

Minutes of the Bay St. Louis Harbor Commission

Date: Tuesday, September 23, 2014

Location: Bay St. Louis Central Fire Station Training Room, 543 Main Street.

The meeting of the Bay St. Louis Harbor Commission convened at 3:00 p.m.

Commissioners Present: Lee Seal, presiding, Ken Barbor, Vice Chair, Rod Ward, Charles LaFleur, Chet LeBlanc and Mike Hemsley, alternate.

Absent: Commissioners Roth and Compretta

City Officials Present: Chuck Fortin, Harbormaster, Buz Olsen, Community Development, and Paula Fairconnetue, Secretary

The meeting was called to order by Commissioner Seal.

APPROVAL OF MINUTES

RE: September 8, 2014

Commissioner LaFleur moved, seconded by Commissioner LeBlanc, to approve minutes of the Harbor Commission meeting held September 8th, as presented.

A vote was called for with the following response:

VOTING YEA: LaFleur, LeBlanc, Ward, Barbor and Seal

VOTING NAY: None ABSENT: Compretta and Roth

Guest: Jason Chiniche

RE: Work Authorization #1 Recommendation

Jason submitted the Work Authorization #1 report giving the scope of work and cost estimates for Work Authorization #1, which an ADA consultation regarding Fishing Pier requirements; two cost estimates to modify the Breakwater for additional fishing areas and extension of Rutherford Pier.

The report covered ADA standard which states that at least 25% of the length of the fishing area must be accessible with a 34" high railing. The standard height is 42".

If fishing is allowed along the breakwater it has to be modified to allow ADA access as well. Jason would not recommend modifying the wall structure because you would lose integrity of the strength of the wall and wouldn't have protection up to plus ten. Total cost of breakwater modification project is \$301,850.

Rutherford Pier Extension to the North would require permit coordination with Regulatory Agencies. Approximate extension of the pier is 200' by 10.'

Total cost of pier extension project is \$395,850. (SEE EXHIBIT A)

The Commission discussed paying for the projects with Tidelands funds. The City applies for Tidelands money annually. The application process starts in April and we wouldn't receive the money until next year.

Mr. Olsen reported that the city received \$250,000 in Tidelands funding last year. The last application submitted by the city was for \$1,000,000.

After a lengthy discussion consensus of the Commission was that the harbor has needs of higher priority. Members discussed concern about allowing fishing on the breakwater when we're not in compliance with ADA guidelines.

During discussion, Jason reminded the Commission that ADA accessibility is a requirement and if the city is going to allow fishing something needs to be done about the breakwater.

Consensus of the Commission was that the ordinance should be reverted to no fishing on the breakwater because of their concern with ADA regulations.

Commissioner Seal stated that the Commission would not make a recommendation on moving forward with the Work Authorization #1 due to lack of funding and until the higher priority of resolving the wave motion in the harbor is addressed.

The Commission agreed that the breakwater was not intended to be a location for fishing.

The harbor doesn't receive funding from the city and fishing is not a revenue producing activity, and it would actually add expenses not only to build, but to maintain as well. The Harbor Master has expressed his opinion to not allow fishing on the breakwater. The cost of \$395,850 to modify the breakwater is money that could be used toward correcting the wave problem in the harbor.

Commissioner Ward noted that the wave motion in the harbor is a more immediate problem that needs to be resolved as soon as possible. He received a complaint letter from a slip holder regarding the wave motion.

The Commission agreed that any grant money received for the harbor should be used to address the wave issue.

Jason recommended conducting a feasibility study to see exactly how the waves are moving in the basin of the harbor.

RECOMMENDATION TO DENY MOVING FORWARD WITH PROPOSALS

RE: Work Authorization #1

Commissioner Ward moved, seconded by Commissioner Barbor, to recommend that the City Council do not move forward with Work Authorization #1, due to resolving the issue of wave motion in the harbor basin is a higher priority and should be addressed, and until we have further revenue to revisit the two proposals listed in Work Authorization #1.

After a brief discussion, Commissioner Ward rescinded his motion.

MOTION TO RECOMMEND NOT MOVING FORWARD WITH WORK AUTHORIZATION #1

Commissioner Barbor moved, seconded by Commission LeBlanc, to recommend not moving forward with the two proposals listed in Work Authorization #1 due to lack of current funding and other projects of higher priority.

A vote was called for with the following response:

VOTING YEA: LaFleur, LeBlanc, Ward, Barbor and Seal

VOTING NAY: None ABSENT: Compretta and Roth

RECOMMENDATION TO AMEND ORDINANCE NO. 547

RE: Fishing on Breakwater

Commissioner LaFleur moved, seconded by Commissioner Ward, to recommend that the City Council amend Ordinance No. 547 to cease fishing on the eastside of the breakwater bringing the facility back into ADA compliance and possibly regulatory compliance.

A vote was called for with the following response:

VOTING YEA: LaFleur, LeBlanc, Barbor and Seal

VOTING NAY: None ABSTAIN: Ward ABSENT: Compretta and Roth

Commissioner Ward stated for the record that his abstention was due to the fact that he was not satisfied that temporary permitting was not possible for fishing on the breakwater.

Jason will look into getting cost estimates to conduct a study on the wave action in the harbor and scope of work report to present to the Commission for approval.

Discussion was had on the possibility of USM graduate students conducting the wave study. Commissioner Barbor will look into having the students provide study and report back to the Board.

MOTION TO RECOMMEND APPROVAL OF WAVE STUDY

RE: Swell Motion in Harbor

Commissioner Ward moved, seconded by Commissioner LeBlanc, to recommend that the City Council approve a wave study on the excessive swell motion in the harbor.

During discussion Jason explained that there would be no cost to provide the city with a budget and general scope of work for the wave study.

MOTION AMENDED

Commissioner Ward amended his motion, seconded by Commissioner Barbor, to recommend that the City Council approve BMA to solicit cost estimates, at no charge to the city, to study the entrance of the harbor and wave characteristics.

A vote was called for with the following response:

VOTING YEA: LaFleur, LeBlanc, Ward, Barbor and Seal

VOTING NAY: None ABSENT: Compretta and Roth

Harbor Master's Report

The Harbor Master reported that fuel sales have slowed down slightly. Larger boat owners are showing an interest in winter stay. A lot of the boat owners spend their winters cruising the gulf. We've been receiving a lot of transient vessels and permanent occupancy is currently at 91 slip rentals.

Commissioner Ward requested a copy of the rent roll list to monitor activity of rentals at the harbor.

Monthly Finance Reports

The Commission expressed concern about not receiving monthly budget reports on the

harbor as requested.

Commissioner Seal asked board members to submit budget questions and concerns to him and he will present them to the City Clerk.

MOTION TO ADJOURN

Commissioner Barbor moved, seconded by Commissioner LaFleur, to adjourn the Harbor Commission meeting of September 23, 2014, there being no further business to discuss.

A vote was called for with the following response:

VOTING YEA: LaFleur, LeBlanc, Ward, Barbor and Seal

VOTING NAY: None ABSENT: Compretta and Roth