

**MINUTES OF NOVEMBER 20, 2008
REGULAR MEETING
LONG BEACH PORT COMMISSION**

Be it remembered that a regular meeting of the Port Commission of the City of Long Beach, Mississippi, was begun and held at the Long Beach School District Central Office, 19148 Commission Road, in said City at 5:30 pm, it being the third Thursday in November, 2008, and the same being the time, date, and place fixed for holding said meeting. There were present and in attendance on said Commission and at the meeting the following named persons: Commission President Phil Kies, Vice President James Hancock, Secretary Barbara Reed, Commissioners Vernon Ehlers, Mike Spruill, Kaye Couvillon, Charles Purchner, Steve Nicosia, Harbormaster Calvin Poupart, Port Attorney Bryan Vonder Bruegge, and Deputy City Clerk Stacey Dahl.

Absent the meeting was Commissioner Chuck Ryan.

There being a quorum present and sufficient to transact the business of the Port Commission, the following proceedings were had and done.

The meeting was called to order and Commissioner Nicosia made motion seconded by Commissioner Ehlers and unanimously carried to amend the agenda to include: V. BUSINESS: #10. Marina Association Membership.

Commissioner Hancock made motion seconded by Commissioner Couvillon and unanimously carried to approve the regular minutes of October 16, 2008. and the special meeting minutes of November 3, 2008, as submitted.

The commission recognized Mr. David Vicknair, Project Manager of Broaddus and Associates. Mr. Vicknair submitted Harbor Project Updates; whereupon the following was ordered spread upon the minutes of this meeting in words and figures as follows:

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November 20th, 2008

Long Beach Port Commission

RE: Project Updates

Projects –

1. FM across Hwy 90
 - Begin work December 1st 2008
 - Construction completion December 15th 2008

2. Bulkhead Repairs
 - Contract Completion Date November 2nd 2008
 - Substantial completion Oct 31st 2008

3. North Bulkhead Repairs
 - Design 40% complete
 - Design complete December 2008
 - Advertise January 22nd 2009
 - Bids open February 20th
 - Award March 17th
 - Issue NTP March 31st
 - Contract duration 120 days
 - Construction completion July 31st 2009

4. Fuel Dock
 - NTP issued October 9th
 - Contract Duration 90 days
 - Completion date January 10th 2009

5. Katrina Pier Repairs
 - Request to advertise from Alderman on October 14th
 - Receive bids December 2nd
 - Award December 16th
 - Issue NTP January 15th 2009
 - Contract duration 120
 - Construction completion May 15th 2009

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6. Harbor Master Building

- Design in process
- Bulkhead permit submitted to DMR
- Design completion January 15th 2009
- The below schedule is contingent upon DMR permit approval
- Advertise February 19th
- Bid open March 20th
- Award April 7th
- Issue NTP April 21st
- Contract duration 300 days
- Completion date February 21st 2010

7. Dredging

- Design completion February 16th 2009
- Permit to be submitted to DMR in early January 2009
- The following schedule is contingent on Permit approval

- Bid Advertisement March 5th
- Bid Opening April 3rd
- Award April 21st
- Issue NTP May 5th
- Construction duration 90 days
- Construction completion August 5th 2009

8. Parking Lot and Road Paving

- Design to be complete in December
- Advertise January 8th 2009
- Bids opened February 6th
- Award March 3rd
- Issue NTP March 17th
- Contract Duration 90 days
- Completion Date June 17th

Please contact me at your convenience with any questions.

Best Regards,



David A. Vicknair
Broaddus and Associates
228-343-0221

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Commissioner Barbara Reed was preliminarily absent the meeting and arrived at 5:45 pm.

Upon review of the aforesaid Project Updates and extensive discussion regarding some of the “time lines”, it was determined that Mr. Vicknair would further investigate the commissions concerns and report his findings to the commissioners via e-mail prior to the next meeting. No formal action was required or taken.

The commission recognized Captain Scott Simpson, Impulsive Charters LLC, slip lessee, and his request to place permanent sign in the same location of his temporary sign. Said request and design ordered spread upon the minutes of this meeting in words and figures as follows:

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IMPULSIVE Fishing Charters *LLC*
108 Belle Terre Court • Long Beach, MS 39560
Website: myweb.cableone.net/captscott • Email: captscott@cableone.net
(228) 669-6204

November 20, 2008

To: Long Beach Harbor Port Commission
From: Captain Scott Simpson
Impulsive Charters LLC

REF: Construct Permanent Sign Request

I would like to respectfully request permission from the Port Commission to construct a permanent sign back in the same location in which my temporary sign was located.

Operating out of Long Beach Harbor for 12 years.

Sincerely,



Captain Scott Simpson
Impulsive Charters LLC
Pier 1 Slip 50

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3A

Fishing Charters
Impulsive Charters 1-4 People Capt. Scott Simpson
228-669-6204

6A

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After considerable discussion, Commissioner Purchner made motion seconded by Commissioner Ehlers to approve the aforesaid request.

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Upon continued discussion, Commissioner Nicosia offered substitute motion seconded by Commissioner Reed to approve Captain Simpson's aforesaid request and sign design for a period of one (1) year. The substitute motion being put to a roll call vote, the result was as follows:

| | | |
|------------------------|-------|--------------------|
| Commissioner Nicosia | voted | Aye |
| Commissioner Reed | voted | Aye |
| Commissioner Purchner | voted | Nay |
| Commissioner Ryan | voted | Absent, not voting |
| Commissioner Kies | voted | Aye |
| Commissioner Hancock | voted | Aye |
| Commissioner Couvillon | voted | Aye |
| Commissioner Ehlers | voted | Aye |
| Commissioner Spruill | voted | Aye |

The motion having received the affirmative vote of a majority of the commissioners present and voting, the President declared the motion carried.

The commission recognized Mr. Rob Stinson, Lookout Catering LLC. Discussion was held regarding designated parking for the restaurant. No action was required or taken at this time.

There came on for discussion current harbor financial status i.e. harbor lessee occupied slip information and delinquent slip lessee information. Extensive discussion was held regarding the requirements for insurance as set forth in the BERTHING AGREEMENT effective June 1, 2008, #10. Boat owner shall name the Long Beach Port Commission and the City of Long Beach as additional insured's on said policy and shall provide written proof of such insurance. No formal action was taken at this time.

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Discussion continued regarding delinquent accounts, whereupon Commissioner Reed made motion seconded by Commissioner Purchner and unanimously carried to direct the Port Attorney to draft a letter to Mr. Robert Burns and Mr. Charles Thompson regarding monies owed to the Port for delinquent slip lease, attorney fees, and/or damages. It was further ordered that no action would be taken concerning Mr. Randal Tempel or Mr. Glen Hintze at this time.

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Upon continued discussion regarding delinquent slip leases, Commissioner Spruill made motion seconded by Commissioner Ehlers and unanimously carried to direct the Port Attorney to draft a form letter for the harbormaster, to be sent certified to lessees that are two (2) months delinquent. It was further ordered that, should the lessee remain delinquent for three (3) months, the Port Attorney is directed to file lien and begin legal proceedings.

Brief discussion was held regarding Steve's Marina Restaurant; whereupon no action was required or taken.

Commissioner Hancock made motion seconded by Commissioner Couvillon and unanimously carried to approve Dockets of Claims #HBR102108, #HBR110408, and #HBR111808, as submitted.

The commission recognized Mr. Calvin Poupart for the Harbormasters report, whereupon there was no action required or taken.

The commission recognized Mr. Bryan Vonder Bruegge for the Port Attorney's report; whereupon it was determined that action necessary had been addressed earlier during the course of this meeting.

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There came on for consideration a personnel matter; whereupon Commissioner Nicosia made motion seconded by Commissioner Couvillon to enter into closed session to determine whether or not to declare an executive session. The question being put to a roll call vote, the result was as follows:

| | | |
|------------------------|-------|--------------------|
| Commissioner Nicosia | voted | Aye |
| Commissioner Reed | voted | Aye |
| Commissioner Ryan | voted | Absent, not voting |
| Commissioner Purchner | voted | Aye |
| Commissioner Kies | voted | Nay |
| Commissioner Hancock | voted | Nay |
| Commissioner Couvillon | voted | Aye |
| Commissioner Ehlers | voted | Aye |
| Commissioner Spruill | voted | Aye |

The question having received the affirmative vote of a majority of the commissioners present and voting, the President declared the motion carried.

The meeting resumed in open session; whereupon Commissioner Reed made motion seconded by Commissioner Couvillon to enter into executive session for the transaction of public business, to-wit: to discuss personnel matters. The question being put to a roll call vote, the result was as follows:

| | | |
|------------------------|-------|--------------------|
| Commissioner Nicosia | voted | Aye |
| Commissioner Reed | voted | Aye |
| Commissioner Ryan | voted | Absent, not voting |
| Commissioner Purchner | voted | Aye |
| Commissioner Kies | voted | Aye |
| Commissioner Hancock | voted | Aye |
| Commissioner Couvillon | voted | Aye |
| Commissioner Ehlers | voted | Aye |
| Commissioner Spruill | voted | Aye |

The question having received the unanimous vote of all commissioners present and voting, the President declared the motion carried; whereupon the commission entered into executive session at 8:15 pm.

The meeting resumed in open session at 8:45 pm; whereupon, Commissioner Reed made motion seconded by Commissioner Couvillon and

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unanimously carried to increase the stipend pay for the minutes clerk from \$600.00 (six hundred dollars) annually to \$1200.00 (twelve hundred dollars) annually, effective December 1, 2008.

Based on information obtained in executive session, there was no further action required or taken regarding personnel matters.

It was the consensus of the commission the take Agenda Item #10. Marina Association Membership under advisement until the next regular scheduled Port Meeting.

There being no further business to come before the Port Commission at this time, Commissioner Ehlers made motion seconded by Commissioner Hancock and unanimously carried to adjourn until the next regular meeting in due course.

APPROVED:

PHIL KIES, PRESIDENT

DATE

ATTEST:

STACEY DAHL, DEPUTY CITY CLERK