

PORT COMMISSION MINUTES
February 17, 2011

Be it remembered that a regular meeting of the Port Commission of the City of Long Beach, Mississippi, was begun and held at the City Hall, 201 Jeff Davis Avenue, in said City at 5:30 o'clock p.m., it being the third Thursday in February, 2011, 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, Vernon Ehlers, Charles Purchner, Barbara Reed, Danny Hansen, Barney Hill, David Blackstock, Port Attorney James C. Simpson, Jr., and Deputy City Clerk Stacey Dahl.

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

Commissioner Reed arrived late and was preliminarily absent the meeting.

The meeting was called to order and there were no amendments to the agenda.

Commissioner Ehlers made motion seconded by Commissioner Hansen and unanimously carried to approve the Port Commission Regular Minutes of January 20, 2011, as submitted.

Commissioner Reed arrived at the meeting.

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

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Long Beach Port Commission
Phil Kies, President

February 17, 2011

RE: Project Updates:

1. **Bait Shop**
Plans and Specifications for quotations in progress of development. Total project estimate \$70,000.00.
2. **Alternate Project. Harbor Pier revisions.**
 - Plans/specs for Pier #2 are ready to be re-submitted to MEMA/FEMA for approval. Construction estimate \$335,000.00.
 - This project approval by MEMA/FEMA has been put "on-hold" until the DMR/Corp and Secretary of State approves the construction work to proceed.
3. **Bulkhead Project.**
 - Final plans and specs with Bid documents are completed. Construction estimate \$1.3 million. B.I.G. Grant Agreement has been submitted to Port Commission for approval.
 - Port Commission's matching funds from Tidelands needs to be confirmed.
 - Construction approval from Secretary of State still pending.

Engineering invoices for \$12,725.65 has been submitted to DMR for reimbursement from the two funding sources.

4. **CIAP – Harbor Expansion Planning.**
CIAP Grant's Construction Project Narrative and Budget currently under review for approval. Total Grant amount \$2.0 million.

Please contact me at your convenience with any questions.

Best Regards,

Ron Robertson, P. E.
Project Manager

One Hancock Plaza ♦ 2510 14th Street ♦ Suite 810 ♦ Gulfport, MS 39501 ♦ Ph. (228)314-1264 ♦ Fax (228) 314-1265

There was no action required or taken regarding the aforesaid report.

The commission recognized Attorney at Law Hayes Johnson, Mr. Steve Pucheu, and Mr. David Fayard; whereupon, discussion was held regarding a Lease Assignment with S. Pucheu Holdings LLC to DMP Properties LLC. After considerable discussion, it was determined that an assignment would be formally presented at the March 17, 2011, meeting of the commission.

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There came on for consideration Long Beach Harbor Modifications to Pier 2. Commissioner Hancock made motion seconded by Commissioner Reed and unanimously carried to ratify the Mayor and Board of Aldermen's action, approving the project at their meeting of February 15, 2011.

There came on for consideration the Tidelands Grant Agreement, Fiscal Year 2011. Said agreement ordered spread upon the minutes of this meeting in words and figures as follows:

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STATE OF MISSISSIPPI

Haley Barbour
Governor

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES

William W. Walker, Ph.D., Executive Director

January 31, 2011

The Honorable William Skellie, Jr.
City of Long Beach
P.O. Box 929
Long Beach, MS

Re: FY2011-P106 FY2011 Harbor Improvements

Dear Mayor Skellie:

Enclosed you will find your Tidelands Grant Agreement, Fiscal Year 2011 for the above referenced project (Attachment 1). Please execute the agreement and return to the MDMR Tidelands Office at 1141 Bayview Avenue, Suite 101, Biloxi, MS 39530. The Department of Marine Resources shall make progress payments in installments based on the work completed and material used in the performance of a tidelands project only after receiving written verification of the work completed using attached Form TTF-3. One other provision of this agreement is to provide the Department of Marine Resources with a detailed progress report beginning June 30, 2011, and every six months thereafter for the duration of the project. The Department asks that you use the attached blank copy of the progress report form (TTF-4) to submit your reports. Upon completion of the project, a Notice of Completion (TTF-5) will need to be submitted and before final reimbursement can be paid. Additionally, the agreement states that a prominent, permanent sign be erected at all funded public access and construction related projects. Please note that the exact wording of your project sign should be as follows:

"Funds for this project appropriated by the Mississippi Legislature, 2011
Tidelands Trust Fund, through the Secretary of State Delbert Hosemann, and the
Mississippi Department of Marine Resources"

A new sign is needed to reflect the new fiscal year funding if your project is a continuation from the previous year.

Should you have any questions regarding this matter, please do not hesitate to contact Joe Ziegler or Michaela Hill, at (228) 374-5000.

Sincerely,

A handwritten signature in cursive script, appearing to read "Joe Ziegler".

Joe Ziegler
Chief of Staff

Handwritten initials, possibly "JZ", written in cursive.

Enclosures

1141 Bayview Avenue • Biloxi, MS 39530-1613 • Tel: (228) 374-5000 • www.dmr.ms.gov
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FY2011-P106

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES

Tidelands Grant Agreement
City of Long Beach - FY2011 Harbor Improvements
FISCAL YEAR 2011

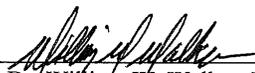
City of Long Beach hereby agrees to expend funds as authorized by the 2010 Mississippi Legislature in H.B. 1634 and Mississippi Code Section 29-15-9.

The Mississippi Department of Marine Resources will disburse funds in the amount of \$150,000 for this project, FY2011 Harbor Improvements, upon (1) receipt of this signed document; (2) DMR possession of amended application with complete and final project designs and plans; (3) release of funds from the Mississippi Department of Finance and Administration; and (4) availability of said funds. The Mississippi Department of Marine Resources shall make progress payments in installments based on work completed and material used in the performance of a tidelands project only after receiving written verification using Form TTF-3 (Attachment 1) and Form TTF-4 or Form TTF-5.

The City of Long Beach agrees to:

- 1) Expend monies for the project as designated by the Legislature H.B. 1634 for FY2011 Harbor Improvements and Mississippi Code Section 29-15-9, and be subject to an audit by the State Auditor.
- 2) Provide the Department of Marine Resources with detailed reports beginning June 30, 2011, and every six months thereafter for the duration of project, using the attached form TTF-4 (Attachment 2). Project reports will include:
 - Final project design
 - Benefits to the public and community
 - Visual presentation (photographs) of project
 - Narrative description of project
 - Description of Work Completed
 - Milestones for Completion
 - Funds expended (to include Tidelands and Matching Funds)
- 3) Provide the Department of Marine Resources with a Notification of Completion – TTF-5 (to be included in final payment request - Form TTF-3) to include a detailed final report of entire project, using the attached forms (Attachment 3).
- 4) Erect a prominent, permanent sign to be displayed at all funded public access and construction related projects. The sign shall read "Funds for this project appropriated by the Mississippi Legislature, 2011 Tidelands Trust Fund, through the Secretary of State, Delbert Hosemann, and the Mississippi Department of Marine Resources."

On behalf of City of Long Beach, I have read, understand, and agree to all terms listed above, and recognize that failure to comply with any portion of this Grant Agreement could jeopardize the receipt of any future Tidelands Trust Funds Appropriations.



Dr. William W. Walker, Executive Director
Department of Marine Resources

1-24-11

Date

William Skellie, Jr., Mayor
City of Long Beach

Date

Commissioner Hancock made motion seconded by Commissioner Purchner and unanimously carried to ratify the Mayor and Board of Aldermen's action in approving the aforesaid agreement at their meeting of February 15, 2011.

There came on for discussion the policy on the current live aboard berthing agreement for the harbor. After considerable discussion, it was determined there would be no action required or taken at this time.

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It was the consensus of the commission to include the Secretary of State Update with the Port Attorney's report.

There was no action required or taken regarding Tidelands or BIG.

Commissioner Hill made motion seconded by Commission Hansen and unanimously carried to approve the payment of invoices as listed on Docket of Claims #HBR020111 and #HBR021511.

There came on for consideration the harbormaster's report, as follows:

Harbor Master Report

February 17, 2011

- Harbor Master Building
 - Purpose to Purchase pennants and flags to replace torn flags and for signals of storms \$125.00
 - Purpose to Purchase mirrors for building and install in bathrooms and shower
 - Purpose to Purchase a mat for shower to keep feet dry after showering and to keep stuff dry in room due to floor slope being wrong. \$60.00
 - Purpose to get all employees certified CPR and first aid to include AED
- Marina Trash Skimmer
 - Skimmer reimbursement done
 - (When weather is better) Will be pulled out for maintenance and cleaning
- Slip Numbers
 - Still re-stenciling due to the weather
- Guard meeting held and reviewed job description and what and how I want them done.
- 2 Employees suspended for dereliction of duty one will be before formal civil service board for review.
- Spread sheet up to date and will be given monthly to port commission at meetings also board in office is now up to date.
- Boat Launch Fender System
 - In the process of installing 5" fire hose, delayed due to the weather
- Bought and received uniform shirts and business cards \$300.00
- Bought and received gear to make harbor boat in coast guard compliance \$140.71
- Fixed frozen water lines and now have 95% of leaks fixed
- Purpose PVC pipes on jetties need to be painted to stand out or cut off to avoid lawsuit
- Katrina Insurance Balance needs further input on description of materials
- Purpose Foul weather jackets need to be bought for guard so they are seen safely and recognized when approaching someone.
- Purpose to remove ice machine the maintenance and loss due to power issues. We have lost about a quarter of the ice due to malfunctions with power outlet and machine over amping plug. I feel we are losing more money than we make and with the Bait shop selling to we will have no need for it when the Bait shop moves under the building.
- Purpose and eviction notice be drawn up for those 90 days or more late on slip rent.

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- Current Slip Occupancy 69% 157 of 234
 - A detailed spreadsheet is now being kept on all slips and the rent associated and will be delivering a copy of that spreadsheet to all port commissioners
 - January Income Collected \$30,930.00

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January 2011

Tax Report

Store Income:	\$ 76.00
Tax:	<u>\$ 5.00</u>
Total:	\$ 71.00

Slip Rent Income:	\$ 34,992.00
Tax:	<u>\$ 2,450.00</u>
Total:	\$ 32,542.00

Combined Income:	\$ 35,068.00
Combined Tax:	<u>\$ 2,455.00</u>
Combined Total:	\$ 31,613.00

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The commission recognized Mr. James C. Simpson, Jr., for the Port Attorney's report. The Port Attorney apprised the commission that the Secretary of State would like to meet with the Mayor and Phil Kies to discuss the Tidelands lease. There was no action required or taken.

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

APPROVED:

PHIL KIES, PRESIDENT

DATE:

ATTEST:

STACEY DAHL, DEPUTY CITY CLERK