OFFICIAL PROCEEDINGS

ST. BERNARD PORT, HARBOR AND TERMINAL DISTRICT

REGULAR MONTHLY MEETING – SEPTEMBER 10, 2013

The Board of Commissioners of the St. Bernard Port, Harbor and Terminal District met in regular session on Tuesday, September 10, 2013, at 12:45 p.m., due to late arrivals, 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. Bradley J. Cantrell, Vice President; Mr. Elton J. LeBlanc, Secretary and Mr. P. James DiFatta, Treasurer. Absent was Mr. Harold J. Anderson, President. 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; Mr. Harold Rosselli, ParaTech; Mr.’s James Garner and Elwood Cahill, Sher Garner; Mr. Tony Evett, Volkert and Mr. Manuel Fernandez.

Vice President Cantrell asked if there were any public comments in accordance with R.S. 42:5(D). On Dr. Scafidel request, the Board observed a moment of silence for President Harold Anderson and his family on the loss of his granddaughter.

On motion of Mr. LeBlanc, seconded by Mr. DiFatta, and after asking for any public comment, the Board unanimously approved the minutes of the regular meeting held on August 13, 2013.

On motion of Mr. LeBlanc, seconded by Mr. DiFatta, and after asking for any public comment, the Board unanimously approved a First Amendment to Lease for Mike Munna (Chalmette Terminal Laydown) adding additional rent. Additional rent will be a percentage of the sale of recycled concrete and scrap materials.

On motion of Mr. LeBlanc, seconded by Mr. DiFatta, and after asking for any public comment, the Board unanimously approved a consent request for Alta Mesa Services to remove a 6” pipeline, production barge and structure in Breton/Chandelier Sound Area, St. Bernard Parish.

On motion of Mr. LeBlanc, seconded by Mr. DiFatta, and after asking for any public comment, the Board unanimously approved Change Order No. 1 for DelValle Services, LLC relating to the 2nd Floor Build Out, Administration/Security Complex project. An overrun of $5,233.00 and adding 55 (fifty-five) days to the contract.

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On motion of Mr. LeBlanc, seconded by Mr. DiFatta, and after asking for any public comment, the Board unanimously approved Substantial Completion for A.G.S. II, LLC relating to the Demolition of Buildings #40, #74, #63 and 9A & 61B project.

On motion of Mr. LeBlanc, seconded by Mr. DiFatta, and after asking for any public comment, the Board unanimously approved the following resolution for the System Survey and Compliance Questionnaire required by the Legislative Auditor:

RESOLUTION

WHEREAS, it is a requirement of the Legislative Auditor of the State of Louisiana that the book of the St. Bernard Port, Harbor and Terminal District be audited annually, and

WHEREAS, as a required part of the audit, a System Survey and Compliance Questionnaire is to be completed by the administrative staff, and

WHEREAS, this questionnaire when completed must be adopted by the governing body of the District,

NOW, THEREFORE BE IT RESOLVED, that the St. Bernard Port, Harbor and Terminal District move to adopt the Systems Survey and Compliance Questionnaire and present it and a copy of this resolution to our auditors.

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

Yeas: 3

Nays: 0

Absent: 1

Abstaining: 0

The resolution was declared to be adopted on this 10th day of September, 2013.

/s/ Elton J. LeBlanc, Secretary

Dr. Scafidel asked for Mr. Heaphy to give the board members an update on the upcoming Audit. Mr. Heaphy informed the Board that the Audit will begin on September 17, 2013 and should end sometime in October.

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On motion of Mr. LeBlanc, seconded by Mr. DiFatta, and after asking for any public comment, the Board unanimously approved the following resolution for the American Association of Port Authorities 2013 Annual Meeting:

RESOLUTION

ST. BERNARD PORT, HARBOR AND TERMINAL DISTRICT

At a meeting of the St. Bernard Port, Harbor and Terminal District on September 10, 2013, Robert J. Scafidel, Ed.D., Executive Director, was ordered accredited as delegate to the annual convention and annual meeting of the American Association of the Port Authorities (Incorporated), to be held on Thursday, October 17, 2013, in Orlando, Florida, with authority to cast the vote of this body on all motions and resolutions. Alternates, who are similarly empowered in case of the absence of the original delegate from any session, and who shall succeed him/her and each other in the order named, were designated as follows:

Drew Heaphy, Director of Administration

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

Yeas: 3

Nays: 0

Absent: 1

Abstaining: 0

This resolution was declared duly adopted on the 10th day of September, 2013.

/s/ Elton J. LeBlanc, Secretary

Vice President Cantrell recognized Mr. Heaphy who gave the Finance Report. Mr. Heaphy reported on the operating and capital budgets (new line items added in Capital Revenues), professional services and Lessees Arrears. The Board discussed the Finance Report. Vice President Cantrell thanked Mr. Heaphy for his report.

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Vice President Cantrell recognized Dr. Scafidel who gave the Executive Directors report. Dr. Scafidel reported on construction and then recognized Mr. Evett who gave an update on the Chalmette Slip inspection. Dr. Scafidel then recognized Mr. Roche who narrated a virtual tour of the Port’s facilities. He also informed the Board of his conversation with Boards and Commissions who verified the resignation of Commissioner Robin Ruffino. Vice President Cantrell thanked Dr. Scafidel for his report.

On motion of Mr. LeBlanc, seconded by Mr. DiFatta, and after asking for any public comment, the Board unanimously approved to enter Executive Session to discuss litigation relating to the expropriation of the Violet Dock Port and arbitration relating to the contract with WDG Architects Engineers/Wink Engineer, Inc. for the Administration/Security Complex Building at 1:14 p.m.

On motion of Mr. LeBlanc, seconded by Mr. DiFatta, and after asking for any public comment, the Board unanimously approved to reconvene the Regular meeting at 1:40 p.m.

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

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

On motion of Mr. LeBlanc, seconded by Mr. DiFatta, the meeting was adjourned.

/s/ Elton J. LeBlanc, Secretary