

City of Fort Smith
Port Authority Meeting
11:30 a.m. Thursday, May 10, 2018
Bank of the Ozarks building
5401 Rogers Avenue
Fort Smith, Arkansas

MINUTES

The Fort Smith Port Authority scheduled its regular quarterly meeting following lunch at 11:30 a.m. on Thursday, May 10, 2018 at the Bank of the Ozarks building, 5401 Rogers Avenue, Fort Smith, Arkansas.

The meeting was called to order by Larry Combs, chairperson, at 12:01 a.m. and a quorum was noted present. Other Port Authority members present were Philip Doss, Chad Lane, Eddie Norman and Dustin Collyge. Others present were Marty Shell of Five Rivers Distribution and Jeff Dingman of the City of Fort Smith.

The minutes of the February 8, 2018 meeting were presented, and Mr. Norman moved approval. Mr. Collyge seconded, and the motion carried unanimously.

Mr. Collyge presented the financial report for the First Quarter, 2018. As of March 30, 2018 the Port Authority operating account contained \$37,669.16 after all proceeds and disbursements and the Port Authority grant project account contained \$214,135.90 after two March disbursements to Cameron Hobbs Construction totaling \$145,145.00. As the April bank statements were available for the meeting, they showed that as of April 30, 2018 the operating account contained \$39,169.16 and the grant account contained \$76,504.90 after an April disbursement of \$137,631.00 to Cameron Hobbs Construction. Mr. Doss moved ratification of all bills paid to date and approval of the financial report. Mr. Norman seconded, and the motion carried by unanimous vote.

Mr. Collyge presented a final bill from Cameron Hobbs Construction for work on the bulk storage building totaling 82,665.00, duly reviewed and authorized as payable by the project engineer. Noting that the amount due is more than the balance in the grant account, and noting the Port Authority's agreement with Five Rivers Distribution to fund building expenses in excess of the Port Authority's Available Funds for the project, Mr. Shell noted that Five Rivers Distribution would deposit the difference between Available Funds and the amount due into the grant account for payment of the bill. Mr. Lane moved approval of the outstanding construction expenditure pay estimate of \$82,665.00, noting that the amount contributed by Five Rivers Distribution would be refunded or accounted for from any future grant funds received, if allowable. Mr. Doss seconded, and the motion carried unanimously.

Mr. Shell presented a bill from Hudson Excavation in the amount of \$2,352 for additional shale required to adjust the building pad site once it was properly staked by the engineer. Also discussed was a pending work order/invoice from OG&E to move two utility poles and electric transmission lines to give sufficient clearance from the building in the amount of \$10,833.00. Both of these expenses were a result of the building pad being moved twice as the dirt work was being completed, requiring the additional material and moving the building closer to the electric lines at the southeast corner of the building. The building

contractor has demobilized and will return to finish construction of the building once the electric lines are moved, which won't be scheduled until this invoice is paid. Mr. Shell expressed that the project engineer should have accounted for the electric lines and the proper placement of the building pad site before construction began. It was noted that almost four years have elapsed since the engineer proposed a scope of services for the design of the project, and that after design was complete it took almost three years for the Port Authority to pay for the engineering services provided on this project.

After discussion of both items and the time frames involved, Mr. Norman moved approval of the payment to Hudson Excavation in the amount of \$2,352 and the payment to OG&E in the amount of \$10,833 from the Port Authority's operating fund, not the depleted grant fund. Mr. Lane seconded, and the motion carried by a vote of four in favor, one opposed (Mr. Doss). Mr. Shell agreed to notify the OG&E representative, who has already started the design work for moving the electric liens, that the payment is forthcoming so that construction can get scheduled.

Third, Mr. Shell noted that \$11,661 is due and payable to Cameron Hobbs Construction for additional concrete work for the access apron/ramp to get into the building. This was not included in the original scope for the building. Five Rivers Distribution will deposit this amount into the Port Authority's grant account so that this bill can be paid. Mr. Doss moved approval of the payment of \$11,661. Mr. Lane seconded, and the motion carried by a vote of four to zero with Mr. Combs leaving the meeting early.

Mr. Shell delivered the tonnage report, reflecting 48,582.4 net tons through the Port of Van Buren, 23,347.6 net tons at the Port of Fort Smith for a combined 71,930 combined net tons for the First Quarter, 2018. For the Operator's report, Mr. Shell discussed the negative impact of high water on the river and the tariffs imposed on steel imports. Mr. Norman moved acceptance of the tonnage report and operator's reports, Mr. Lane seconded, and the motion was approved unanimously.

Mr. Shell delivered the operators report, noting that the contractor is prepping the building site for the first concrete pour around February 21 or 22, depending on the weather. The rebar is all tied in, and they will start with the floor and then move to the 8-foot tall walls that are 1-foot thick.

The Port Authority briefly discussed the timing for the next round of grants from the Arkansas Waterways Commission. Applications are typically due in mid to late August, so the Port Authority will consider its application materials for the next grant at its July/August meeting.

The next regular meeting of the Port Authority will be scheduled for late July or early August, with the specific date and time to be determined. There being no further business before the body, the meeting adjourned at 1:15 pm.

Respectfully submitted,



Jeff Dingman
Deputy City Administrator
City of Fort Smith, Arkansas