

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, April 26, 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  
Mark T. Abraham, Vice 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:

None

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. Abraham gave the invocation and Mr. Sanchez 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.

Ms. Barnett stated the Board would like to recognize two students, Chase McCormick and Cole Curry, from Maplewood Middle School who participated in their school's Social Studies Fair and won first place for their project "Port-O-Nomics: Lake Charles Port...Our Passageway to the Sea and to a Strong Economy!" The two then participated in the Regional Social Studies Fair in their category of Economics and won first place. They also won the Grand Prize over all categories at the Regional fair held on April 20, 2010.

Chase and Cole then went to the State Social Studies Fair held April 26, 2010 and were awarded Second Place in Division I (4<sup>th</sup> – 6<sup>th</sup> Grade).

Ms. Barnett offered a motion to adopt Resolution 2010 – 021 to recognize Chase McCormick and Cole Curry for their exceptional work on the project "Port-O-Nomics." Mr. Abraham seconded the motion and it carried unanimously.

- 
1. GFOA Award Presentation
- 

Ms. Barnett congratulated Mr. Richert Self on receiving the award for excellence in Financial Reporting by the Government Finance Officers Association (GFOA) for its comprehensive annual financial report.

- 
2. Approval of the March 29, 2010 Regular Meeting Minutes.
- 

Mr. Sanchez offered a motion to approve the March 29, 2010 Regular Meeting Minutes. Mr. Herford seconded the motion and it carried unanimously.

- 
3. Submission 2010 – 016 authorizing the purchase of a new Caterpillar TL642 forklift from Louisiana Machinery on state contract.
- 

Mr. Herford offered a motion to adopt Resolution 2010 – 016 to authorize the purchase of a new Caterpillar TL642 forklift from Louisiana Machinery on state contract. Mr. Shaddock seconded the motion and it carried unanimously.

- 
4. Submission 2010 – 017 approving the direct purchase of variable rate Port Improvement Bonds by JPMorgan Chase
- 

Mr. Hank stated the Administration, Audit and Personnel Committee met on April 22, 2010 and discussed the Port Improvement bonds. Mr. Hank stated the Committee recommended to the Board to approve Resolution 2010 – 017 to approve the direct purchase of variable rate Port Improvement Bonds by JPMorgan Chase. Being a Committee recommendation, no second to the motion is required. The motion passed unanimously.

- 
5. Submission 2010 – 018 consideration of a reduction in rental rates paid by Gearbulk, Inc. or return of the area leased by Gearbulk, Inc.
- 

Mr. Darbone offered a motion to adopt Resolution 2010 – 018 to approve a reduction in rental rates paid by Gearbulk, Inc. or return of the area leased by Gearbulk, Inc. Mr. Hank seconded the motion and it carried unanimously.

-----  
6. Administrative, Audit and Personnel Committee  
-----

The Administration, Audit and Personnel Committee met on April 22, 2010 to discuss the District's Forecast I, the Louisiana Compliance Questionnaire and the purchase of variable rate Port Improvement Bonds by JPMorgan Chase.

Mr. Hank made a motion to recommend to the full Board at the April 26, 2010 Regular Board meeting to approve Resolution 2010 – 019 to approve the Louisiana Compliance Questionnaire. Being a Committee recommendation no second to the motion is required. The motion passed unanimously.

The Committee also met on April 23, 2010 along with the full Board to conduct Port Director interviews. No action was taken.

Mr. Hank offered a motion to adopt Resolution 2010 – 022 to approve Mr. William J. Rase, III as the new Port Director. As this is not a Committee recommendation a second to the motion is required. Mr. Shaddock seconded the motion and it carried unanimously.

Mr. Rase addressed the Board thanking them and stated he would continue to run the Port in line with the Port's Mission.

Each of the Board members gave their congratulations to Mr. Rase.

-----  
7. Business, Intergovernmental and Environmental Committee  
-----

Mr. Darbone stated the Committee met on March 31, 2010 to discuss the Port's Capital projects, the Delegation of Authority, and Lake Charles Stevedores negotiations.

Mr. Darbone offered a motion to adopt Resolution 2010 – 020 to approve revisions to the Delegation of Authority. Being a Committee motion no second to the motion is required. The motion passed unanimously.

Mr. Darbone stated no action was taken on the capital projects or Lake Charles Stevedores negotiations.

-----  
8. Port Director 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. Healthcare Briefing Note.  
-----

The Briefing Note on the District's Healthcare was rendered to the Board and is on file in the Executive Offices.

- 10. Forecast I Briefing Note.  
-----

The Briefing Note on the District's Forecast I was rendered to the Board and is on file in the Executive Offices.

- 11. 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.

- 12. 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.

- 13. 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.

- 14. 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.

- 15. 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.

- 16. 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.

- 17. 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.

- 18. 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.

- 19. 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. Darbone seconded the motion and it carried unanimously. The Board entered into Executive Session at 5:41 p.m.

The Board returned from Executive Session at 6:12 p.m. Ms. Barnett stated no action was taken in Executive Session.

-----  
20. 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. Sanchez offered a motion to adjourn. Mr. Hank 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