

**PORT OF IBERIA DISTRICT
BOARD OF COMMISSIONERS
REGULAR MEETING - TUESDAY, DECEMBER 20, 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, December 20, 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 Mike Resweber recited the opening prayer and 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, November 15, 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, Mark Dore', and Mike Resweber.

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 20th day of December 2011.

II. DISCUSS AND/OR DISTRIBUTE THE FOLLOWING:

- (a) Budget Summary For Five (5) Months Ending November, 2011.**
- (b) Listing of Tenant Lease Billings for 2012.**
- (c) Listing of Boat Stall Lease Billings for 2012.**
- (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 Five (5) months ending November, 2011. A listing of bills to be paid for the month of December 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 Raymond Bernard, Jr., seconded by Commissioner Gene Jefferies, to approve and authorize the payment of bills for December 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, Mark Dore', and Mike Resweber.

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 20th day of December 2011.

III. RATIFICATION OF RENEWAL OF CERTIFICATES OF DEPOSITS.

A motion was made by Commissioner Mike Resweber, seconded by Commissioner Frank Minvielle, to approve and ratify the renewal of Certificates of Deposit Number 40000327646, 40000327638, 40000327654, 40000327662, 40000327670, 40000327689, and 40000327697, which matured on November 20, 2011 with Iberia Bank, for Six (6) months at the rate of 0.40% and 0.40% 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, Mark Dore', and Mike Resweber.

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 20th day of December 2011.

A motion was made by Commissioner Raymond Bernard, Jr., seconded by Commissioner Mark Dore', to approve and ratify the renewal of Certificates of Deposit Number 40001288695 & 40001288709, which matured on November 20, 2011 with Iberia Bank, for Six (6) months at the rate of 0.40% and 0.40% 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, Mark Dore', and Mike Resweber.

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 20th day of December 2011.

IV. ELECTION OF 2012 OFFICERS - PRESIDENT, VICE PRESIDENT, SECRETARY-TREASURER.

A motion was made by Commissioner Mark Dore', seconded by Commissioner Mike Resweber, and unanimously carried, to open the nominations for Board President of the Port of Iberia District Board of Commissioners for the year 2012.

A motion was made by Commissioner Mark Dore', to nominate Commissioner Raymond Bernard, Jr., to serve as President of the Port of Iberia District Board of Commissioners for the year 2012.

There being no further nominations for President, a motion was made by Commissioner Mark Dore', seconded by Commissioner Mike Resweber, and unanimously carried, that the nominations for President be closed, and further that Commissioner Raymond Bernard, Jr., be elected President of the Port of Iberia District Board of Commissioners for the year 2012 by acclamation.

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 20th day of December 2011.

A motion was made by Commissioner Frank Minvielle, seconded by Commissioner Raymond Bernard, Jr., and unanimously carried, to open the nominations for Vice-President of the Port of Iberia District Board of Commissioners for the year 2012.

A motion was made by Commissioner Frank Minvielle, to nominate Commissioner Millie Martinez, to serve as Vice-President of the Port of Iberia District Board of Commissioners for the year 2012.

There being no further nominations for Vice-President, a motion was made by Commissioner Frank Minvielle, seconded by Commissioner Raymond Bernard, Jr., and unanimously carried, that the nominations for Vice-President be closed, and further that Commissioner Millie Martinez, be elected Vice-President of the Port of Iberia District Board of Commissioners for the year 2012 by acclamation.

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 20th day of December 2011.

A motion was made by Commissioner Mike Resweber, seconded by Commissioner Mark Dore', and unanimously carried, to open the nominations for Secretary-Treasurer of the Port of Iberia District Board of Commissioners for the year 2012.

A motion was made by Commissioner Mike Resweber, to nominate Commissioner Frank Minvielle, to serve as Secretary-Treasurer of the Port of Iberia District Board of Commissioners for the year 2012.

There being no further nominations for Secretary-Treasurer, a motion was made by Commissioner Mike Resweber, seconded by Commissioner Mark Dore', and

unanimously carried, that the nominations for Secretary-Treasurer be closed, and further that Commissioner Frank Minvielle, be elected Secretary-Treasurer of the Port of Iberia District Board of Commissioners for the year 2012 by acclamation.

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 20th day of December 2011.

V. MR. BEN LEBLANC, LEBLANC MARINE, L.L.C. TO ADDRESS THE COMMISSION TO DISCUSS THE EXPANSION OF AN EXISTING SLIP ON TRACT "A" (7.265 ACRES) & TRACT "B" (5.441 ACRES).

Mr. Ben LeBlanc, LeBlanc Marine, L.L.C., presented schematic drawings dated December 1, 2011 and prepared by C & C Technologies, relative to the expansion of an existing slip on Tract "A" (7.265 acres) and Tract "B" (5.441 acres) for review and discussion. Mr. LeBlanc asked for the Board's permission to perform the work "in-house", as well as provide the funding for the project. Mr. LeBlanc would like to utilize the Port's permit for the deepening of the existing slip. The spoil placement will be deposited "on-site". The Executive Director pointed out that it is his understanding that even though the Port has a General Permit from the USACE & LA DNR, the LA DNR has to approve the spoil placement disposal site throughout the Port. The disposal site cannot be deemed as a "wetland". Mr. LeBlanc would like to commence the maintenance dredging as soon as possible in order for him to relocate his operations while the Maintenance Dredging of Slip C-8 Project is underway. Mr. LeBlanc has formally applied for the necessary permit for the enlargement of the slip; however, he would like to perform the maintenance dredging using the Port's permit.

A motion was made by Commissioner Raymond Bernard, Jr., seconded by Commissioner Frank Minvielle, to approve Mr. Ben LeBlanc, LeBlanc Marine, L.L.C. request to expand an existing slip on Tract "A" (7.265 acres) and Tract "B" (5.441 acres), as reflected on the Schematic Drawings prepared by C & C Technologies dated December 1, 2011, with Mr. Ben LeBlanc performing and funding the work; all contingent upon compliance with the Port's Regulations, Laws, and adopted Procedural Guidelines regarding same.

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 20th day of December 2011.

VI. MR. JOHN ISTRE WITH BROUSSARD, POCHE', LEWIS & BREAU, L.L.P., TO ADDRESS THE COMMISSION- PRESENTATION OF 2010-2011 AUDIT.

Mr. John Istre, Broussard, Poche', Lewis & Breau, L.L.P., presented the Port of Iberia District's Financial Audit Report for the fiscal year 2010-2011. He also presented a letter dated December 12, 2011 which summarized various matters which must be communicated to the Board under auditing standards generally accepted in the United States of America. This satisfies the Government Auditing Standards (GAS) requirements.

The Port's audit was very favorable with total assets @ June 30, 2011 of \$66,271,306. This represents an increase of \$2,644,396 from the prior year. Total liabilities reached \$2,970,360, for an increase of \$221,051, and total net assets were \$63,300,946, for an increase of \$2,423,345. The total operating revenue of \$3,580,206 declined by \$68,003 from the previous year, and total operating expenses were \$2,416,383 which also decreased by \$114,773 from the previous year; Thus, ending the year with revenues over expenses in the amount of \$1,163,823. There were no management findings cited.

Commissioner Raymond Bernard, Jr., complimented and commended the Port staff on behalf of the entire Board for another successful fiscal year and favorable audit.

VII. 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 provided the Board with a copy of a letter dated December 12, 2011 from the LA DEQ to The Bayou Companies, Inc. which stipulates that it has been determined that no further action is necessary at this time. A Basis of Decision (BOD) was also included in the packet of information for Areas of Investigation # 1-5. It is noted in the December 12, 2011 letter that no impacted soils may be removed from the Areas of Investigation (AOIs) without prior approval from the LA DEQ unless they are removed and disposed at a permitted disposal facility. An email dated December 16, 2011 from Mr. Clay Courville, EDI Environmental, indicates that there is no conveyance on the property and it has been deemed under non-industrial MO 1.

VIII. Report from Project Engineer Mr. David Bourque, PENSICO 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} Clear Lien Certificate - Project Acceptance.**
 - {2} Overhead Crane Operation.**

Mr. David Bourque, Project Engineer, presented the Clear Lien Certificate obtained from the Iberia Parish Clerk of Court's Office dated December 6, 2011. Mr. Bourque reported,

however, that the Project should not be accepted at this time by the Board due to a few of the punch list items not having been completed. In addition, there are two issues which need to be resolved. {1} Site Stabilization: There is supposed to be 12" of limestone throughout the entire project site area. Tests revealed that there are a few areas which do not possess the 12" thickness. One main area (50' wide x approximately 200' long) between the existing building and the canal only measures 6 1/2" to 7" of limestone. The contractor cannot add to this area due to drainage issues. If the additional limestone were to be placed, it would be higher than the elevation of the building. The Project Engineer indicated that up to 9" total can be placed; however, it would reduce the load capacity of that area. The tenant does not have any concerns with this concept due to the fact that heavy loads will not be used in that area. {2} Two 20-Ton Cranes inside the building are not performing to All Points Equipment's standard. The cranes are designed for a true vertical lift. All Points Equipment performs an operation which does not necessitate a true vertical lift. As a result, the cable came off of the track. Maintenance will be required to repair the damaged hoist drum. The Project Engineer is waiting on the costs involved, etcetera. Lengthy discussion ensued.

The Port Attorney indicated that the project specifications called for 12" of limestone. An adjustment would need to be made. The Project Engineer stated that on the "As Built" drawings the "low tolerance" areas could be denoted. The Port Attorney suggested that the Port request a letter from the tenant stipulating that the 9" of limestone in the particular area of concern is acceptable. In addition, the letter should include that the tenant understands the load limitations, etcetera with the lesser foundation material. The Project Engineer reported that he has met with the testing lab in an effort to determine the maximum axle capacity recommended for the reduced stabilized area. The Port Attorney suggested that this information should also be included in the tenant's letter.

(b) Discuss Potential Construction of a Rail Spur to Excalibar Minerals.

{1} Opinion of Probable Construction Cost(Lots 11A, 11B, & 14).

The Project Engineer presented a spreadsheet depicting the Opinion of Probable Construction Cost for an Industrial Railroad Side Track on Lots 11A, 11B, and 14 for Excalibar Minerals. The estimated total project cost is \$2,010,955.00. The cost estimate includes approximately 3,731 linear feet of new track, of which approximately 1,000 feet would be an extension of the L & D Railroad from its current ending to Pesson Road. The Executive Director pointed out that the cost estimate presented does not include any property acquisition for Right-of-Ways. Discussion ensued and there was no action taken on this item. The Executive Director indicated that Excalibar Minerals is in the process of determining if they would like to move forwards with the project or not.

IX. Report from Project Architect Mr. Gerald Gesser, Gesser Group, APC, On:

(a) Discuss Cost Estimates Regarding Upgrading the Port's Technology on Port Video & Power Point Presentation.

The Project Architect presented a letter dated December 1, 2011 regarding a technology upgrade for the Port of Iberia Administrative Office. Mr. Gesser discussed his recommendations entailing the requirements for the proposed Port Technology Upgrade. Mr. Gesser feels that the recommended hardware upgrade would improve the Port's Technology position for the next five to seven years. The systems would not be connected into the Port's main server for security purposes. Further, the technology upgrade would benefit the Port's tenants when using the Commission's Board Room for various purposes during the year. In addition, the technology upgrade would be very useful during catastrophic occurrences such as hurricanes and other Port related accidents.

Mr. Gesser requested the Board's permission to develop the guideline specifications necessary to acquire proposals for the equipment. Lengthy discussion ensued.

On another matter, the Project Architect reported to the Board that he is in the process of researching various options for flood "proofing" the Port Administrative Office Building. This also includes researching what would be involved in elevating the Office Building.

A motion was made by Commissioner Mark Dore', seconded by Commissioner Raymond Bernard, Jr., to approve and authorize Mr. Gerald Gesser, Gesser Group APC., and the Executive Director to obtain cost estimates for upgrading the Port's Technology regarding Port Video and Power Point Presentation, and motion further acknowledges that this matter be brought back to the full Board for further review and discussion.

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 20th day of December 2011.

X. Report from Mr. O'Neil Malbrough, Shaw Coastal, Inc., on:

**(a) LA DOTD Port Construction & Development Priority Program:
State Project Number 578-23-0018 Port-Site Bulkhead Relocation Phase II A-(for the AGMAC Bulkhead Relocation & Design Project (Public Property)).**

{1} Update on the Advertisement for Bid - Adopt LA DOTD Resolution Requesting Authority to Advertise with Contingency.

A motion was made by Commissioner Frank Minvielle, seconded by Commissioner Raymond Bernard, Jr., to adopt the following:

RESOLUTION REQUESTING AUTHORITY TO ADVERTISE with Contingency

Port responsible for Engineering

STATE PROJECT NO 578-23-0018/H.009021(321)

PARISH OF IBERIA

RESOLUTION
PORT OF IBERIA DISTRICT BOARD OF COMMISSIONERS

WHEREAS, the Port of Iberia District Board of Commissioners has submitted an application for funding of the Port – Site Bulkhead Relocations Phase II-A, Bulkheads 2 thru 4a (Phase I of SPN 578-23-0018/H.009021), Port Improvement Project under the Port Construction and Development Priority Program; and

WHEREAS, the State's share of the project funds have been made available and the Port of Iberia District Board of Commissioners has available its local matching share of the project funds in an amount of not less than ten (10%) percent; and

WHEREAS, at the request of the Port of Iberia District Board of Commissioners, Mr. O'Neil Malbrough, Shaw Coastal, Inc., has prepared plans and specifications for said project, which plans and specifications are designated by State Project Number 578-23-0018/H.009021(321) Port Improvements Port – Site Bulkhead Relocations Phase II-A Bulkheads 2 thru 4a (Phase I of SPN 578-23-0018/H.009021); and

WHEREAS, the Port of Iberia District Board of Commissioners has reviewed the plans, specifications and cost estimate and has submitted them to the Department of Transportation and Development. The Port of Iberia District Board of Commissioners will accept the final plans and specifications contingent on the Department of Transportation and Development's final approval inasmuch as they comply with the requirements of the Port Construction and Development Priority Program; and

WHEREAS, all necessary servitudes, rights-of-way, spoil disposal areas, rights of ingress and egress and the means thereof have been acquired by the Port of Iberia District Board of Commissioners , and the titles thereto are valid and indefeasible; and

WHEREAS, the Port of Iberia District Board of Commissioners has obtained all necessary permits required for the construction of this project; and

WHEREAS, the Port of Iberia District Board of Commissioners has agreed to accomplish all necessary utilities, fence and other facilities relocations and alterations made necessary by this project; and

WHEREAS, the Official Journal for the Port of Iberia District Board of Commissioners is The Daily Iberian, whose mailing address is Post Office Box 9290, New Iberia, Louisiana, 70562, and whose telephone number is (337) 365-6773; and

WHEREAS, the Port of Iberia District Board of Commissioners desires to advertise for competitive bids, in accordance with LRS 38:2212, et seq., for the award of a contract in the name of the Port of Iberia District Board of Commissioners, and furnish engineering services during the progress of the work.

NOW, THEREFORE, BE IT RESOLVED by the Port of Iberia District Board of Commissioners, in Regular session assembled on this 20th day of December, 2011, that the Department of Transportation and Development be and hereby is requested to authorize the Port of Iberia District Board of Commissioners to advertise for competitive bids in accordance with LRS 38:2212, et seq., for the award of a contract in the name of the Port of Iberia District Board of Commissioners, covering the aforesaid improvements.

BE IT RESOLVED that the Department of Transportation and Development be and hereby is assured that all necessary servitudes, rights-of-way, rights of ingress and egress and the means thereof have been obtained by the Port of Iberia District Board of Commissioners, and the titles thereto are valid and indefeasible and the Port of Iberia District Board of Commissioners expressly agrees to defend any action for the failure of any servitude, right-of-way, right of ingress or egress, and the Port of Iberia District Board of Commissioners does hereby assume complete responsibility for providing engineering services during construction and the maintenance and upkeep of the project after construction.

BE IT RESOLVED that the Department of Transportation and Development be and hereby is assured that all required permits have been obtained by the Port of Iberia District Board of Commissioners.

BE IT RESOLVED that the Department of Transportation and Development be and hereby is assured that the Port of Iberia District Board of Commissioners has available its local matching funds in an amount not less than ten (10%) percent of the total project cost to insure construction of this project.

BE IT RESOLVED that the Port of Iberia District Board of Commissioners will and hereby does assume complete responsibility for all utilities, fence, and other facilities relocations and alterations made necessary by this project.

BE IT RESOLVED that the Port of Iberia District Board of Commissioners does hereby save and hold harmless the Department of Transportation and Development against any loss or damage of any kind incident to or occasioned by Activities undertaken in pursuance of this agreement and expressly agrees to defend any suit brought against the Department of Transportation & Development, and pay any judgment which may result from said suit as it relates to this 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, Mark Dore', and Mike Resweber.

Nays: None.

Absent at Voting: None.

And the Resolution was therefore adopted on this the 20th day of December 2011.

{2} Response to Comments from the LA DOTD Regarding the Plans & Specifications.

A letter dated December 7, 2011 addressed to the Executive Director from the LA DOTD, regarding the Plans & Specifications for State Project Number 578-23-0018/H.009021(321); Port - Site Bulkhead Relocations Phase II-A - Bulkheads 2 thru 4a (Phase I of SPN 578-23-0018/H.009021) was presented for review. Mr. Malbrough indicated to the Board that he will submit the responses to the comments reflected in the December 7, 2011 correspondence after January 1, 2012.

{3} Discuss/Approve Authorization for Board President to Execute Amendment #18 to allow for Shaw Coastal, Inc. Project Representation.

Mr. Malbrough presented Amendment Number 18 to the Shaw Coastal, Inc. contract between the Port of Iberia District and Shaw Coastal, Inc. for review and discussion. Amendment Number 18 describes that Shaw Coastal, Inc. will be allowed to assist the Port of Iberia District in supplying a Resident Project Representative during the construction of the Port-Site Bulkhead Relocations for the AGMAC Project. The scope of the Amendment is identified in "Exhibit 1", and includes for Resident Project Representation on Phase II-A of the Bulkhead Relocation Project (Phase I of State Project Number 578-23-0018/H.009021) not included in SCI's original Contract Amendment No. 13 dated April 2, 2007.

Shaw Coastal, Inc., proposes to provide services for the construction phase of Phase II-A (Bulkhead 2 thru 4a) as outlined on a Time and Materials basis as depicted in their current Rate Schedule identified in "Exhibit 2". In addition, for Phase II-A (Bulkheads 2 thru 4a), SCI proposes to provide the Additional Services on a Time & Material basis for an amount not to exceed \$159,478 based on 180 days of construction time as identified in "Exhibit 3".

A motion was made by Commissioner Mark Dore', seconded by Commissioner Mike Resweber, to approve and authorize the Board President to execute Amendment Number 18 to the Contract dated September 3, 2002, between the Port of Iberia District and Shaw Coastal, Inc., regarding Shaw Coastal, Inc. assisting the Port of Iberia District in supplying a Resident Project Representative during the construction of the Port-Site Bulkhead Relocations for the AGMAC Project, with the scope of the Amendment as identified in "Exhibit 1", and further includes for Resident Project Representation on Phase II-A of the Bulkhead Relocation Project (Phase I of State Project Number 578-23-0018/H.009021) not included in SCI's original Contract Amendment No. 13 dated April 2, 2007; and motion further acknowledges that Shaw Coastal, Inc., proposes to provide services for the construction phase of Phase II-A (Bulkhead 2 thru 4a) as outlined on a Time and Materials basis as depicted in their current Rate Schedule identified in "Exhibit 2"; and motion further stipulates that for Phase II-A (Bulkheads 2 thru 4a), SCI proposes to provide the Additional Services on a Time & Material basis in an amount not to exceed \$159,478 based on 180 days of construction time as identified in "Exhibit 3".

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 20th day of December 2011.

A motion was made by Commissioner Raymond Bernard, Jr., seconded by Commissioner Mike Resweber, to approve and authorize payment of Invoice Number 640516-R8-00501 in the amount of \$31,176.90, to Shaw Coastal, Inc., for the period October 29, 2011 thru November 25, 2011 (100% reimb to POI by DOTD), regarding the AGMAC Bulkhead Relocation & Design Phase IIA Project, 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, Mark Dore', and Mike Resweber.

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 20th day of December 2011.

(b) Status of the AGMAC Project.

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

The Executive Director and Mr. Malbrough, Shaw Coastal, Inc., recently met with Mr. Garret Graves, LA CPRA, and the State understands the differences between the "Standard Cost Estimating Process" and the "MCASES Cost Estimating Process" and is prepared to accept the Port's Opinion of Probable Cost as the estimate of the project. Mr. Graves also understands that the USACE, as per its policy and as a requirement of Headquarters, has to use the MCASES Method. However, Mr. Graves is asking for the Port to get him what he describes as the "Stand-Alone" Opinion of Probable Cost of the Environmental Component (that portion of the project that is repairing the existing channels) of AGMAC and the "Stand-Alone" Opinion of Probable Cost of the Incidental Storm Surge Protection of AGMAC with the remainder of the Cost Estimate being the Opinion of Probable Cost associated with the General Navigation Features.

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

{1} Discuss the Adoption of the Procedural Guidelines for Port Companies Utilizing the General Permits.

Mr. Malbrough reported that the USACE Permit has been received regarding the Port's General Permit for General Maintenance Dredging, Bulkhead Construction, and Bankline Stabilization for the entire Port area. Under certain conditions, maintenance dredging can be performed to a -13ft. providing that Spoil Disposal Sites are not delineated as "wetlands". The Executive Director indicated to the Board that Frank's Casing Crew is

anticipating a large project in the middle of January 2012 and would like to utilize the Port's General Permit for maintenance dredging in front of their bulkhead in order to accommodate the barges.

The Executive Director presented a "draft" of the procedural guidelines that Mr. Malbrough and he developed as it relates to Port Companies utilizing the Port's General Permits. Discussion ensued. Mr. Malbrough also indicated to the Board that the POI is the first entity to possess a Permit of this kind.

A motion was made by Commissioner Frank Minvielle, seconded by Commissioner Mark Dore', to approve and adopt the Port of Iberia District General Maintenance Dredging/Bulkhead/Bankline Stabilization Permit Procedural Guidelines, as presented, as it relates to Port Companies Utilizing the Port's General Permits.

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 20th day of December 2011.

A motion was made by Commissioner Gene Jefferies, seconded by Commissioner Frank Minvielle, to approve and authorize payment of Invoice Number 640517-R8-00501 in the amount of \$2,595.50, to Shaw Coastal, Inc., for the period October 29, 2011 thru November 25, 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, Mark Dore', and Mike Resweber.

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 20th day of December 2011.

(d) Maintenance Dredging of Slip C-8:

{1} Discuss Bid Opening Results of December 16, 2011.

Mr. Malbrough presented a letter dated December 20, 2011 which provided Shaw Coastal, Inc. findings and recommendations of the bids received on December 16, 2011 for the Maintenance Dredging of Slip C-8 Project. A Bid Tabulation Spreadsheet was also presented. It was noted that this project will be able to be performed under the Port's newly approved General Permit. There were three (3) bids received, and one (1) non-responsive bid was also received. The contractors submitting bids were as follows: Orion Construction, LP, Coastal Dredging Company, Inc., Omni Pinnacle, LLC, and the non-responsive bidder was 4H Construction Corporation (the base bid amount was found

absent on the Louisiana Uniform Public Work Bid Form). The apparent responsive low bidder is Orion Construction, LP in the amount of \$354,973.14.

Mr. Malbrough presented a Detailed Project Budget for the Maintenance Dredging of Slip C-8 Project for review and discussion. The Board previously allocated a budgetary amount of \$400,000.00 for this project. An updated review of the actual costs reflect that an additional \$5,391.60 would need to be approved in order to move forwards with the project. Discussion ensued.

A motion was made by Commissioner Mike Resweber, seconded by Commissioner Frank Minvielle, to approve and authorize that the Maintenance Dredging of Slip C-8 Project adopted budget amount be amended from \$400,000.00 (previously adopted on March 15, 2011) to \$406,000.00 in accordance with the presented Slip C-8 Detailed Project Budget dated December 20, 2011 from Shaw Coastal, 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, Mark Dore', and Mike Resweber.

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 20th day of December 2011.

A motion was made by Commissioner Raymond Bernard, Jr., seconded by Commissioner Mike Resweber, to accept and award the contract for the Maintenance Dredging of Slip C-8 Project to the apparent responsible low bidder, Orion Construction, LP in the amount of \$354,973.14; and motion further authorizes the Board President to execute the necessary contract documents regarding same.

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 20th day of December 2011.

- (e) Discuss/Approve Authorization for Board President to Execute Amendment #10 to allow an Extension to Shaw Coastal, Inc., Project Management Contract.**

A motion was made by Commissioner Frank Minvielle, seconded by Commissioner Raymond Bernard, Jr., to approve and authorize the Board President, to execute Amendment Number 10 to Shaw Coastal, Inc., Project Management Contract dated September 3, 2002, for the Acadiana Gulf of Mexico Access Channel Project (AGMAC), to extend the original contract period of service from January 1, 2012 through December 31, 2012; and motion further approves the Rate Schedule "Exhibit 2" as presented 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 20th day of December 2011.

XI. Report From Executive Director On:

- (a) Authorize Board President to Execute a new Lease Agreement (existing Lease Agr. expires 12/31/11) between Sea Shell, Inc. and the Port of Iberia District Regarding Lots 4-6 (3.740 acres).**

A motion was made by Commissioner Frank Minvielle, seconded by Commissioner Millie Martinez, to approve and authorize the Board President to execute a new Lease Agreement (existing Lease Agreement expires on 12/31/11) between Sea Shell, Inc., and the Port of Iberia District Regarding Lots 4-6 (3.740 acres) at the Port of Iberia.

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 20th day of December 2011.

- (b) Authorize Board President to Execute a new Agricultural Lease (existing Lease Agr. expires 01/31/12) between W. C. Lanie & Sons, Inc. & the Port of Iberia District Regarding 50 acre tract @ the POI.**

The existing Agricultural Lease between W. C. Lanie & Sons, Inc. and the Port of Iberia District regarding the 50 acre tract @ the POI, expires on January 31, 2012. A new Lease Agreement will be provided to the Board at their January 17, 2012 regular meeting for approval.

- (c) Iberia Parish Government Bridge Replacement Project.**

The Executive Director presented two (2) Press Releases from the Iberia Parish Public Works Department which state that the Port Road Bridge over the Rodere Canal (½ mile West of Curtis Lane) was re-opened on December 14, 2011, and the Port Road Bridge over the Rodere Lateral will be closed beginning on December 23, 2011. This bridge is located between Unifab Road and Segura Road and will be closed approximately 90 days weather permitting.

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

{1} Discuss \$8.4 Million Expansion Budget.

*****Discuss/Approve the Revised Opinion of Probable Construction Cost & Revenue Sources.**

The Executive Director presented a spreadsheet dated December 16, 2011 regarding the Opinion of Probable Construction Cost for the Millennium Expansion Phase II Project, as well as a spreadsheet depicting a Project Development Budget (includes Revenue

Sources & Fund Balance Status @ November 30, 2011). The Executive Director denoted that the Opinion of Probable Construction Cost is \$8,083,996.00. The revenue sources will be generated from the TIF District (\$5 Million to be available in March 2012), Delta Regional Authority (\$114,648.00), POI Water Franchise Escrow Account (\$11,800.00), Sewerage District #1 Franchise Escrow Account (\$18,880.00), and POI Un-Designated Reserves (\$2,938,668.00). Discussion ensued.

A motion was made by Commissioner Frank Minvielle, and unanimously seconded by the entire Port of Iberia District Board of Commissioners that the Opinion of Probable Construction Cost for the Port of Iberia District Millennium Expansion Phase II Project, dated December 16, 2011, be adopted as presented in the amount of \$8,083,996.00; and motion further approves and authorizes the Project Development Budget presented, which includes the authorization of POI Un-Designated Reserves in the amount of \$2,938,668.00, to be included as a Revenue Source for the 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, Mark Dore', and Mike Resweber.

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 20th day of December 2011.

*****Authorization for Executive Director to Negotiate a Professional Services Contract with Shaw Coastal, Inc., for Design/Project Management.**

A motion was made by Commissioner Mark Dore', seconded by Commissioner Millie Martinez, to authorize the Executive Director to negotiate a Professional Services Contract with Shaw Coastal, Inc., for the Design/Project Management of the Port of Iberia District Millennium Expansion Phase II Project, and bring back to the full Board at the January 17, 2012 regular Board Meeting 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, Mark Dore', and Mike Resweber.

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 20th day of December 2011.

{2} Discuss/Approve Navigation Servitude, Drainage Easement, & Right-of-Way from the Shea Family with Regards to a Barricade Placement between the end of the Road and Slip C-8.

The Executive Director reported that he continues to negotiate with members of the Shea Family for an additional navigational servitude, drainage easement, and right-of-way.

{3} Discuss/Approve Drainage Easement & Right-of-Way from

Sterling Sugar with Regards to the Construction of a Cul-de-Sac.

The Executive Director reported that he continues to negotiate with Sterling Sugar for the necessary right-of-way for the cul-de-sac and the necessary drainage easement. Sterling Sugar has agreed to all of the Port's request for the terms of the right-of-way and drainage easement. The District Attorney's Office will prepare the Parish Right-of-Way Agreement since it is a Parish Right-of-Way (Port Attorney spoke with Eric Duplantis, D.A. Office).

- (e) **Update on Environmental Compliance Solutions, LLC, Operations:**
 - {1} **Status of 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 Port Attorney recently spoke with Mr. George Bevan, ECS. Mr. Bevan has not received official notification from the environmental entity regarding the Phase II Environmental Report as to if the work has been completed. Mr. Bevan will contact the Port Attorney when he receives the information.

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

This Agenda item was discussed in item (d) {1}.

- (g) **Discuss/Consider Authorization for Board President to Execute a Second Amendment to Surface Lease between the Port of Iberia District and The Bayou Companies, L.L.C. Regarding Tract 1B (3.956 acres) at the Port of Iberia.**

The Port Attorney is in the process of reviewing the Second Amendment to Surface Lease between the POI District and The Bayou Companies, L.L.C. regarding Tract 1B (3.956 acres) at the Port of Iberia.

- (h) **Discuss Revised Statute 42:1170 Governmental Ethics Education & Training.**

The Port Attorney briefed the Board on what is involved in the Governmental Ethics Education & Training Course for Public Servants. The Certificate can be obtained by going online and answering questions. It takes approximately one hour to complete the Training Course. To date, the Port Attorney and Commissioner Raymond Bernard, Jr. have completed the Training Course and received Certificates from the Louisiana Board of Ethics regarding same.

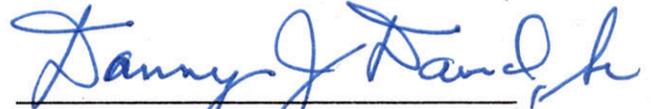
- (i) **Announcements.**
***2012 AAPA Education and Training Programs.

XII. ADJOURNMENT

On a motion made by Commissioner Millie Martinez, and unanimously seconded by the entire Port of Iberia District Board of Commissioners, the meeting was adjourned at 7:30 p.m.



SECRETARY-TREASURER



PRESIDENT