

Minutes of the Regular Meeting of the Board of Commissioners of the Lake Charles Harbor and Terminal District held at 5:00 P.M., May 26, 2009, in the Board Room of the Port of Lake Charles located at 150 Marine Street, Lake Charles, Louisiana.

In attendance and constituting a quorum, were:

Harry C. Hank, President
Mark T. Abraham, Secretary/Treasurer
David J. Darbone, Commissioner
Fred R. Godwin, Commissioner
James L. Herford, Commissioner
C. Wade Shaddock, Jr., Commissioner

Absent:

Kay C. Barnett, Vice President

Also Present:

R. Adam McBride, Port Director
Mike Dees, General Counsel
Richert Self, Director of Administration and Finance
Bill Rase, Director of Operations
Channing Hayden, Director of Navigation/Security
Dan Loughney, Director of Marketing and Trade Development
Donald Brinkman, Director of Engineering, Maintenance and Development

Mr. Hank called the meeting to order at 5:00 P.M. Mr. Abraham gave the invocation and Mr. Shaddock led the Board and audience in the Pledge of Allegiance.

Mr. Hank made a statement reminding the Public of the Port's procedure for the Public to address an agenda item to the Board.

Mr. Hank welcomed Mr. Herford as the newest Commissioner to the Lake Charles Harbor and Terminal District Board of Commissioners.

- 1. Presentation of GFOA award.

Mr. Hank presented Mr. Self a plaque and read an announcement concerning the Port once again receiving the GFOA award for excellence in accounting reporting.

Mr. McBride stated Mrs. Carolyn Woosley presented the Port with a picture on loan of the 2nd ship to load at the Port. Mr. McBride passed the picture around to the Board for viewing.

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2. Approval of the April 27, 2009 Regular Meeting Minutes.
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Mr. Godwin offered a motion to approve the April 27, 2009 Regular Meeting Minutes as written. Mr. Shaddock seconded the motion and it carried unanimously.

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3. Submission 2009 – 028 approving travel of Board Commissioner, Harry C. Hank, to San Diego, CA to meet with Sempra representatives.
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Mr. Shaddock offered a motion to adopt Resolution 2009 – 028 to approve the attendance of Mr. Hank, President, to travel to San Diego, CA June 4 – 6, 2009 to meet with Sempra representatives. Mr. Darbone seconded the motion and it carried unanimously.

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4. Submission 2009 – 029 ratifying the authorization of travel of Board Commissioner, James Herford, to Boston, MA to attend the AAPA Commissioners Conference held May 18 – 21, 2009.
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Mr. Godwin offered a motion to adopt Resolution 2009 – 029 to ratify the authorization of travel of Board Commissioner, James Herford, to Boston, MA to attend the AAPA Commissioners Conference held May 18 – 21, 2009. Mr. Abraham seconded the motion and it carried unanimously.

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5. Submission 2009 – 030 authorizing and ratifying the prior action of the Port Director of the signing of the entry Right of Way Easement Agreements for various Port properties.
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Mr. Darbone offered a motion to adopt Resolution 2009 – 030 to authorize and ratify the prior action of the Port Director of the signing of the entry Right of Way Easement Agreements for various Port properties. Mr. Godwin seconded the motion and it carried unanimously.

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- 6. Submission 2009 – 031 authorizing the Port to enter into a professional services agreement with ReCon Management Services.
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Mr. Abraham offered a motion to adopt Resolution 2009 – 031 to authorize the Port to enter into a professional services agreement with ReCon Management Services. Mr. Herford seconded the motion and it carried unanimously.

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- 7. Submission 2009 – 032 adopting a list of 2009 legislative bills affecting the Port, and authorizing the Port Director, in consultation with the Board President, to take such actions as are appropriate to the District.
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Mr. Abraham offered a motion to adopt Resolution 2009 – 032 to adopting a list of 2009 legislative bills affecting the Port, and authorizing the Port Director, in consultation with the Board President, to take such actions as are appropriate to the District. Mr. Herford seconded the motion and it carried unanimously.

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- 8. Security and Risk Management Committee.
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Mr. Shaddock stated the Committee met on May 11, 2009 to discuss the status design for the new City Docks entrance gate, TWIC update, and Radiation Portal update.

No action was taken at the meeting to bring for Board action.

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- 9. April 2009 Financials Briefing Note.
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The briefing note on the March 2009 Financials was rendered to the Board and is on file in the Executive Offices.

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- 10. Monthly Staff report from General Counsel.
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The General Counsel’s Monthly Staff Report was rendered to the Board and is on file in the Executive Offices.

- 11. Monthly Staff report from Director of Administration and Finance.

The Director of Administration and Finance's Monthly Staff Report was rendered to the Board and is on file in the Executive Offices.

- 12. Monthly Staff report from Director of Navigation and Security.

The Director of Navigation and Security's Monthly Staff Report was rendered to the Board and is on file in the Executive Offices.

- 13. Monthly Staff report from Director of Terminal Operations.

The Director of Terminal Operations' Monthly Staff Report was rendered to the Board and is on file in the Executive Offices.

- 14. Monthly Staff report from Director of Marketing and Trade Development.

The Director of Marketing and Trade Development's Monthly Staff Report was rendered to the Board and is on file in the Executive Offices.

- 15. Monthly Staff report from Director of Engineering, Maintenance, and Development.

The Director of Engineering, Maintenance, and Development's Monthly Staff Report was rendered to the Board and is on file in the Executive Offices.

- 16. Monthly Staff report from the State Port Lobbyist.

The State Port Lobbyist's Monthly Staff Report was rendered to the Board and is on file in the Executive Offices.

 17. Monthly Staff report from the National Port Lobbyist.

The National Port Lobbyist's Monthly Staff Report was rendered to the Board and is on file in the Executive Offices.

 18. Executive Session.

- a. West Cameron Port Authority Litigation
- b. Discussion of Potential Litigation with F. Miller and Sons, LLC., et al

Mr. Godwin stated it was a pleasure to be on the Board. He thanked everyone for the privilege of serving with each of them.

Mr. Godwin offered a motion to enter into Executive Session. Mr. Darbone seconded the motion and it carried unanimously. The Board entered into Executive Session at 5:42 p.m.

The Board returned from Executive Session at 6:06 p.m. Mr. Hank stated no action was taken in Executive Session.

 19. Other Matters which may properly come before the Board.

There being no further business to come before the Board, on a motion made by Mr. Shaddock seconded by Mr. Godwin and approved unanimously among those present the meeting adjourned.

All discussions held on the above items were recorded on Compact Disc Number 1, and filed in the Executive Offices of the District.

Please note that when the votes are shown as unanimous, it is the policy of the Board that the President does not vote except in the event of a tie vote by the rest of the Board and/or unless otherwise indicated.

 H. C. Hank, President

ATTEST:

 Mark T. Abraham, Secretary/ Treasurer