

Minutes of the Regular Meeting of the Board of Commissioners of the Lake Charles Harbor and Terminal District held at 5:00 P.M., Thursday, October 22, 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:

- Kay C. Barnett, President
- Mark T. Abraham, Vice President
- David J. Darbone, Secretary/Treasurer
- Harry C. Hank, Assistant Secretary/Treasurer
- James L. Herford, Commissioner
- Walt M. Sanchez, Commissioner (arrived at 5:45 p.m.)
- C. Wade Shaddock, Jr., Commissioner

Absent:

None

Also Present:

- R. Adam McBride, Port Director
- Mike Dees, General Counsel
- Richert Self, Director of Administration and Finance
- Channing Hayden, Director of Navigation/Security
- Robert Guillory, Acting Director of Engineering, Maintenance and Development
- Bill Rase, Director of Operations
- Dan Loughney, Director of Marketing and Trade Development
- Michelle Bolen, Administrative Assistant

Ms. Barnett 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.

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

-
1. Approval of the September 28, 2009 Regular Meeting Minutes.
-

Mr. Darbone offered a motion to approve the September 28, 2009 Regular Meeting Minutes as written. Mr. Hank seconded the motion and it carried unanimously.

-
2. Submission 2009 – 062 authorizing the travel for Commissioners to attend the AAPA Annual Convention in Galveston, TX on October 25 - 30, 2009.
-

Mr. Herford offered a motion to adopt Resolution 2009 – 062 to authorize the travel for Commissioners to attend the AAOA Annual Convention in Galveston, TX on October 25 – 30, 2009. Mr. Abraham seconded the motion and it carried unanimously.

-
3. Submission 2009 – 063 accepting the Martin and Associates revised Port of Lake Charles Strategic Plan and modified strategic recommendations.
-

Mr. Darbone offered a motion to adopt Resolution 2009 – 063 to accept the Martin and Associates revised Port of Lake Charles Strategic Plan and modified strategic recommendations. Mr. Shaddock seconded the motion and it carried unanimously.

-
4. Submission 2009 – 064 authorizing final action to exchange certain property under La. R. S. 33:4717.2, after public hearing, with Bel Mineral, Limited Liability Company.
-

Mr. Shaddock offered a motion to adopt Resolution 2009 – 064 to authorize final action to exchange certain property under La. R. S. 33:4717.2, after public hearing, with Bel Mineral, Limited Liability Company. Mr. Abraham seconded the motion and it carried unanimously.

-
5. Submission 2009 – 065 authorizing a Right of Way Agreement with the Calcasieu Parish Police Jury.
-

Mr. Hank offered a motion to adopt Resolution motion to adopt Resolution 2009 – 065 to authorize a Right of Way Agreement with the Calcasieu Parish Police Jury. Mr. Herford seconded the motion and it carried unanimously.

-
6. Submission 2009 – 066 authorizing the Port Director to submit a Capital Outlay Request.
-

Mr. Herford offered a motion to adopt Resolution 2009 – 066 to authorize the Port Director to submit a Capital Outlay Request for the implementation of certain port improvement projects. Mr. Darbone seconded the motion and it carried unanimously.

7. Administrative, Audit and Personnel Committee

Mr. Hank stated the Committee met on October 12, 2009 and October 21, 2009. The purposes of the meetings were to discuss the Port Director's decision to retire and the recommendations on the process to move forward toward hiring a new Port Director and to discuss the District's Forecast III, which includes the actual results for the nine months ended September 30, 2009 and projections for the three months ending December 31, 2009, compared to the original budget for 2009.

At the October 12, 2009 meeting, Mr. Hank stated the Committee agreed to recommend to the full Board at the October 22, 2009 Regular Meeting Resolution 2009 – 067 to accept the notice of the Port Director of his future retirement and to authorize an amendment of the current contract of the Port Director to provide for an ending to the contract as of July 2, 2010. Being a Committee recommendation no second to the motion is needed. The Resolution passed unanimously.

Mr. McBride read an announcement of his pending retirement at the Board meeting stating his desire to retire at a time that would allow him to pursue new opportunities and directions. He also thanked the Board and staff for their support and help in making the Port one of the strongest ports in Louisiana.

Mr. Shaddock thanked Mr. McBride for his service to the Port and community with economic development.

Mr. Abraham also thanked Mr. McBride for doing a very good job and they were glad they hired him.

Ms. Barnett stated Mr. McBride was instrumental in coaching the Board in the maritime industry.

Mr. Darbone stated Mr. McBride has been able to ride the ship with success and was happy that he learned a lot from Mr. McBride.

Mr. Hank stated he and Mr. McBride have traveled all over the world and Mr. McBride was very well known wherever they traveled.

Also at the October 12, 2009 meeting, Mr. Hank stated the Committee agreed to recommend to the full Board at the October 22, 2009 Regular Meeting Resolution 2009 – 068 to adopt the recommendation of the Administration, Personnel and Audit Committee regarding the process, timeline and advertisement to select and hire a new Port Director. Being a Committee recommendation no second to the motion is needed. The Resolution passed unanimously.

The Committee also met on October 21, 2009 to discuss the Forecast III. No action was taken at the meeting.

Ms. Barnett asked Mr. Self to address the Board on the Forecast III. Mr. Self gave a presentation to the Board regarding the Port’s 2009 Forecast III, which includes the actual results for the nine months ended September 30, 2009 and projections for the three months ending December 31, 2009, compared to the original budget for 2009.

-
- 8. Port Director’s Quarterly Expenses Briefing Note.
-

The briefing note on the Port Director’s quarterly expenses was rendered to the Board and is on file in the Executive Offices.

-
- 9. Forecast III Briefing Note.
-

The briefing note on the 2009 Forecast III for the District was rendered to the Board and is on file in the Executive Offices.

-
- 10. Monthly Staff report from General Counsel.
-

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. Sanchez offered a motion to enter into Executive Session. Mr. Hank seconded the motion and it carried unanimously. The Board entered into Executive Session at 5:56 p.m.

The Board returned from Executive Session at 7:15 p.m. Ms. Barnett 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. Hank seconded by Mr. Sanchez 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.

 Kay C. Barnett, President

ATTEST:

 David J. Darbone, Secretary/ Treasurer