

**PORT OF IBERIA DISTRICT BOARD OF COMMISSIONERS  
SPECIAL MONTHLY BOARD MEETING AGENDA  
THURSDAY, APRIL 1, 2021  
PORT ADMINISTRATIVE OFFICE – 12:00 P.M.  
MINUTES**

The Special Meeting of the Port of Iberia District Board of Commissioners was called to order by Commissioner Danny J. David, Sr., President, at the Port of Iberia Administrative Office, on Thursday, April 1, 2021, at 12:00 p.m.

In attendance were Commissioners, Danny J. David, Sr., President, Roy A. Pontiff, Vice-President, Shane Walet, Secretary-Treasurer, Simieon d. Theodile, Elbridge “Smitty” Smith, III., Patrick Broussard, and Mark Dore’.

Also present were Craig Romero, Executive Director, Joanna D. Durke, Administrative Assistant, Tracy Boudreaux, Bookkeeper-Secretary, Shari Landry, Receptionist-Secretary, Ray Allain, Port Attorney, and Ashley Philen, Allain and Allain.

Thus, with a quorum being acknowledged, Commissioner Elbridge “Smitty” Smith, III. recited the opening prayer and the Pledge of Allegiance.

The purpose of the Special Meeting was to Discuss/Consider Performance of Professional Services Contract with Port Attorney, Discuss/Consider Legal Services Contract between Port of Iberia District Board of Commissioners and Allain & Allain Law Firm, Discuss/Consider Approval of Change Order Number 4 for SPN H.011928(325e) for Building B Multipurpose Facilities & Small Warehouse Project, and Discuss/Consider Approval for the Board President to Execute the Amendment of Right-of-Way Agreement for Kinder Morgan (Tennessee Gas) Pipeline.

**I. Executive Session to Discuss/Consider Performance of Professional Services Contract with Port Attorney.**

**A motion was made by Commissioner Mark Dore’, seconded by Commissioner Elbridge “Smitty” Smith, III. to enter into Executive Session to discuss performance of Professional Services Contract with Port Attorney at 12:05 P.M.**

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

**Yeas: Danny J. David, Sr., Roy A. Pontiff, Shane Walet, Simieon d. Theodile, Elbridge “Smitty” Smith, III., Patrick Broussard, and Mark Dore’.**

**Nays: None.**

**Absent at Voting: None.**

**And the motion was therefore passed on this the 1<sup>st</sup> day of April, 2021.**

**A motion was made by Commissioner Elbridge “Smitty” Smith, III., seconded by**

Commissioner Patrick Broussard to exit executive session to discuss performance of Professional Services Contract with Port Attorney at 1:15 P.M with no action taken.

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

Yeas: Danny J. David, Sr., Roy A. Pontiff, Shane Walet, Simieon d. Theodile, Elbridge "Smitty" Smith, III., Patrick Broussard, and Mark Dore'.

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 1<sup>st</sup> day of April, 2021.

**II. Discuss/Consider Legal Services Contract Between Port of Iberia District Board of Commissioners and Allain & Allain Law Firm.**

A motion was made by Commissioner Elbridge "Smitty" Smith, III., seconded by Commissioner Patrick Broussard to table the agenda item to discuss Legal Services Contract between Port of Iberia District Board of Commissioners and Allain & Allain Law Firm.

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

Yeas: Danny J. David, Sr., Roy A. Pontiff, Shane Walet, Simieon d. Theodile, Elbridge "Smitty" Smith, III., Patrick Broussard, and Mark Dore'.

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 1<sup>st</sup> day of April, 2021.

**III. Louisiana Port Construction & Development Priority Program SPN H.011928 "East and West Yard" Expansion & Site Improvements Project:**

**(a) Report from Mr. Oneil Malbrough of GIS Engineering on:**

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

**(a) Update on Status of Project.**

Mr. Oneil Malbrough stated that this agenda item will be tabled.

**(b) Rescind Motion of Regular Meeting held on Wednesday, March 24, 2021 Regarding Partial Substantial Completion with Contingency.**

Mrs. Joanna Durke stated that this agenda item will be taken off.

**(c) Discuss/Consider Request for Approval of Change Order No. 4.**

Mr. Oneil Malbrough stated that this Change Order is for Building B-2 Stairway Platform for repairs to the deck and the railing. The Change Order is for the amount of \$3,582.25 with the addition of 13 contract days. Mr. Oneil Malbrough stated this will be completed by Wednesday.

A motion was made by Commissioner Elbridge "Smitty" Smith, III, seconded by Commissioner Mark Dore' to approve and authorize Change Order Number 4

regarding SPN H.011928 (325e) East & West Yard Expansion & Site Improvements Project Building B Multipurpose Facilities & Small Warehouse as it relates to an increase of \$3,582.25 for Repairs to Building B-2 Stairway Platform; the revised contract amount is \$689,885.91; an motion further adds 13 contract days with a revised completion date of April 7, 2021; and motion further authorizes the Board President to execute said Change Order Number 4, and forward to LA DOTD for review and approval.

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

Yeas: Danny J. David, Sr., Roy A. Pontiff, Shane Walet, Simieon d. Theodile, Elbridge "Smitty" Smith, III, Patrick Broussard, and Mark Dore'.

Nays: None.

Absent at Voting: None.

And the motion was therefore passed on this the 1<sup>st</sup> day of April, 2021.

**(d) Discuss/Consider Granting Substantial Completion to Acadiane' Renovations, Ltd.**

Mrs. Joanna Durke stated that this agenda item will be taken off. This will be discussed at the April Monthly Board Meeting.

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

**{1} AGMAC Dredging Project- Pipeline Coordination**

**❖ Kinder Morgan (Tennessee Gas)**

**(a) Discuss Email dated March 15, 2021 with Mr. Rick Sellers, Sr., Land and Right of Way Agent, Kinder Morgan Regarding an Amendment of Right of Way Agreement between Tennessee Gas Pipeline Company, LLC and the Port of Iberia District.**

- **Discuss/Consider Approval for the Board President to Execute the Amendment of Right-of-Way Agreement.**
- Mr. Oneil Malbrough stated that Boardwalk will have their new line flowing on Monday.
- Mr. Oneil Malbrough stated that the Kinder Morgan line is crossing on Frank's property on the west and on the east side it is on Port property which is Patriot Construction. Mr. Oneil Malbrough stated that the new line will cross Prairie Construction.
- Mr. Craig Romero stated that he brought Kinder Morgan's representative to meet with Troy Bollich and the site has been flagged off.
- Commissioner Roy Pontiff questioned if there would be adjustments to Prairie Constructions lease. Mr. Craig Romero stated that it will remain the same, no changes will be made.
- Mr. Oneil Malbrough stated that from an engineering perspective the Right-of-Way is okay for that relocation.
- Mr. Ray Allain stated that he is concerned that the old Right-of-Way be officially abandoned and this can be done in the right of way agreement.

- Mr. Oneil Malbrough stated that Mr. Sellers told him they were going to abandon the Right-of-Way.
- Mrs. Joanna Durke questioned where was the first agreement.
- Mr. Ray Allain stated that the agreement is from 1955. He will give Mrs. Joanna Durke a copy.
- Mr. Ray Allain stated that he does not see an issue with putting a clause in the agreement that the previous Right-of-Way will be abandoned and “As Builts” will be received.

**A motion was made by Commissioner Patrick Broussard, seconded by Commissioner Simieon d. Theodile to authorize and approve the Board President to Execute the Amendment of Right-of-Way Agreement between Tennessee Gas Pipeline Company, LLC and the Port of Iberia District contingent upon Legal Review; motion further authorizes Port Attorney to Add a Clause for Abandonment & As Builts for what they are leaving on Port Property.**

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

**Yeas: Danny J. David, Sr., Roy A. Pontiff, Shane Walet, Simieon d. Theodile, Elbridge “Smitty” Smith, III, Patrick Broussard, and Mark Dore’.**

**Nays: None.**

**Absent at Voting: None.**

**And the motion was therefore passed on this the 1<sup>st</sup> day of April, 2021.**

#### **IV. ADJOURNMENT**

**On a motion made by Commissioner Elbridge “Smitty” Smith, III., and seconded by Commissioner Roy A. Pontiff the meeting was adjourned at 1:31 p.m.**

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**SECRETARY-TREASURER**

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**PRESIDENT**