

WEST ST. MARY PARISH PORT, HARBOR & TERMINAL DISTRICT

MEETING MINUTES

December 7, 2021

6:00 P.M.

The meeting was called to order by Mr. Wilson Terry, President of the Port Commission. Mr. Terry led in the Pledge of Allegiance. Ms. Donna Lanceslin gave the Invocation. A roll call resulted in the following:

Present:

Sam Jones
Donna Lanceslin
Joseph Phillips
Murphy Pontiff
Joseph Tabb
Wilson Terry
Greg Paul

Absent:

Willie Peters

Also present at the meeting were: Mr. Reid Miller of Miller Engineers, Mr. Eric Duplantis, Port Attorney, Ms. Brandy Pennison, Administrative Assistant, Mr. David Allain, Executive Director and Ms. Rebecca Pellerin, Office Manager of the Port Commission.

A motion was made by Mr. Tabb to dispense with the reading of the minutes of November 2, 2021 and to accept them as presented. The motion was seconded by Ms. Lanceslin. Mr. Terry asked if there was any discussion or opposition – there was none. The motion carried unanimously.

There was no public comment.

A motion was made by Mr. Pontiff to adopt a Resolution of Respect in memory of Mr. Ralph Longman who passed away recently. Mr. Terry added that Mr. Longman was a long time and dedicated member of the Port Commission. Mr. Jones seconded the motion. Mr. Terry asked if there was any discussion or opposition – there was none. The motion carried unanimously.

Executive Director's Report – Mr. Allain reported that he and Mr. Duplantis continue to negotiate the proposed lease with Sugar Growers and Refiners, Inc. for warehouse facilities at the Port's Baldwin campus. Mr. Allain noted that one of the items in question was the section concerning repairs being made to the warehouse in the event it was damaged, in a timely manner. Mr. Allain explained to Sugar Growers that the Port had to abide by the Louisiana Public Bid Law and that certain steps were required if the cost of repairs exceeded the maximum amount of the Public Bid Law. In further discussion, Mr. Allain was informed by Sugar Growers that they accepted the Port's position and that a clean copy of the lease would be submitted for review. Mr. Allain also reported that he was informed that the Phase II Environmental Assessment of the proposed site would commence on Friday of this week. This assessment is being fully funded by Sugar Growers.

Mr. Allain reported that at a recent meeting of the Port's Executive Committee, demolition of the existing buildings at the Baldwin site was discussed. Mr. Allain further reported that he was notified by Mr. Miller of Miller Engineers that the contract that was awarded for the demolition of the existing buildings, per public bid law, allows a 45 day period from the time bids are opened until the contract must be signed. If the contract is not executed within this time frame, a request may be made for an extension or that the contractor hold the price on the bid. This request must be done in writing and the contractor would have to agree to hold the same price. The 45 day period will end on December 15th. Mr. Miller also added that with the volatility and the market and fuel prices at this time, he did not know if the contractor would be able to hold the bid price. Mr. Tabb added that at last month's meeting a motion was made not to move forward with the demolition of the existing buildings until a lease has been signed with Sugar Growers. Mr. Allain suggested that the Commission go forward with the demolition of the existing buildings as they are not marketable in the current state. Discussion followed. Mr. Tabb added that at the Executive Committee meeting, he questioned pretty extensively, to his satisfaction, whether or not the two buildings were usable as is. He further stated that he learned a wind rating had been performed on the buildings and because the original plans of the buildings are not available, the buildings did not pass. Mr. Miller added that because of the condition of the existing building, including a leaking roof, wall panels that are coming apart and the building being constructed and "designed" by the previous owners, it would be virtually impossible for an engineer, contractor or supplier to guarantee or warrant any type of construction in the building. Mr. Tabb added that he has learned that the facility would be more marketable without the current building. Mr. Allain added that the height of the property increases its value and marketability. Mr. Jones asked why the lease with Sugar Growers has not been signed yet. Mr. Duplantis explained that there were issues including the amount of time for repairs to be made in the event of damage to the building – this has been worked out. Regarding the issue of assignment of the lease, terms have been agreed upon by both parties. Mr. Allain explained that Sugar Growers is comprised of Co-Op Members who own the Co-Op, so if a farmer gets out of the Co-Op, it changes. He said the Port does not need to be notified every time a farmer joins or leaves the Co-Op. He added that only sales or mergers would be restricted and the Port would have to be notified in that event. Discussion followed.

Mr. Tabb offered to expand and remove the condition of his motion at last month's meeting to not sign the contract to demolish the existing building until the Port has signed the lease with Sugar Growers based upon the information he learned recently including the disrepair of the roof, that previous leases have fallen through due to the condition of the building as a result of the wind rating of the building and in the event this lease would not materialize, and that there is more of a possibility of finding a land-only tenant. Mr. Paul asked what would happen if the contract for the demolition was not signed by December 15th. Mr. Miller explained that the Port would have to notify the contractor, ARL Construction, request a letter from them stating that they would hold the bid price or if the contractor is not willing to hold the bid price - the bid by lack of signing the contract would essentially be rejected. Mr. Allain added that the demolition of the building is included in the Port Priority Program which is, in part, funding the entire project. Mr. Allain said that he is confident that the lease with the Sugar Growers will be signed. Discussion followed. A motion was made by Mr. Tabb to request an extension from the contractor on the demolition contract of the existing building at the Port's Baldwin campus. The motion was seconded by Mr. Paul. Mr. Terry asked if there was any more discussion or opposition – there was none. The motion carried unanimously.

Mr. Allain presented proposed budget adjustments for the 2021 budget for consideration. The following line item adjustments were suggested: to increase Telephone/Internet/Cable by \$800, to increase Baldwin Facility Utilities by \$850 and to increase /Water Plant Operations by \$17,000. A motion was

made by Mr. Jones to approve and to adjust the 2021 budget as presented. The motion was seconded by Ms. Lanceslin. Mr. Terry asked if there was any discussion or opposition – there was none. The motion carried unanimously.

A motion was made by Mr. Jones to approve the proposed 2022 budget as presented. The motion was seconded by Mr. Pontiff. Mr. Terry asked if there was any discussion or opposition – there was none.

Mr. Jones stated that at the last meeting, he requested that Mr. Allain contact five prospective companies and present a written report for the Commission and asked if he had the report. Mr. Allain replied that he did not have a written report, but that he had been in contact with Mr. Edgar regarding his interest in the Port. He stated that Mr. Edgar was not quite sure of what his plans were and where he wished to locate but did agree to meet with Mr. Allain to further discuss his options after the first of the year. Mr. Allain said that he has talked to other Ports in the area and local contacts. Mr. Jones added that an additional \$30 - \$40 million has been added to the State's Port Priority Program and could serve as an incentive for companies to locate in the area. Mr. Jones requested that Mr. Allain present the Commission with a written report by the February meeting. Mr. Tabb recommended that Mr. Allain contact the St. Mary Parish Economic Development office and follow through with contacts that they have made. Mr. Allain said that he would meet with the Economic Development Office again. Discussion followed.

Mr. Miller reported on the Training Facility project. A change order in the amount of \$4,138.60 has been requested for approval. The Change Order requested is to install additional structural work to support the movable wall. A motion was made by Mr. Pontiff to approve Change Order No. 2 contingent upon approval by the Economic Development Administration and the office of Facility Planning. The motion was seconded by Mr. Jones. Mr. Terry asked if there was any discussion or opposition – there was none. The motion carried unanimously.

Continuing with the Training Facility, a motion was made by Mr. Pontiff to approve payment of Contractor's Request for Payment #9 to ARL Construction, Inc. in the amount of \$358,351.83. The motion was seconded by Mr. Jones. Mr. Terry asked if there was any discussion or opposition – there was none. The motion carried unanimously.

A motion was made by Mr. Jones to approve Miller's Engineers Request for Payment #11 in the amount of \$12,018.42 for professional services for the Training Facility. The motion was seconded by Mr. Phillips. Mr. Terry asked if there was any discussion or opposition – there was none. The motion carried unanimously.

Mr. Terry reported that Mr. Allain has requested a five year extension of his Employment Contract with the Port under the same terms and conditions as his previous Contract. A motion was made by Mr. Pontiff to enter into an Employment Contract with Mr. Allain as presented. The motion was seconded by Mr. Phillips. Mr. Terry asked if there was any discussion or opposition. Mr. Jones requested that Mr. Allain contact at least five companies and that a written report be given at each meeting and Mr. Allain agreed that he would present the Commission with a written report at each meeting. The motion carried unanimously.

Mr. Duplantis opened the floor for nominations for the position of President of the Port Commission. Mr. Terry nominated Mr. Greg Paul for the office of President. Mr. Duplantis asked if there were any other nominations – there were none. Mr. Terry moved that the nominations be closed. Mr. Jones

seconded the motion. Mr. Terry asked if there was any discussion or opposition – there was none. The motion carried unanimously and Mr. Paul was elected as President.

Mr. Duplantis opened the floor for nominations for the position of Vice President of the Port Commission. Mr. Phillips nominated Ms. Donna Lanceslin. Mr. Duplantis asked if there were any other nominations – there was none. The motion was seconded by Mr. Terry. Mr. Terry asked if there was any discussion or opposition – there was none. The motion carried unanimously and Ms. Lanceslin was elected Vice President.

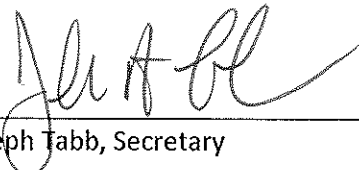
Mr. Duplantis opened the floor for the nomination for the position of Secretary/Treasurer of the Port Commission. Mr. Jones nominated Mr. Murphy Pontiff. The motion was seconded by Mr. Tabb. Mr. Terry nominated Mr. Joseph Tabb. Mr. Tabb withdrew his nomination. There were no other nominations. Mr. Terry asked if there were any discussion or opposition – there none. The motion carried unanimously and Mr. Pontiff was elected Secretary/Treasurer.

Mr. Duplantis reminded the Commission that all required training must be completed and that all certificates of completion must be submitted to the Port staff by December 31, 2021.

Mr. Miller reported on the progress of the Training Facility. He stated that everything is moving right along. The walls are closed in, all of the drywall has been installed, the bricks are being installed and the parking concrete has been completed. He continued and reported that the HVAC system is in the works and the plumbing is 90 percent complete. He stated that everything is on schedule and should be completed by the end of January of next year. He invited the Commission to make a site visit.

There being no further business to be discussed, a motion was made by Mr. Paul to adjourn the meeting. The motion was seconded by Mr. Pontiff. Mr. Terry asked if there was any discussion or opposition – there was none. The motion carried unanimously and the meeting adjourned at 6:44 p.m.

Signed _____


Joseph Tabb, Secretary