OFFICIAL PROCEEDINGS

ST. BERNARD PORT, HARBOR AND TERMINAL DISTRICT

REGULAR MONTHLY MEETING – MAY 8, 2012

The Board of Commissioners of the St. Bernard Port, Harbor and Terminal District met in regular session on Tuesday, May 8, 2012, at 12:00 noon in the boardroom of its office located at 100 Port Boulevard, Chalmette, Louisiana.

After the Pledge of Allegiance, roll was called.

Members present were: Mr. Elton J. LeBlanc, President; Mr. Harold J. Anderson, Vice President; Mr. Bradley J. Cantrell, Secretary; Mr. P. James DiFatta, Treasurer and Mr. Charles H. Reppel, Commissioner. Also present were Dr. Robert J. Scafidel, Executive Director; Ms. Denise Griffin, Executive Secretary; Mr. Drew Heaphy, Director of Administration; Mr. Jerry Graves, Director of Operations; Mr. Ted Roche, Project Manager; Mr.’s David Fennelly and Gary Poirrier, Associated Terminals of St. Bernard; Mr. Suresh Shah, Burk-Kleinpeter, Inc.; Mr. Jim Simmons, N-Y & Associates and Mr. William Evans, URS Corp.

President LeBlanc asked if there were any public comments in accordance with R.S. 42:5(D). Not hearing from anyone, he continued with the meeting

On motion of Mr. Cantrell, seconded by Mr. Anderson, the Board unanimously approved the minutes of the regular meeting held on April 10, 2012.

On motion of Mr. Reppel, seconded by Mr. Anderson, the Board unanimously approved a new lease with Metro Materials, Inc. for 130,680 sq. ft. of laydown area located in the Chalmette Terminal.

On motion of Mr. Reppel, seconded by Mr. Cantrell, the Board unanimously approved a new lease with Mike Munna, LLC for 2 acres of laydown located in the Chalmette Terminal.

On motion of Mr. Cantrell, seconded by Mr. Anderson, the Board unanimously approved Change Order No. 007 for Stallings Construction Company, Inc. relating to the Arabi Terminal Office Building project. An overrun of $87,205.43.

The Board recognized Mr. Graves, Mr. Fennelly and Mr. Poirrier who updated them on the need for tariff changes.

On motion of Mr. Reppel, seconded by Mr. Cantrell, the Board unanimously approved a tariff change for the St. Bernard Port, Harbor and Terminal District Vessel Moorings – Miss. River AP 86.5, 89.5 & 90.5 MHP Tariff No. 1, Page 26, Item 302 and accepted Page 12, Item 86 of Associated Terminals of St. Bernard, LLC Tariff No. 1.

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On motion of Mr. Reppel, seconded by Mr. Anderson, the Board unanimously approved a tariff change for the St. Bernard Port, Harbor and Terminal District Vessel Moorings – Miss. River AP 86.5, 89.5 & 90.5 MHP Tariff No. 1, Page 24, Item 252 and accepted Page 12, Item 85 of Associated Terminals of St. Bernard, LLC Tariff No. 1.

On motion of Mr. Reppel, seconded by Mr. DiFatta, the Board unanimously approved a tariff change for the St. Bernard Port, Harbor and Terminal District Arabi Terminal Tariff No. 1, Page 18, Item 302 and accepted Page 21, Item 310 of Associated Terminals of St. Bernard, LLC Terminal Tariff.

President LeBlanc recognized Mr. Shah who updated the Board on the Dock 1 Rehabilitation at Chalmette Slip - Repair Section A (emergency repair) bid.

President LeBlanc informed the Board that bids were received in the Port office on Wednesday, April 18, 2012, at 3:00 p.m. for Dock 1 Rehabilitation at Chalmette Slip - Repair Section A project (emergency repair). The bids were as follows:

Contractor Base Bid

Kostmayer Construction LLC $2,379,625.00

L & A Contracting Co. $2,411,000.00

Cajun Maritime, LLC $2,550,395.00

Circle, LLC $2,836,238.00

Orion Marine Construction, LLC $3,095,797.75

Boh Bros Construction Co. LLC $4,145,600.00

On motion of Mr. Reppel, seconded by Mr. Anderson, the Board unanimously approved to award the bid to Kostmayer Construction LLC in the amount of $2,379,625.

President LeBlanc recognized Mr. Heaphy who gave the Finance Report. Mr. Heaphy reported on the operating and capital budgets, second budget revision, professional services and Lessees Arrears. The Board discussed the Finance Report.

On motion of Mr. Reppel, seconded by Mr. DiFatta, the Board unanimously approved the 2011 – 2012 Second Budget Revision.

On motion of Mr. Reppel, seconded by Mr. Anderson, the Board unanimously approved for the Executive Director to enter into a professional services contract with Maintenance Solutions Inc. for the Replacement of the Failed Wash Rack Floor Coating, not to exceed $233,686.

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On motion of Mr. Reppel, seconded by Mr. Cantrell, the Board unanimously approved to select the St. Bernard Voice as the Official Journal for the St. Bernard Port, Harbor and Terminal District pursuant to R.S. 43:171.

On motion of Mr. Reppel, seconded by Mr. Anderson, the Board unanimously approved authorization for the Executive Director to negotiate the purchase of land and processing facility located in Violet, Louisiana.

President LeBlanc recognized Dr. Scafidel who gave the Executive Director’s Report. Dr. Scafidel reported on Construction, Annual Report, Cargo Statistics, 2012-2013 Budget, Millage Notice publishing dates, Ports Association of Louisiana’s honorary membership for Charles Reppel and Personal Financial Disclosure due date.

President LeBlanc asked if there were any Old Business. Not hearing from anyone, he continued with the meeting.

President LeBlanc asked if there were any New Business. Not hearing from anyone, he continued with the meeting.

On motion of Mr. Reppel, seconded by Mr. Anderson, the Board unanimously approved to take from the table agenda item #12, Executive Session to discuss litigation relating to the expropriation of the Violet Dock, from the April 10, 2012 Meeting Agenda.

On motion of Mr. Reppel, seconded by Mr. Cantrell, the Board unanimously approved to convene Executive Session at 1:12 p.m. to discuss litigation relating to the expropriation of the Violet Dock Port.

On motion of Mr. Reppel, seconded by Mr. Cantrell, the Board unanimously approved to reconvene Regular Session at 2:00 p.m.

On motion of Mr. Reppel, seconded by Mr. Cantrell, the Board unanimously approved authorization for the Executive Director to negotiate and enter into an Occupancy Agreement with Violet Dock Port, Inc. relating to the expropriation.

On motion of Mr. Reppel, seconded by Mr. Anderson, the meeting was adjourned.

/s/ Bradley J. Cantrell, Secretary