore’.

Nays: None.

Absent at Voting: Danny J. David, Sr., Simieon d. Theodile, and Elbridge “Smitty” Smith, III.

And the motion was therefore passed on this the 24th day of August, 2021.

II. DISCUSS AND/OR DISTRIBUTE THE FOLLOWING:

(a) Budget Summary for One (1) Month Ending July 2021.

Mrs. Joanna Durke stated that at One (1) Month the Port should be at 8.34%. Mrs. Joanna Durke stated that revenues are at 18.17% and expenditures are at 8.05%.

Commissioner Roy Pontiff questioned which tenant is the \$582,054.51 in leases. Mrs. Joanna Durke stated that it is Chart.

Commissioner Patrick Broussard expressed concern regarding line-item Other Legal which is at 113.25%. Mrs. Joanna Durke stated that this increase is due to the bankruptcy attorney for the Seadrill Limited Chapter 11 Bankruptcy case.

Commissioner Roy Pontiff asked Mr. Craig Romero if these expenses would begin tapering off. Mr. Craig Romero stated that yes, they will. Mr. Don Caffery has gotten involved to make sure any work that has gotten billed is work that was done and necessary.

- **Discuss/Consider Budget Amendment to add Maintenance Outside Services back as a Budgetary Line Item to Accommodate for only One (1) Month (July 2021) Paying the Temporary Service for the Temporary Employee.**

Commissioner Roy Pontiff stated that the Employment Contract for the Maintenance/Dock Supervisor did not take effect until August 1, 2021. Therefore Mr. Joey Delahoussaye was still under Prime Staffing for the month of July. Mrs. Joanna Durke is asking to amend the budget to include line-item Maintenance Outside Services in the amount of \$2,808.00 to cover the costs of July for Mr. Joey Delahoussaye.

Commissioner Patrick Broussard asked if the money could be taken from somewhere else

instead of a runover of the account. Mrs. Joanna Durke stated that the Port originally budgeted to pay Mr. Joey Delahoussaye from the Maintenance/Dock Supervisor line-item. If the Port would take the money from that line-item and transfer it to the Maintenance Outside Services line-item, the Port would then be short in the line-item Maintenance/Dock Supervisor at the end of the Fiscal Year.

A motion was made by Commissioner Patrick Broussard, seconded by Commissioner Mark Dore' to amend the budget for the Port of Iberia District FY 2021-2022 to include Budgetary line-item Maintenance Outside Services in the amount of \$2,808.00 relative to the Maintenance/Dock Supervisor who was under Prime Staffing for the month of July.

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

Yeas: Roy A. Pontiff, Shane Walet, Patrick Broussard, and Mark Dore'.

Nays: None.

Absent at Voting: Danny J. David, Sr., Simieon d. Theodile, and Elbridge "Smitty" Smith, III.

And the motion was therefore passed on this the 24th day of August, 2021.

(b) Listing of Utility Breakdown as it Relates to Electricity, Water, & Natural Gas.

Mr. Gerald Gesser reported that the Lawco water meter at the former Central Gulf property site was being used by Seamar and Aries Marine. Seamar was reimbursing the Port for the usage. The water meter is scheduled to be disconnected on August 25, 2021 due to neither company claiming the usage on the meter.

Commissioner Roy Pontiff asked Mr. Gerald Gesser about the progress on the West Yard Building B as far as the credits go that the Port was supposed to get from Entergy. Mr. Gerald Gesser stated that the account will be credited periodically. The credit will not be issued as a lump sum.

Mr. Gerald Gesser reported that Seadrill did not switch their meter over in time so the Port is invoicing them for the utilities for the month of July.

(c) Listing of Tenant Lease Billings for 2021.

➤ Update on Treva Crosby, Crosby Construction Services, Regarding its Lease Agreement Payment Schedule.

Mrs. Joanna Durke stated that Crosby Construction did pay for the month of July and they will owe August at the end of the month. Mrs. Joanna Durke stated that in July Crosby paid \$20,419.01. By the end of August Crosby owes the Port \$20,419.01 and by the end of September Crosby owes the Port \$20,419.00

➤ **Update on Diversified Materials Letter dated 7-19-2021 regarding its Lease Agreement Payment Schedule.**

Mrs. Joanna Durke reported that the Port has not received payment yet from Diversified Materials but the Board did give them until August 30, 2021 to pay the Lease Rent along with the delinquencies.

Mr. Craig Romero stated that Cody Fortier of Rigid Constructors expressed interest in the lot that Diversified Materials is located on.

Commissioner Roy Pontiff asked what is the status of Diversified Materials Lease Agreement with the Port. Mrs. Joanna Durke stated that there is no lease. Commissioner Roy Pontiff stated that if the Port has someone else willing to take that yard, then the Port should negotiate that. Mr. Craig Romero stated that Matt Durand would need to do a Phase I before the Port could do anything with it.

Commissioner Shane Walet questioned why is Dynamic Industries listed on the Lease Billings Report. Mrs. Joanna Durke stated that they had to leave it for the budget but they will remove it going forward.

(d) Listing of Boat Stall Tenant Lease Billings for 2021.

➤ **Update on Removal of Sunken Vessel in Slip #8 (Mr. Louis Corne).**

Mrs. Joanna Durke reported that Mr. Louis Corne's sunken vessel has been removed. Mrs. Joanna Durke displayed a picture to the Board of the vessel being lifted by a crane.

Mrs. Joanna Durke stated that Mr. Jimmy Rodrigue has sold his boat and the Port will reimburse him for August through December for the boat slip.

(e) Approve Payment of Bills & Checks Issued During Interim Period.

Commissioner Roy Pontiff questioned the Cajun Spraying payment on the Interim report. Mr. Craig Romero stated that is a 110-Gal Sprayer that is behind the Gator which is used to spray around the Port. Mrs. Joanna Durke stated that this was approved in the budget for this Fiscal Year. Commissioner Roy Pontiff asked where is all the maintenance equipment being kept for storage. Mr. Craig Romero stated that he takes the equipment to his place since he has the materials to take the sprayer out of the Gator when needed.

Commissioner Roy Pontiff suggested building a maintenance facility at the office to store the maintenance equipment. Mr. Craig Romero stated that he would start getting prices for this. Lengthy Discussion Ensued.

A motion was made by Commissioner Mark Dore', seconded by Commissioner Patrick Broussard, to approve and authorize the payment of bills for August 2021, and ratify those paid during the interim period.

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

Yeas: Roy A. Pontiff, Shane Walet, Patrick Broussard, and Mark Dore'.

Nays: None.

Absent at Voting: Danny J. David, Sr., Simieon d. Theodile, and Elbridge "Smitty" Smith, III.

And the motion was therefore passed on this the 24th day of August, 2021.

III. Report from Mr. John Koury, Kourco Environmental, Regarding the Environmental Phase I for Bayou Holdco.

Mr. John Koury of Kourco Environmental addressed the Board regarding the current status of the Environmental Phase I for Bayou Holdco. Mr. John Koury stated that he did a walk through of the building with the environmental guys, about 90% of the building is removed.

Mr. John Koury stated that when they reviewed the original Phase I done by TRC Companies on behalf of Bayou Holdco, there were all sort of environmental concerns.

Bayou Holdco asked Mr. John Koury to review these concerns. Mr. John Koury stated that Kourco was able to eliminate 16 of the 18 environmental concerns that were originally listed. Mr. John Koury stated that what seemed to be ground at Bayou Holdco was actually, rust from iron shavings. Mr. John Koury stated that Bayou Holdco will scrape up some of this to address this environmental concern. Mr. John Koury stated that it seems Bayou Holdco is taking care of their obligation. Mr. John Koury stated that demolition is expected to be completed by the end of September on Plant 2 and then they will begin prepping the land to restore.

Mr. John Koury stated that he will go walk through after demolition to determine if it is done or if there are further environmental concerns.

Discussion ensued; no action was taken on this agenda item.

IV. REPORT FROM MR. GERALD GESSER, GESSER GROUP, APC ON:

(a) Proposed Facility Inspection

{1} Discuss/Consider Gesser Group's Proposal (Port Development & Maintenance Committee for Review).

Mr. Gerald Gesser reported that the status of this is the same. He is still awaiting direction on this.

- (b) Port of Iberia Small Repairs Projects**
{1} Status Report for the “You Are Here” Port Sign Installation by Crosby Construction Services Located Across David Berard Road.

Mr. Gerald Gesser stated that the status of this is the same as well. He is still working with Crosby Construction to get this installed.

- {2} Status Report for Utility Meters (Cleco, Lawco, Atmos, and Entergy).**

Mr. Gerald Gesser stated that everything is in order. The water meter at Central Gulf that Seamar was reimbursing the Port for is scheduled to be turned off on August 25, 2021.

- {3} Discuss/Approve Royal Security Solutions, Inc. Invoice No. 20210193 Regarding the Port Security Surveillance System.**

Mr. Gerald Gesser stated that the payment for labor on this invoice will be withheld until the job is completed. The invoice was originally for \$8,798.00, he recommends that the Board approves this invoice for the amount of \$6,360.00 which does not include the labor costs (\$2,438.00).

A motion was made by Commissioner Mark Dore’, seconded by Commissioner Shane Walet to approve and authorize the payment of Invoice No. 20210193 to Royal Security Solutions, Inc. in the amount of \$6,360.00 for Two (2) Electric Meters, Breaker Box, Solar Panels, Batteries, and Junction Box; Four (4) Wireless Network Transmitters, and Repeaters and Receivers; Labor to extend Towers at Franks; and Labor to install equipment on new pole locations for security cameras on David Berard Road and Frank’s International; and motion further states that the labor will be withheld until the job is complete (\$2,438.00).

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

Yeas: Roy A. Pontiff, Shane Walet, Patrick Broussard, and Mark Dore’.

Nays: None.

Absent at Voting: Danny J. David, Sr., Simieon d. Theodile, and Elbridge “Smitty” Smith, III.

And the motion was therefore passed on this the 24th day of August, 2021.

{4} Discuss/Consider Gesser Group's Inv # 14-POI-SRP.

A motion was made by Commissioner Patrick Broussard, seconded by Commissioner Shane Walet to approve and authorize the payment of Invoice No. 14-POI-SRP to Gesser Group, APC in the amount of \$2,775.00 for small repairs projects requested by Executive Director.

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

Yeas: Roy A. Pontiff, Shane Walet, Patrick Broussard, and Mark Dore'.

Nays: None.

Absent at Voting: Danny J. David, Sr., Simieon d. Theodile, and Elbridge "Smitty" Smith, III.

And the motion was therefore passed on this the 24th day of August, 2021.

(c) Hurricane Laura & Delta Storm Damages

{1} Status Report on Hurricane Laura Flood Damage.

Mr. Gerald Gesser presented a breakdown of the Flood Insurance money received for Hurricane Laura damages. He stated that the Port has not used any of the remaining flood insurance money besides the \$14,950.00 for the Former Diamond Offshore and the \$2,500.00 for the former All Points Blasting & Coating Shop and \$2,500.00 for the former All Points Fab Shop.

➤ Discuss/Consider Three (3) Proposals for Renovations from Hurricane Laura Damages to the Former HIS Building and the Ram Building 5-A/6-B.

Mr. Gerald Gesser presented the Board with Three (3) quotes for Renovations to the Former HIS Building and the Ram Building 5-A/6-B.

- Modular Construction Company, Inc. in the amount of \$81,060.00.
- Bulliard Construction in the amount of \$89,166.25.
- Cajun Building Specialties in the amount of \$84,375.00.

A motion was made by Commissioner Mark Dore', seconded by Commissioner Shane Walet to approve and authorize Quote Number 6029-21-1 dated June 7, 2021 from Modular Construction Company, Inc. in the amount of \$81,060.00 for Renovations from Hurricane Laura Damages to the Former HIS Building and the Ram Building 5-A/6-B

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

Yeas: Roy A. Pontiff, Shane Walet, Patrick Broussard, and Mark Dore'.

Nays: None.

Absent at Voting: Danny J. David, Sr., Simieon d. Theodile, and Elbridge "Smitty"

Smith, III.

And the motion was therefore passed on this the 24th day of August, 2021.

- **Discuss/Consider Three (3) Proposals for Fencing at the former HIS Yard.**

Mr. Gerald Gesser presented the Board with Three (3) Proposals for fencing at the Former HIS Yard.

Mr. Gerald Gesser stated that for the fencing they did Two (2) options. Option One (1) is to connect the existing fence behind the former HIS to the canal. Option Two (2) is to go from the canal behind the former HIS to Lewis Street to separate the former HIS Building from the former Diamond and current Ram facility.

Mr. Gerald Gesser asked for the Board to accept both proposals, with the second one being contingent upon Ram Design's decision within the next couple of days, as to whether or not they want to lease Lot 9. The Board discussed to hold off on some of the fencing until Rams decision.

Mr. Gerald Gesser stated that a fence will be needed behind the former HIS Building since there is not a fence between the former HIS and the former Superior Yard.

- Modular Construction Company, Inc. in the amount of \$10,875.00 for option One (1) and \$34,800.00 for option Two (2).
- Bulliard Construction in the amount of \$11,254.00 for option One (1) and \$37,625.00 for option Two (2).
- Cajun Building Specialties in the amount of \$12,475.00 for option One (1) and \$36,875.00 for option Two (2).

A motion was made by Commissioner Shane Walet, seconded by Commissioner Patrick Broussard to approve and authorize Quote Number 6029-21-Fencing dated August 11, 2021 from Modular Construction Company, Inc. for option One (1) in the amount of \$10,875.00 for a 195' 6' High 3 Strand Barbed wire commercial chain-link fence for fencing behind the Former HIS Yard; and motion further acknowledges that option Two (2) is contingent upon if Ram leases Lot 9.

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

Yeas: Roy A. Pontiff, Shane Walet, Patrick Broussard, and Mark Dore'.

Nays: None.

Absent at Voting: Danny J. David, Sr., Simieon d. Theodile, and Elbridge "Smitty" Smith, III.

And the motion was therefore passed on this the 24th day of August, 2021.

{2} Status Report on Hurricane Laura & Delta FEMA Applications.

Mr. Gerald Gesser stated that they have submitted all requested information to FEMA. Tracy sent the signed claims for the limestone yards last week. Mr. Gerald Gesser stated there are Two (2) more steps before FEMA can commit to the money.

{3} Discuss/Consider Gesser Group's Inv # 12-POI-HLSD.

A motion was made by Commissioner Patrick Broussard, seconded by Commissioner Shane Walet to approve and authorize the payment of Invoice Number 12-POI-HLSD to Gesser Group, APC in the amount of \$2,775.00 for the period July 12, 2021 thru August 11, 2021 for architectural services provided from Hurricane Laura Storm Damages.

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

Yeas: Roy A. Pontiff, Shane Walet, Patrick Broussard, and Mark Dore'.

Nays: None.

Absent at Voting: Danny. J. David, Sr., Simieon d. Theodile, and Elbridge "Smitty" Smith, III.

And the motion was therefore passed on this the 24th day of August, 2021.

**V. 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} Port Priority & Capital Outlay Spreadsheets.**

Mr. Oneil Malbrough of GIS Engineering presented the updated Port Priority and Capital Outlay spreadsheets to the Board.

For Capital Outlay;

- Everything has been reimbursed besides what the Board will be approving at the meeting.

For Port Priority;

- Building A Parking Lot which is \$48,300.00 is awaiting reimbursement.
- Site & Drainage is complete.
- Concrete is complete.
- Crane & Ventilation is complete.

- (b) Report from Mr. Austin Hebert of GIS Engineering on:**

**{1} Building B – POI West Yard SPN H.011928(325d)
Crane & Ventilation Purchase & Installation
(Phase Vd of SPN H.011928).**

Mr. Austin Hebert of GIS Engineering reported that this project is now complete.

**(a) Clear Lien Certificate; Adopt Acceptance Resolution for the
LA DOTD.**

**A motion was made by Commissioner Mark Dore’, seconded by Commissioner
Patrick Broussard to adopt the following Resolution:**

**RESOLUTION – FINAL PROJECT ACCEPTANCE
STATE PROJECT NO. H.011928(325d)
PARISH OF IBERIA**

RESOLUTION

WHEREAS, the Port of Iberia District Board of Commissioners contracted with Acadiane’ Renovators, Ltd to complete State Project No. H.011928(325d) (Phase Vd of H.011928) – Port Improvements East and West Yard Expansion & Site Improvements Building B Crane & Ventilation Purchase & Installation 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 Acadiane’ Renovators, Ltd has been successfully completed Port Improvements East and West Yard Expansion & Site Improvements Building B Crane & Ventilation Purchase & Installation; and

WHEREAS, it is noted that a final inspection was conducted by the LA DOTD on Wednesday, May 5, 2021; and

NOW, THEREFORE, BE IT RESOLVED by the Port of Iberia District Board of Commissioners, in Regular session, assembled on this 24th day of August, 2021, the contract for Port Improvements East and West Yard Expansion & Site Improvements Building B Crane & Ventilation Purchase & Installation is hereby accepted by the Port of Iberia District Board of Commissioners effective Tuesday, August 24, 2021.

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

Yeas: Roy A. Pontiff, Shane Walet, Patrick Broussard, and Mark Dore’.

Nays: None.

**Absent at Voting: Danny J. David, Sr., Simieon d. Theodile, and Elbridge “Smitty”
Smith, III.**

And the Resolution was therefore adopted on this the 24th day of August, 2021.

(b) Discuss/Consider the Approval of Acadiane' Renovations Application for Payment No. 9 (Retainage).

A motion was made by Commissioner Shane Walet, seconded by Commissioner Patrick Broussard to approve and authorize application for Payment Number 9 (Retainage) to Acadiane' Renovations, Ltd. in the amount of \$41,065.61 for SPN: H.011928(325d) East & West Yard Expansion & Site Improvements Building B Crane & Ventilation Purchase & Installation Project Phase Vd of SPN H.011928 for the period May 26, 2021 thru July 20, 2021; in accordance with contract dated May 13, 2020.

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

Yeas: Roy A. Pontiff, Shane Walet, Patrick Broussard, and Mark Dore'.

Nays: None.

Absent at Voting: Danny J. David, Sr., Simieon d. Theodile, and Elbridge "Smitty" Smith, III.

And the motion was therefore passed on this the 24th day of August, 2021.

**{2} Building B – POI West Yard SPN H.011928(325g)
Bay 5 Repairs and Renovations
(Phase Vg of SPN H.011928).**

Mr. Austin Hebert of GIS Engineering reported that all the flood louvers have been installed. Acadiane Renovations has addressed most of their punch list items. GIS has not received their Clear Lien certificate. GIS Engineering is expecting to give them final acceptance next month.

(a) Discuss/Consider Approval of Acadiane' Renovations Application for Payment No. 10.

A motion was made by Commissioner Patrick Broussard, seconded by Commissioner Mark Dore' to approve and authorize Application for Payment Number 10 to Acadiane' Renovations, Ltd. in the amount of \$55,567.66 for East & West Yard Expansion & Site improvements Building B Bay 5 Repairs and Renovations Project Phase Vg of SPN H.011928 for the period May 26, 2021 thru July 20, 2021; in accordance with contract dated June 5, 2020.

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

Yeas: Roy A. Pontiff, Shane Walet, Patrick Broussard, and Mark Dore'.

Nays: None.

Absent at Voting: Danny J. David, Sr., Simieon d. Theodile, and Elbridge "Smitty" Smith, III.

And the motion was therefore passed on this the 24th day of August, 2021.

**{3} Building B – POI West Yard SPN H.011928(325e)
Building B Multipurpose Facilities & Small Warehouse
(Phase Ve of SPN H.011928).**

Mr. Austin Hebert reported that Acadiane Renovations has submitted their Clear Lien Certificate. They are still addressing a few punch list items.

(a) Clear Lien Certificate; Adopt Acceptance Resolution for the LA DOTD with contingency.

A motion was made by Commissioner Mark Dore', seconded by Commissioner Patrick Broussard to adopt the following Resolution:

**RESOLUTION – FINAL PROJECT ACCEPTANCE (with contingency)
STATE PROJECT NO. H.011928(325e)
PARISH OF IBERIA**

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

WHEREAS, the Port of Iberia District Board of Commissioners contracted with Acadiane' Renovations, Ltd. to complete State Project No. H.011928(325e) (Phase Ve of H.011928) – Port Improvements East and West Yard Expansion & Site Improvements Building B Multipurpose Facilities & Small Warehouse, 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 Acadiane' Renovations, Ltd. has been substantially completed - Port Improvements East and West Yard Expansion & Site Improvements Building B Multipurpose Facilities & Small Warehouse; and

WHEREAS, it is noted that a final inspection will be conducted by the LA DOTD at a future date contingent upon all of the punch list items being completed; and

NOW, THEREFORE, BE IT RESOLVED by the Port of Iberia District Board of Commissioners, in Regular session, assembled on this 24th day of August 2021, the contract for Port Improvements East and West Yard Expansion & Site Improvements Building B Multipurpose Facilities & Small Warehouse is hereby accepted by the Port of Iberia District Board of Commissioners contingent upon all of the Punch List Items being fully completed and the effective date will be the date the Port's engineer GIS Engineering, LLC, provides to the Port of Iberia District.

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

Yeas: Roy A. Pontiff, Shane Walet, Patrick Broussard, and Mark Dore’.

Nays: None.

Absent at Voting: Danny J. David, Sr., Simieon d. Theodile, and Elbridge “Smitty” Smith, III

And the Resolution was therefore adopted on this the 24th day of August, 2021.

(b) Discuss/Consider Approval of Acadiane’ Renovations Application for Payment No. 7 with contingency (Retainage).

A motion was made by Commissioner Patrick Broussard, seconded by Commissioner Shane Walet to approve and authorize Application for Payment Number 7 (Retainage) with contingency to Acadiane’ Renovations, Ltd. in the amount of \$34,728.03 for East & West Yard Expansion & Site improvements Building B Multipurpose Facilities & Small Warehouse Project Phase Ve of SPN H.011928 for the period May 26, 2021 thru July 20, 2021 in accordance with contract dated November 17, 2020.

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

Yeas: Roy A. Pontiff, Shane Walet, Patrick Broussard, and Mark Dore’.

Nays: None.

Absent at Voting: Danny J. David, Sr., Simieon d. Theodile, and Elbridge “Smitty” Smith, III.

And the motion was therefore passed on this the 24th day of August, 2021.

**{4} Building B – POI West Yard SPN H.011928(325c)
Steel Repairs & Installation (Bays 1-4)
(Phase Vc of SPN H.011928).
(a) Update on Status of Project.**

Frisco will begin installation of the ventilation system on August 25, 2021, and is scheduled to have the exhaust fan and Two (2) louvers installed by August 27, 2021. Preferred Electric is scheduled to mobilize to the project site on August 26, 2021 to install all wiring and electrical components to power the fan, thermostat and humidistat.

**{5} Building B – POI West Yard SPN H.011928(325h)
Crane Controls Safety Upgrade
(Phase Vh of SPN H.011928).
(a) Update on Status of Project.**

Mr. Austin Hebert reported that the anticipated construction start date is scheduled for August 30, 2021.

{6} Discuss/Consider Approval of Commercial Signs Invoice Number 70167 for Installation of the 20' x 40' Seadrill Sign.

A motion was made by Commissioner Shane Walet, seconded by Commissioner Mark Dore' to approve and authorize the payment of Invoice Number 70167 to Commercial Signs in the amount of \$16,175.00 for the 20'x40' Seadrill Sign; and motion further amends the previous motion at the March 24, 2021 meeting approving the quote of \$12,956.00 for the Seadrill Sign; and motion further stipulates that Seadrill will be responsible for the payment of the commercial sign through their additional lease rental payments to the Port of Iberia District.

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

Yeas: Roy A. Pontiff, Shane Walet, Patrick Broussard, and Mark Dore'.

Nays: None.

Absent at Voting: Danny J. David, Sr., Simieon d. Theodile, and Elbridge "Smitty" Smith, III.

And the motion was therefore passed on this the 24th day of August, 2021.

{7} Discuss/Approve GIS Engineering, LLC July Invoice Number 70006464 POI West Yard Expansion.

A motion was made by Commissioner Shane Walet, seconded by Commissioner Mark Dore' to approve and authorize the payment of Invoice Number 70006464 to GIS Engineering, LLC in the amount of \$31,792.75 for the period July 1, 2021 thru July 31, 2021 which includes July activities of Final Design, Resident Project Representative, Construction Administration and Project Closeout, and Architect Sub-Contractor; in accordance with contract dated August 21, 2018.

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

Yeas: Roy A. Pontiff, Shane Walet, Patrick Broussard, and Mark Dore'.

Nays: None.

Absent at Voting: Danny J. David, Sr., Simieon d. Theodile, and Elbridge "Smitty" Smith, III.

And the motion was therefore passed on this the 24th day of August, 2021.

VI. REPORT FROM MR. ONEIL MALBROUGH 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. Austin Hebert of GIS Engineering reported that there is no update on this agenda item.

(b) Port Millennium Expansion Phase II Property Site SPN H.011756 Tract's "O" and "P" Site Improvements.

{1} Update on Status of Tract's "O" and "P" Site Improvements.

- Pre-Construction meeting with Rigid Constructors was held on August 5, 2021.
- Notice to Proceed was issued on August 9, 2021.
- Contractor is currently in the process of ordering materials.

{2} Discuss/Approve GIS Engineering, LLC July Invoice Number 70006465.

A motion was made by Commissioner Patrick Broussard, seconded by Commissioner Shane Walet to approve and authorize the payment of Invoice Number 70006465 to GIS Engineering, LLC in the amount of \$29,199.50 for the period July 1, 2021 thru July 31, 2021 which covers July 2021 activities including Geotechnical Subcontractor (Louisiana Testing & Inspection), Engineering & Construction Administration; in accordance with contract dated March 4, 2021.

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

Yeas: Roy A. Pontiff, Shane Walet, Patrick Broussard, and Mark Dore'.

Nays: None.

Absent at Voting: Danny J. David, Sr., Simieon d. Theodile, and Elbridge "Smitty" Smith, III.

And the motion was therefore passed on this the 24th day of August, 2021.

(c) AGMAC Project General Engineering and Consulting Services:

{1} Update on Status of AGMAC Project.

Mr. Austin Hebert of GIS Engineering reported that there is no update on this agenda item.

(d) AGMAC Phase I Dredging Project:

{1} Project Update.

- AGMAC is currently advertising for public bids;
- 1st Advertisement date: August 13, 2021.
- 2nd Advertisement date: August 20, 2021.
- Pre-bid conference will be held on August 25, 2021 at the Port Admin Office at 2:00 P.M.
- 3rd Advertisement date: August 27, 2021.
- Bid Opening is set for September 15, 2021.

{2} AGMAC Dredging Project – Pipeline Coordination.

❖ Shell Pipeline (Zydeco Pipeline)

(a) Update on Pipeline Relocation.

Mr. Austin Hebert of GIS Engineering reported that this project is complete.

- Commissioner Shane Walet questioned if this was Shell Pipelines last invoice.
- Mr. Oneil Malbrough indicated that the Port will be getting another invoice.

(b) Discuss/Consider Approval of Shell Pipeline Company, LP (Zydeco Pipeline) Invoice No. 90001163.

A motion was made by Commissioner Patrick Broussard, seconded by Commissioner Shane Walet to approve and authorize the payment of Invoice Number 90001163 to Shell Pipeline Company, LP in the amount of \$530,085.67 for the period June – July 2021 for work completed regarding AGMAC Phase I Dredging Project – Pipeline Relocation.

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

Yeas: Roy A. Pontiff, Shane Walet, Patrick Broussard, and Mark Dore’.

Nays: None.

Absent at Voting: Danny J. David, Sr., Simieon d. Theodile, and Elbridge “Smitty” Smith, III.

And the motion was therefore passed on this the 24th day of August, 2021.

❖ Boardwalk (Texas Gas)

(a) Update on Pipeline Relocation.

- Pipeline relocation has been completed and the pipeline is back in service.
- Old pipeline has been removed and all equipment has been demobilized.
- Boardwalk/Progressive will remobilize at a later date to install rip rap to armor the banks within the pipeline Right-of-Way.

❖ Kinder Morgan (Tennessee Gas)

(a) Update on Pipeline Relocation.

Mr. Austin Hebert of GIS Engineering reported that this project is complete.

(b) Discuss/Consider Approval of Kinder Morgan Invoice.

(c) Update on Oneil Malbrough’s Verification Letter to POI Regarding Tennessee Gas Invoice #

302713AFE2.

- Proper backup documentation has been received from Tennessee Gas for Invoice# 302713AFE2. Payment for this invoice has been made and the Port has received full reimbursement from Capital Outlay.

❖ Energy Transfer

(a) Update on Pipeline Matting.

The Reimbursement Agreement has been fully executed.

(b) Update on Final Design & Cost Estimate Based on Recent Soil Boring Data.

All field survey work, pipeline stress analysis, and lowering plan have been completed.

(c) Update on Permit Application & Completing Final Design to Jet & Lower Pipeline.

GIS Engineering is waiting for additional information from Energy Transfer to submit the permit application.

- Bids are expected to be received by the end of August.
- Construction for pipeline lowering is scheduled to begin in September.
- Mr. Oneil Malbrough stated that they are expecting to be finished in October.

{3} Discuss/Consider Approval of Stubbs & Hightower, L.L.C. Invoice Number 4199.

A motion was made by Commissioner Mark Dore', seconded by Commissioner Shane Walet to approve and authorize the payment of Invoice Number 4199 to Stubbs & Hightower, L.L.C. in the amount of \$5,000.00 for Professional Services regarding a Meeting with Port Attorney, Don Caffery; Review of Documentation Pertinent to Business Transaction regarding Disposition of Dredge Spoil; and Preparation of Business Evaluation Letter.

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

Yeas: Roy A. Pontiff, Shane Walet, Patrick Broussard, and Mark Dore'.

Nays: None.

Absent at Voting: Danny J. David, Sr., Simieon d. Theodile, and Elbridge "Smitty" Smith, III.

And the motion was therefore passed on this the 24th day of August, 2021.

- {4} Survey and Right-of-Way Update.**
 - **AGMAC Right-of-Way Acquisition Team Update.**

Mr. Austin Hebert reported that the AGMAC Right-of-Way team has completed all tasks. They are just waiting on Avery Island's final signature for dredge disposal.

- **Discuss/Consider Approval of Discovery Land Group Invoice No. Discovery-2021-S203 (11655-452-3).**

A motion was made by Commissioner Patrick Broussard, seconded by Commissioner Shane Walet to approve and authorize the payment of Discovery Land Group Invoice No. Discovery-2021-S203 (11655-452-3) in the amount of \$5,093.56 for June 2021 AGMAC Right-of-Way team.

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

Yeas: Roy A. Pontiff, Shane Walet, Patrick Broussard, and Mark Dore'.

Nays: None.

Absent at Voting: Danny J. David, Sr., Simieon d. Theodile, and Elbridge "Smitty" Smith, III.

And the motion was therefore passed on this the 24th day of August, 2021.

- **Discuss/Consider Approval of Discovery Land Group Invoice No. Discovery-2021-S221 (11655-452-4).**

A motion was made by Commissioner Mark Dore', seconded by Commissioner Shane Walet to approve and authorize the payment of Discovery Land Group Invoice No. Discovery-2021-S221 (11655-452-4) in the amount of \$5,623.46 for July 2021 AGMAC Right-of-Way team.

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

Yeas: Roy A. Pontiff, Shane Walet, Patrick Broussard, and Mark Dore'.

Nays: None.

Absent at Voting: Danny J. David, Sr., Simieon d. Theodile, and Elbridge "Smitty" Smith, III.

And the motion was therefore passed on this the 24th day of August, 2021.

- {5} Update on Land Rights Associated with Required Work Space as per Temporary Workspace Access Agreement b/t Sterling Sugars, LLC; Gonsoulin Farms, LLC; and the Port of Iberia District.**

Mr. Oneil Malbrough stated that the Board negotiated a Temporary Workspace and Access Agreement between Sterling Sugars, LLC, Gonsoulin Farms, LLC and the Port of Iberia but it was contingent upon crop damages which appraised for less than originally assessed for.

Mr. Oneil Malbrough stated that the Board had already approved \$264,296.72 but the revised Crop Damage Settlement balance due was \$239,194.34 which is a savings of \$25,102.38.

Mr. Craig Romero stated that this is land that stayed under water for about 10 days due to a hurricane the year before. Sterling Sugars decided to wait until the Crop Consultant went into the field to do an assessment to determine if the sugarcane was dead as a result from the previous year hurricane. After the evaluation, there was \$44,000 dollars' worth of sugarcane that was not going to be able to be harvested.

{6} Discuss/Approve GIS Engineering, LLC July Invoice Number 70006466 for AGMAC Phase I Dredging Project.

A motion was made by Commissioner Mark Dore', seconded by Commissioner Patrick Broussard to approve and authorize the payment of Invoice Number 70006466 to GIS Engineering, LLC in the amount of \$127,911.93 for the period of July 1, 2021 thru July 31, 2021 which includes Permitting, GIS Pipeline Coordination & Construction Oversight, Right-of-Ways & Agreements, and Design; as per contract dated August 29, 2019 and Amendment #1 dated May 19, 2020.

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

Yeas: Roy A. Pontiff, Shane Walet, Patrick Broussard, and Mark Dore'.

Nays: None.

Absent at Voting: Danny J. David, Sr., Simieon d. Theodile, and Elbridge "Smitty" Smith, III.

And the motion was therefore passed on this the 24th day of August, 2021.

VII. REPORT FROM PORT ATTORNEY – Donelson T. Caffery, III.

- (a) Update on Obtaining Servitudes (Right-of-Way Agreements) From Landowners for the AGMAC Project and the Board President Signing Agreements.**

Mr. Don Caffery stated that Avery Island is the last piece that they are waiting on. Mr. Don Caffery stated that the Mosing Ventures Right-of-Way was received on August 24, 2021 by mail. The Avery Island Right-of-Way just needs to get executed and all of the Right-of-Ways would be finished.

Mr. Don Caffery stated that the Stubbs & Hightower invoice was for the Stine Pond and the evaluations of disposing the spoil into the pond, this Right-of-Way has been signed.

Mr. Don Caffery stated that once Mr. Danny J. David, Sr. signs the Right-of-Ways, he will get with Mr. Oneil Malbrough to put packets together to give to the landowner's and to the Port.

Mr. Oneil Malbrough discussed the spoil disposal Right-of-Way which is 1,100 acres which is only good for this dredging project.

(b) Discuss/Consider the Approval of Two (2) Landlord Waivers Regarding Bayou Holdco.

- **24.2 Acre Tract – 4817 Curtis Lane; and**
- **Lot 1B 3.956 Acres – 5201 Curtis Lane.**

Mr. Don Caffery stated that this was discussed at the last Board meeting. He was concerned about the Possession Notice that would allow the creditors to have the ability to take possession of the property if Bayou Holdco would go bankrupt. Mr. Don Caffery stated that he has been in contact with both attorneys of the lenders and have agreed that if they do take possession of the property, they would continue to pay the Port rent. Mr. Don Caffery recommends signing the Landlord Waiver once the other protections are in place.

Commissioner Patrick Broussard expressed concerns stating that he would rather wait until the next Board meeting for Mr. Don Caffery to get past the other protections with the attorneys of the lenders and then explain it all to the Board.

A motion was made by Commissioner Patrick Broussard, seconded by Commissioner Mark Dore to table the agenda item to Discuss/Consider the approval of Two (2) Landlord Waivers regarding Bayou Holdco until the September Regular Monthly Board Meeting.

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

Yeas: Roy A. Pontiff, Shane Walet, Patrick Broussard, and Mark Dore'.

Nays: None.

Absent at Voting: Danny J. David, Sr., Simieon d. Theodile, and Elbridge "Smitty" Smith, III.

And the motion was therefore passed on this the 24th day of August, 2021.

(c) Update Regarding Chapter 11 Case of Seadrill Limited on the Docket of the United States Bankruptcy Court, Southern District of Texas, Houston Division.

Port Attorney, Don Caffery addressed the Board. Mr. Don Caffery stated that Seadrill filed for bankruptcy in February 2021 and the Port got involved in June of this year. Mr. Don Caffery stated that the bankruptcy case is actively ongoing and it is about a \$7 Billion Dollar bankruptcy filing in the Southern District of Texas. Mr. Don Caffery stated that the Port is

now waiting on the expired lease list, which is anyone that Seadrill has an active lease with. Mr. Don Caffery stated that he will receive all updates pertaining to this going forward.

- (d) Discuss/Approve Donelson T. Caffery III, APLC Invoice No. 1037 relative to the AGMAC Project.**

A motion was made by Commissioner Patrick Broussard, seconded by Commissioner Shane Walet to approve and authorize the payment of Invoice Number 1037 for Donelson T. Caffery, III, APLC in the amount of \$19,012.50 for Professional Services relative to the AGMAC Project for the period of April 6, 2021 – July 27, 2021.

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

Yeas: Roy A. Pontiff, Shane Walet, Patrick Broussard, and Mark Dore’.

Nays: None.

Absent at Voting: Danny J. David, Sr., Simieon d. Theodile, and Elbridge “Smitty” Smith, III.

And the motion was therefore passed on this the 24th day of August, 2021.

- (e) Discuss/Approve H. Kent Aguillard, Attorney at Law Invoice No. 4762.**

A motion was made by Commissioner Mark Dore’, seconded by Commissioner Shane Walet to approve and authorize the payment of Invoice Number 4762 for H. Kent Aguillard, Attorney at Law, in the amount of \$202.50 for Professional Services regarding Seadrill Limited Chapter 11 Bankruptcy Case.

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

Yeas: Roy A. Pontiff, Shane Walet, Patrick Broussard, and Mark Dore’.

Nays: None.

Absent at Voting: Danny J. David, Sr., Simieon d. Theodile, and Elbridge “Smitty” Smith, III.

And the motion was therefore passed on this the 24th day of August, 2021.

VIII. REPORT FROM EXECUTIVE DIRECTOR ON:

- (a) Update on State Project Number H.011928 Port Improvements Port of Iberia East & West Yard Expansion & Site Improvements (Letter dated July 19, 2021 from LA DOTD).**

Lengthy Discussion ensued.

Mr. Craig Romero stated that he & Mr. Oneil Malbrough will get clarification on this.

- (b) Discuss/Approve Resolution for Intergovernmental Replacement Agreement Between the State of Louisiana DOTD and the Port of Iberia**

District Regarding Millennium Expansion Phase III – Site Excavations & Dredging, State Project Number H.013572.

A motion was made by Commissioner Mark Dore', seconded by Commissioner Shane Walet to adopt the following Resolution:

RESOLUTION AUTHORIZING A REPLACEMENT AGREEMENT AND DESIGNATION OF PERSON AUTHORIZED TO SIGN

**STATE PROJECT NO. H.013572
PARISH OF IBERIA**

RESOLUTION

PORT OF IBERIA DISTRICT BOARD OF COMMISSIONERS

A Resolution authorizing the Port of Iberia District Board of Commissioners to enter into a replacement 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 other matters in connection therewith.

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

WHEREAS, the Port of Iberia District Board of Commissioners has reviewed the application for Millennium Expansion Phase III Site Excavation & Dredging and agrees with said agreement; and

WHEREAS, the Port of Iberia District Board of Commissioners 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 Port of Iberia District Board of Commissioners is fully aware of its obligations under said Statute; and

WHEREAS, the Port of Iberia District Board of Commissioners 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 Board of Commissioners as follows:

Section 1. That Port of Iberia District Board of Commissioners 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 Port of Iberia District Board of Commissioners agrees to execute a Project Agreement and a Statement of Sponsorship pursuant to the Statute and hereby authorizes and empowers Danny J. David, Sr. Board President to enter into and execute said agreement with the Louisiana Department of Transportation and Development.

Section 3. That Danny J. David, Sr. Board President is hereby Authorized Representative for Port of Iberia District Board of Commissioners 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 Resolution having been submitted to a vote, the vote thereon was as follows:

Yeas: Roy A. Pontiff, Shane Walet, Patrick Broussard, and Mark Dore’.

Nays: None.

Absent at Voting: Danny J. David, Sr., Simieon d. Theodile, and Elbridge “Smitty” Smith, III

And the Resolution was therefore adopted on this the 24th day of August, 2021.

(c) Status Report on Proposed Plans for the Upgrade & Additional Footage to the Bulkhead for Prairie Contractors Asphalt Plant Site.

Mr. Craig Romero stated that there is no update on this. This item can be removed from the agenda.

**(d) Executive Director’s Monthly Report.
***Status of Job Descriptions and The Archer Company.**

Mrs. Joanna Durke reported that she has sent the job descriptions to The Archer Company. The Archer Company is working on Two (2) other clients in Louisiana currently. Mrs. Joanna Durke stated that she asked The Archer Company to review the Three (3) job descriptions to make sure they follow all applicable laws, and also to provide a new pay range scale for the positions.

(e) Announcements.

IX. EXPANSION

A motion was made by Commissioner Mark Dore', seconded by Commissioner Patrick Broussard to expand the Agenda of the August 24, 2021 Regular Monthly Board Meeting of the Port of Iberia District Board of Commissioners to Discuss/Consider the approval of payment for Laperouse Abstract Co. Invoice dated May 27, 2021 for professional services provided for the AGMAC Phase I Commercial Canal project.

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

Yeas: Roy A. Pontiff, Shane Walet, Patrick Broussard, and Mark Dore'.

Nays: None.

Absent at Voting: Danny J. David, Sr., Simieon d. Theodile, and Elbridge "Smitty" Smith, III.

And the motion was therefore passed on this the 24th day of August, 2021.

A motion was made by Commissioner Mark Dore', seconded by Commissioner Patrick Broussard to authorize and approve the payment of Laperouse Abstract Co. Invoice dated May 27, 2021 in the amount of \$24,939.00 for services provided for the AGMAC Phase I Commercial Canal Project.

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

Yeas: Roy A. Pontiff, Shane Walet, Patrick Broussard, and Mark Dore'.

Nays: None.

Absent at Voting: Danny J. David, Sr., Simieon d. Theodile, and Elbridge "Smitty" Smith, III.

And the motion was therefore passed on this the 24th day of August, 2021.

X. ADJOURNMENT.

On a motion made by Commissioner Patrick Broussard, and seconded by Commissioner Mark Dore' the meeting was adjourned at 7:33 p.m.

SECRETARY-TREASURER

PRESIDENT