

Minutes of the Regular Meeting of the Board of Commissioners of the Lake Charles Harbor and Terminal District held at 5:00 P.M., Monday, November 23, 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
Harry C. Hank, Assistant Secretary/Treasurer
James L. Herford, Commissioner
Walt M. Sanchez, Commissioner
C. Wade Shaddock, Jr., Commissioner

Absent:

David J. Darbone, Secretary/Treasurer

Also Present:

R. Adam McBride, Port Director
Richert Self, Director of Administration and Finance
Channing Hayden, Director of Navigation/Security
Donald Brinkman, 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. Herford 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 October 22, 2009 Regular Meeting Minutes.

Mr. Shaddock offered a motion to approve the October 22, 2009 Regular Meeting Minutes as written. Mr. Sanchez seconded the motion and it carried unanimously.

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- 2. Submission 2009 – 069 amending Resolution 2007 – 010 for professional services from RECON Engineering.
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Mr. Herford offered a motion to adopt Resolution 2009 – 069 to amend Resolution 2007 – 010 for professional services from RECON Engineering. Mr. Shaddock seconded the motion and it carried unanimously.

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- 3. Submission 2009 – 070 authorizing the Port to enter into a professional services agreement with Meyer and Associates for the Stacker/Reclaimer at BT-1.
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Mr. Sanchez offered a motion to adopt Resolution 2009 – 070 to authorize the Port to enter into a professional services agreement with Meyer and Associates for the Stacker/Reclaimer at BT-1. Mr. Hank seconded the motion and it carried unanimously.

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- 4. Submission 2009 – 071 approving a lease amendment with Cal Western Packaging Corporation.
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Mr. Hank offered a motion to adopt Resolution 2009 – 071 to approve a lease amendment with Cal Western Packaging Corporation. Mr. Sanchez seconded the motion and it carried unanimously.

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- 5. Administrative, Audit and Personnel Committee
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Mr. Hank stated the Committee met on November 18, 2009. The purpose of the meeting was to discuss the General Counsel’s annual performance evaluation. The Committee did not take any action at this meeting but stated they would meet at a later time to receive feedback from the General Counsel of his evaluation and to finalize the evaluation.

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- 6. District Tariff Revisions Briefing Note.
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The briefing note on the revisions of the District’s Tariff was rendered to the Board and is on file in the Executive Offices.

- 7. October 2009 Financials Briefing Note.

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

- 8. 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.

- 9. 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.

- 10. 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.

- 11. 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.

- 12. 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.

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

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

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

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

Mr. Shaddock offered a motion to enter into Executive Session. Mr. Sanchez seconded the motion and it carried unanimously. The Board entered into Executive Session at 5:14 p.m.

The Board returned from Executive Session at 6:05 p.m. Ms. Barnett stated no action was taken in Executive Session.

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- 17. Other Matters which may properly come before the Board.
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There being no further business to come before the Board, on a motion made by Mr. Abraham seconded by Mr. Shaddock 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