

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, March 29, 2010, 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
David J. Darbone, Secretary/Treasurer
Harry C. Hank, Assistant Secretary/Treasurer
James L. Herford, Commissioner
Walt M. Sanchez, Commissioner
C. Wade Shaddock, Jr., Commissioner

Absent:

Mark T. Abraham, Vice President

Also Present:

Michael K. Dees, General Counsel
Richert Self, Director of Administration and Finance
Donald Brinkman, Director of Engineering, Maintenance and Development
Bill Rase, Director of Operations
Channing Hayden, Director of Navigation/Security
Dan Loughney, Director of Sales and Marketing
Michelle Bolen, Executive Administrative Assistant

Ms. Barnett called the meeting to order at 5:00 P.M. Mr. Shaddock 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 February 22, 2010 Regular Meeting Minutes.

Mr. Darbone offered a motion to approve the February 22, 2010 Regular Meeting Minutes. Mr. Sanchez seconded the motion and it carried unanimously.

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2. Submission 2010 – 011 authorizing the payment of President Kay C. Barnett’s travel expenses from the AAPA Annual Spring Conference.
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Mr. Herford offered a motion to adopt Resolution 2010 – 011 to authorize the payment of President Kay C. Barnett’s travel expenses from the AAPA Annual Spring Conference. Mr. Hank seconded the motion and it carried unanimously.

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3. Submission 2010 – 012 authorizing a Fourth Amendment to Ground Lease Agreement with Lake Charles Cogeneration, LLC.
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Mr. Shaddock offered a motion to adopt Resolution 2010 – 012 to authorize a Fourth Amendment to Ground Lease Agreement with Lake Charles Cogeneration, LLC. Mr. Darbone seconded the motion and it carried unanimously.

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4. Submission 2010 – 013 authorizing a First Amendment to Lease Option Agreement with IFG Port Holdings, LLC.
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Mr. Hank offered a motion to adopt Resolution 2010 – 013 to authorize a First Amendment to Lease Option Agreement with IFG Port Holdings, LLC. Mr. Sanchez seconded the motion and it carried unanimously.

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5. Submission 2010 – 014 authorizing negotiations for bagged cargo leasing at City Docks.
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Mr. Herford offered a motion to defer this item and refer it to the Business Committee for review. Mr. Hank seconded the motion and it carried unanimously.

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6. Submission 2010 – 015 authorizing the sale of a 2001 Terex Manlift and ratifying the Interim Port Director’s prior action for selling said manlift.
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Mr. Darbone offered a motion to adopt Resolution 2010 – 015 to authorize the sale of a 2001 Terex Manlift and ratifying the Interim Port Director’s prior action for selling said manlift. Mr. Herford seconded the motion and it carried unanimously.

- 7. February 2010 Financials Briefing Note.

The Briefing Note on the District's February 2010 Financials 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.

Mr. Herford expressed desire for a Security and Risk Management Committee meeting soon. Mr. Hayden stated he would schedule a meeting in April.

- 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. Hank offered a motion to enter into Executive Session. Mr. Herford seconded the motion and it carried unanimously. The Board entered into Executive Session at 5:21 p.m.

The Board returned from Executive Session at 5:39 p.m. Ms. Barnett stated no action was taken in Executive Session.

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

There being no further business to come before the Board, Ms. Barnett asked for a motion to adjourn. Mr. Hank offered a motion to adjourn. Mr. Darbone seconded the motion and it carried unanimously.

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