

PORT COMMISSION MINUTES
October 15, 2009

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 p.m. o'clock, it being the third Thursday in October, 2009, 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, Commissioners David Marks, Rod Rishel, Chuck Ryan, Vernon Ehlers (via phone), Harbormaster Calvin Poupart, Port Attorney James C. Simpson, Jr., and Deputy City Clerk Stacey Dahl.

Absent the meeting were Secretary Barbara Reed and Commissioner Charles Purchner.

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 it was noted for the record Commissioner Steve Nicosia notified the Board of Aldermen that he resigned from his appointment to the Port Commission.

Commissioner Hancock made motion seconded by Commissioner Ryan and unanimously carried to approve the Port Commission regular and executive minutes of September 17, 2009, recess minutes of September 24, 2009, and recess minutes of September 28, 2009.

The commission recognized Mr. Ron Robertson, Project Manager with Broaddus and Associates. Mr. Robertson submitted project updates as follows:

PORT COMMISSION MINUTES

October 15, 2009



October 15, 2009

Long Beach Port Commission
Phil Kies, President

RE: Project Updates

1. North Bulkhead Repairs
 - Construction completion August 2009.
 - Pending Final Invoices and Close Out

2. Katrina Pier Repairs/Fishing Piers
 - Construction completion August 2009.
 - Pending Final Invoices and Close Out

3. Harbor Master Building
 - Contractor H. Gordon Myrick, August 18, 2009 award \$996,214.00
 - Issue NTP September 18, 2009.
 - Contract duration 270 days
 - Demolition started and Job site Sign installed
 - Piling drawings submitted 10-13-2009, under review
 - Anticipate test pile 2nd week of November
 - Final Completion date June 18, 2010.
 - Elevation, ADA & Superstructure(FEMA HMP) \$467,933
 - Building(FEMA PA) \$322,835
 - Insurance \$ 60,000
 - Tidelands \$205,446

4. Dredging
 - Contractor Matthews Marine, August 4, 2009 award \$168,387.25
 - Environmental permit revision requested
 - Construction duration 90 days. (Actually 2-weeks in Harbor)
 - Construction completion by December 31, 2009.

	<u>FEMA</u>	<u>Tidelands</u>
Phase-1 costs:		
Bathymetric Surveys	\$ 4,025	\$7,375
Dredge/Dispose 524.6 CY	15,084	2,230
Phase-2 costs:		
Bathymetric Surveys	4,025	
Dredge/Dispose 4480.4 CY	128,811	
7.5% maintenance 398 CY		11,442
Mobilization/other	5,001	
TOTALS	\$156,973	\$21,047

PORT COMMISSION MINUTES
October 15, 2009

5. Alternate Projects – Revise Dock Slips and/or Fishing Pier
 - FEMA approved eligibility August 18, 2009
 - PW for Building was approved August 28, 2009
 - Approximately \$350,000 for construction
 - Garner Russell Engineering completed preliminary proposals on Projects for Port Commission Review and consideration
 - Next Step: Submit preliminary drawings and scope to MEMA/FEMA for approval

Please contact me at your convenience with any questions.

Best Regards,

Ron Robertson, P. E.
Project Manager
Broaddus and Associates
(228) 224-3039

Page 2 of 2

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Discussion was held regarding the aforesaid projects, whereupon the commission recognized Mr. David Ball, City Engineer, regarding the Alternate Project – Revisions to Pier #2 Slip Widths. Mr. Ball submitted the following:

PORT COMMISSION MINUTES
October 15, 2009

City of Long Beach - Smallcraft Harbor
 Revisions to Pier #2 Slip Widths
 October 15, 2009

PRELIMINARY ESTIMATE OF CONSTRUCTION COST

ITEM DESCRIPTION	QUANTITY	UNIT COST	EXTENSION
PIER #2 REVISIONS			
REMOVE EXIST. PILE	56 EA	\$250.00	\$14,000.00
REMOVE EXIST. FINGER PIER	10 EA	\$500.00	\$5,000.00
INSTALL 12" X 35' PILE	28 EA	\$1,100.00	\$30,800.00
INSTALL 10" X 30' PILE	36 EA	\$900.00	\$32,400.00
INSTALL DOUBLE-12"x35' PILE CLUSTER	8 EA	\$3,000.00	\$24,000.00
CONSTRUCT FINGER PIER	18 EA	\$2,000.00	\$36,000.00
50A/50A RECEPTACLE BOX W/WIRING	18 EA	\$3,500.00	\$63,000.00
MODIFY EXIST. POWER PLATFORM	1 LS	\$30,000.00	\$30,000.00
<i>SUBTOTAL PIER #2</i>			\$235,200.00
PIER #4 REVISIONS			
CONSTRUCT 6' PIER	128 LF	\$1,100.00	\$140,800.00
INSTALL 12" X 35' PILE	8 EA	\$1,500.00	\$12,000.00
30A/30A RECEPTACLE BOX W/WIRING	4 EA	\$2,500.00	\$10,000.00
<i>SUBTOTAL PIER #4</i>			\$162,800.00
TOTAL CONSTRUCTION COST			\$398,000.00
CONTINGENCIES (10%)			\$39,800.00
ENGINEERING			\$28,855.00
TOTAL PROJECT COST			\$466,655.00

Discussion continued regarding the aforesaid Alternate Project; and no action was required or taken at this time.

The commission recognized Mr. Justin Roland, lessee of the Harbor bait/fuel shop. Mr. Roland requested permission and submitted a preliminary sketch of a sign to be installed on the bait shop building and/or roof. It was the consensus of the commission to approve Mr. Roland's request, stipulating it must comply with the City of Long Beach's sign ordinance.

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PORT COMMISSION MINUTES
October 15, 2009

Upon further discussion, Mr. Roland requested his rent for the month of September, 2009, be pro-rated for sixteen (16) days in accordance with the date the temporary harbormaster building was relocated to allow for the bait shop to be placed in the area designated. Commission Marks made motion seconded by Commissioner Hancock and unanimously carried to approve Mr. Roland's aforesaid request pro-rating the Bait Shop's September, 2009, lease payment at \$266.72.

Upon continued discussion, Mr. Roland stated the fuel/bait shop should be fully operational within three (3) weeks.

There was no action required or taken regarding Tidelands.

There came on for discussion action taken by the Board of Aldermen at their meeting of October 6, 2009, as it pertains to certain actions of the Port Commission in their minutes of September 17, 2009, and September 28, 2009.

In regards to the Board of Aldermen's action in which exception was made to action taken denying the increase in administrative fees paid to the City and action taken to refund one half (1/2) or fifty percent (50%) of the lease monies paid following the reduction in rent after Katrina by Wanda Cazaubon for the bait shop lease, the following action was taken by the Port Commission:

Commissioner Hancock made motion seconded by Commissioner Marks and unanimously carried to rescind refunding any monies to Ms. Wanda Cazaubon.

Commissioner Kies made motion seconded by Commissioner Marks and unanimously carried to approve the following Annual Administrative Fees to be paid to the City:

PORT COMMISSION MINUTES

October 15, 2009

ANNUAL ADMIN FEE PORT COMMISSION			TOTAL GEN FND	TOTAL WS FND	TOTAL
1	UTILITY PARTNERS	\$ 5,951 WS FND	\$ 29,305	\$ 15,235	\$ 44,540
2	AUDIT/ACCTG	\$ 4,419 GEN FND	15,000	-	15,000
3	SOFTWARE MAINT	\$ 836 GEN FND	\$ (14,305)	\$ (15,235)	\$ (29,540)
4	OFFICE SUPPLIES	\$ 1,668 GEN FND			
5	OFFICE SUPPLIES	\$ 51 WS FND			
6	PAYROLL/PERSONNEL	\$ 947 GEN FND			
7	POSTAGE	\$ 773 WS FND			
8	WATER FEES	\$ 8,460 WS FND			
9	INSURANCE	\$ 21,435 GEN FND			
	TOTAL	\$ 44,540			

2010 ADMIN FEES
PRESENT FEES
DIFF (UNDER) OVER

UTILITY PARTNERS-BILLING CONTRACT PER DERREL WILSON (INCLUDES 5% REDUCTION)		
1	CONSUMER CHARGES	\$ 90,445
	WS	\$ 3,951,187 93.42%
	PH	278,296 6.58%
	TOTAL	\$ 4,229,483 100.00%

\$ 84,494
5,951
*PORT PERCENTAGE BASED UPON TOTAL CONTRACT; TOTAL BILLING AND COLLECTIONS

DEPT/FUND	TOTAL BUDGET LESS PAYROLL		2	3	4	5
			ACCT/AUDIT A/P	SOFTWARE MAINT	GEN OFFICE	WS OFFICE
GEN	3,978,622	28.89%	\$ 145,839	\$ 27,575	\$ 1,668	\$ 51
MBI	1,329,953	9.66%	42,137	7,967		
SBI	110,363	0.80%	14,085	2,663		
WS	5,544,747	40.27%	1,169	221		
PH	417,270	3.03%	58,724	11,103	1,668	51
CAP IMP	600,000	4.36%	4,419	836		
SP REVENUE	1,789,181	12.99%	6,355	1,202		
	13,770,136	100.00%	18,949	3,583	1,668	51

PORT PERCENTAGES OF CITY/CLERK, 2/3 DEPUTY CITY CLERK, PART TIME CITY CLERK SALARIES & CONTRACT SERVICES AUDITING FIRM; SOFTWARE MAINT CONTRACT BASED ON TOTAL BUDGET LESS PAYROLL

4 PAYROLL/AP CHECKS, COPIES, FOLDERS, ETC.

5 HARBOR BILLS APPROXIMATELY \$51 ANNUALLY

DEPT.	PR BUDGET		\$ 19,877	= 1/3 DEPUTY CITY CLERK SALARY
ADMINISTRATION	\$ 374,281	6.01%	1,198	
MUNICIPAL COURT	217,860	3.50%	696	
POLICE	2,716,815	43.66%	8,678	
FIRE	2,016,185	32.40%	6,440	
INSPECTORS	140,807	2.28%	450	
RECREATION	96,467	1.55%	308	
SENIOR CITIZENS	89,741	1.44%	287	
LIBRARY	230,799	3.71%	737	
WATER/SEWER O&M	43,516	0.70%	139	
PORT/HARBOR	296,494	4.76%	947	*PORT PORTION OF PAYROLL PERSONNEL SALARY
	\$ 6,222,955	100.00%	19,877	

7 POSTAGE		\$ 28,200	
WS (5000 X 12)	60,000	97.26%	\$ 27,427
PH (141 slips X 12)	1,692	2.74%	773
	61,692		\$ 28,200

*PORT PORTION OF TOTAL POSTAGE

8 141 Slips x \$5.00 x 12 Utility fees charged to boat owners for water service

9 Per Peggy Crosby/Calvin Foster- Sawyer Foster Insurance Group	\$ 5,665	Marine Liability
NOTE: Insurance will increase when harbor master building is built		
14' Monarch aluminum skiff (\$20 hull premium)/(\$370 liability)	390	
\$6.40 PER \$100 PORT SALARIES (\$219,221)	14,030	Work Comp
9 @ \$150	1,350	Employee Bonds
	\$ 21,435	

There came on for consideration the amended Port Budget for Fiscal Year 2008/2009. Said amendment ordered spread upon the minutes of this meeting in words and figures as follows:

PORT COMMISSION MINUTES

October 15, 2009

CITY OF LONG BEACH, MISSISSIPPI - MUNICIPAL BUDGET 10/15/2009
INTERNAL CONTROL WORKSHEET 1:10 PM

PORT & HARBOR FUND

	ADOPTED FY 08-09	AMEND	DIFFERENCE + OR (-)	ACTUAL
REVENUES				
BEGINNING FUND BALANCE	329,248	322,937	(6,311)	322,937
INTEREST EARNED	-	2,840	2,840	2,840
TIDELANDS GRANT	200,000	153,611	(46,389)	153,611
FEMA/MEMA REIMBURSEMENT	-	-	-	-
SALES TAX	-	-	-	-
SLIP RENT	306,912	257,943	(48,969)	257,943
STORE SALES	11,000	23,162	12,162	23,162
RENTAL INCOME	33,126	4,042	(29,084)	4,042
MISCELLANEOUS	-	90	90	90
INSURANCE PROCEEDS	-	-	-	-
TOTAL REVENUES	880,286	764,625	(115,661)	764,625
EXPENDITURES				
PERSONNEL				
SALARIES	180,263	148,194	(32,069)	148,194
LONGEVITY	1,320	978	(342)	978
RETIREMENT	17,546	14,885	(2,661)	14,885
FICA	13,894	11,356	(2,538)	11,356
MEDICAL INSURANCE	29,220	25,679	(3,541)	25,679
TOTAL PERSONNEL	242,243	201,092	(41,151)	201,092
SUPPLIES				
OFFICE	240	877	637	877
OPERATING SUPPLIES	1,200	11,756	10,556	11,756
GAS/OIL	1,800	1,251	(549)	1,251
STORE PURCHASES	4,400	11,274	6,874	11,274
TOTAL SUPPLIES	7,640	25,158	17,518	25,158
OTHER CHARGES/SERVICES				
BUILDING MAINTENANCE	420	-	(420)	-
EQUIPMENT MAINTENANCE	360	-	(360)	-
HARBOR MAINTENANCE	7,200	5,046	(2,154)	5,046
VEHICLE MAINTENANCE	600	386	(214)	386
LEGAL FEES	8,040	4,883	(3,157)	4,883
ENGINEERING FEES	1,020	2,260	1,240	2,260
MACHINERY/EQUIPMENT	360	-	(360)	-
ADMINISTRATIVE CHARGE	15,000	15,000	-	15,000
SALES TAX PAYABLE	-	-	-	-
COLLECTION CONTRACT	780	483	(297)	483
MISCELLANEOUS	600	903	303	903
INSURANCE	-	1,640	1,640	1,640
UTILITIES-TELEPHONE	1,020	3,135	2,115	3,135
-ELECTRIC	23,234	21,386	(1,848)	21,386
-CABLE	1,200	1,130	(70)	1,130
CONSULTANT FEES	2,100	1,260	(840)	1,260
LOAN REPAYMENT	-	-	-	-
INSURANCE REPAYMENT	103,700	103,700	-	103,700
TOTAL OTHER	165,634	161,212	(4,422)	161,212
TOTAL OPERATIONS BUDGET	415,517	387,462	(28,055)	387,462
CAPITAL OUTLAY				
CONTINGENCY	130,584	94,839	(35,745)	94,839
CAPITAL IMPROVEMENTS	130,585	94,839	(35,746)	94,839
CAPITAL REPLACEMENT	3,600	1,882	(1,718)	1,882
PRIOR YEAR TIDELANDS	-	-	-	-
HARBOR IMP/REPAIRS - TIDELANDS	200,000	185,603	(14,397)	185,603
MATCHING FUNDS	-	-	-	-
TOTAL CAPITAL OUTLAY	464,769	377,163	(87,606)	377,163
TOTAL PORT & HARBOR	880,286	764,625	(115,661)	764,625

Commissioner Hancock made motion seconded by Commissioner Marks and unanimously carried to approve the aforesaid amended budget.

Commissioner Vernon Ehlers arrived at 6:45 p.m. via phone and Commissioner Rod Rishel left the meeting at 6:50 p.m. due to a prior commitment.

PORT COMMISSION MINUTES
October 15, 2009

The commission recognized Mr. Jimmy Levens, representing Blue Ridge Properties, LLC. After considerable discussion, it was the consensus of the commission that negotiations would continue.

There came on for discussion the Harbormaster position as it pertains to funding. After considerable discussion, Commissioner Marks made motion seconded by Commissioner Hancock and unanimously carried to terminate the quest to hire a full-time harbormaster at this time.

Commissioner Hancock made motion seconded by Commissioner Kies and unanimously carried to approve the bills as listed on Docket of Claims # HBR093009.

The commission recognized Mr. James C. Simpson, Jr. for the Port Attorney's report. Mr. Simpson apprised the commission on litigation notice served regarding Mr. Steve Pucheu, former lessee. Upon discussion, Commissioner Marks made motion seconded by Commissioner Hancock and unanimously carried to direct the Port Attorney to defend the law suit.

The commission recognized Mr. Calvin Poupart for the Harbormaster's report; whereupon no action was required or taken.

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

APPROVED:

PHIL KIES, PRESIDENT

DATE

ATTEST:

STACEY DAHL, DEPUTY CITY CLERK