

GREATER BATON ROUGE PORT COMMISSION
Commission Meeting
5:00 p.m. Thursday, November 19, 2020

The Greater Baton Rouge Port Commission meeting was held on November 19, 2020 at 5:00 p.m. Governor John Bel Edwards Proclamation Number 158-JBE-2020 continued the state of emergency issued as a result of the COVID-19 pandemic. The Port of Greater Baton Rouge and many of the tenants and terminals operating in the Port are essential businesses and critical infrastructure as designated by the Cybersecurity and Infrastructure Security Agency. Accordingly, the continued operations of the Port of Greater Baton Rouge and management of its affairs in response to the emergency are essential to the welfare of the public, and pursuant to ACT 302 of the Louisiana Legislature's 2020 Regular Session. The Greater Baton Rouge Port Commission, through its presiding officer, certifies 1) that as a result of the COVID-19 emergency, a physical meeting of the number of people involved in the space available would be problematic insofar as the increased risk of contracting COVID-19 by those in attendance, including the public, and such increased risk of the spread of the disease would further increase the risk of the spread to the general public, and a physical meeting would thus be detrimental to the health, safety and welfare of the public; and 2) the agenda of the meeting is limited to one or more of the matters set forth in LA R.S. 17.1A(2).

Accordingly, this meeting was held by teleconference. The call-in information for the teleconference to allow public participation was included on the agenda as well as the means of providing written public comment prior to the meeting. The agenda and notice were sent to media outlets as required.

Following the Call to Order and the Pledge of Allegiance, the roll was called.

PRESENT

Mr. Patrick W. Bernhard
Ms. Rebecca A. Cunard
Mr. Hall L. Davis, IV
Mr. Michael DeLaune
Mr. Shelton C. Dixon
Mr. Ted H. Glaser
Ms. Brenda R. Hurst
Mr. Bob Kelly
Mr. Troy S. LeBoeuf
Ms. Angela R. Machen
Mr. Travis M. Medine
Mr. Jessel M. Ourso, III
Mr. Lawrence G. Pierson
Ms. Lynn Robertson
Mr. James E. Walters, Jr.
Mr. Bobby Watts

ABSENT

Mr. Donald M. Schexnayder

Agenda Item 4 - Public Comments: Comments from the public regarding any/all of the agenda items listed below will be accepted at this point in the meeting, and public comments received electronically prior to or during the meeting electronically will be read into the record. The meeting chairperson may also allow further comments from the public as and when each agenda item is considered during the meeting process.

There were no public comments.

Agenda Item 5 - Presentation of report on status of Port construction projects and discussion and appropriate action as necessary.

Mr. Cortney White presented the report on status of Port construction projects, as outlined in documentation presented to all Board members. No action was required at this time.

A. Discussion and appropriate action regarding Change Orders for the Inland Marine Terminal Dock Repairs and Curbing (Project No. 2020-07-1).

Following a discussion, on a motion by Ms. Lynn Robertson, seconded by Mr. Bobby Watts, the Commission unanimously approved Change Order No. 1 from Cajun Industries, LLC in the amount of \$151,025.00, as outlined in documentation presented to all Board members.

Agenda Item 6 - Discussion and appropriate action regarding amendment to lease agreement with Stone Oil Company.

Following a discussion, on a motion by Mr. Hall Davis, seconded by Mr. Michael DeLaune, the Commission unanimously approved the amendment to lease agreement with Stone Oil Company, as outlined in documentation presented to all Board members.

Agenda Item 7 - Discussion and appropriate action regarding executing a Landlord Waiver, Consent and Estoppel Agreement in connection with Stupp Brothers Co.'s refinancing its credit line for its operations at the property leased from the Port at the Inland Rivers Marine Terminal.

Following a discussion, on a motion by Mr. Michael DeLaune, seconded by Mr. Shelton Dixon, the Commission unanimously approved the Landlord Waiver, Consent and Estoppel Agreement in connection with Stupp Brothers Co.'s refinancing its credit line for its operations at the property leased from the Port at Inland Rivers Marine Terminal.

Agenda Item 8 - Presentation of report on the Port's financial status and impact of pandemic.

Ms. Katie LeBlanc presented the monthly financial report. The Port seems to be doing well despite the pandemic. No action was required.

Agenda Item 9 - Discussion and appropriate action concerning final acceptance of, and final payment on the Inland Rivers Marine Terminal Container Yard Expansion, State Project No. H.013149 – Container Yard Expansion together with entering into a settlement with the contractor and subcontractors regarding outstanding disputes regarding same. This matter may be discussed in executive session pursuant to LA R.S. 42:17(A)(2).

Following a discussion, on a motion by Ms. Lynn Robertson, seconded by Mr. Jessel Ourso, the Commission unanimously approved final acceptance of, and final payment on the Inland Rivers Marine Terminal Container Yard Expansion, State Project No. H.013149 – Container Yard Expansion together with entering into a settlement with the contractor and subcontractors regarding outstanding disputes regarding same, as outlined in documentation presented to all Board members.

On a motion by Mr. Ted Glaser, seconded by Mr. Lawrence Pierson, the Commission unanimously adopted a resolution for final acceptance and final payment contingent upon the other parties executing the Change Orders and settlement agreement.

Agenda Item 10 - Nomination and election of officers for 2021.

Following a discussion on the election process, Mr. Steve Glusman addressed the Commission by stating that if the Commission wishes to pursue changing the election process, the Commission could amend the Port's By-Laws, as the By-Laws can provide how elections and nominations are conducted. The Port's By-Laws currently do not have such a provision and are governed by Robert's Rules of Order.

Ms. Lynn Robertson addressed the Commission by stating that as chairman of the Finance Committee, at the beginning of the year, she would have the Committee look at ways to approach this topic. Mr. Lawrence Pierson offered his assistance.

On a motion by Ms. Lynn Robertson to nominate Mr. Bob Kelly as President; Ms. Rebecca Cunard as Vice President; Mr. Michael DeLaune as Secretary and Mr. Bobby Watts as Treasurer, seconded by Mr. Ted Glaser, the motion passed unanimously.

Ms. Brenda Hurst addressed the Commission by asking all Commission members to have Mr. Jay Hardman's performance evaluation completed and returned to her by the end of the first week in December. Ms. Brenda Hurst will call an Executive Committee meeting on the matter and the results will be brought before the December Commission meeting.

Mr. Steve Glusman addressed the Commission, for information only, with a reminder on the mandatory sexual harassment and ethics training due December 31, 2020.

Agenda Item 11 - Adjournment

On a motion by Mr. Hall Davis, seconded by Mr. Ted Glaser, the meeting adjourned.

Secretary: Michael D. DeLaune

President: Bob Kelly

Date approved: April 22, 2021