

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, August 23, 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:

- C. Wade Shaddock, Jr, President
- Walt M. Sanchez, Vice President
- James L. Herford, Secretary/Treasurer
- Harry C. Hank, Assistant Secretary/Treasurer
- Mark T. Abraham, Commissioner
- Kay C. Barnett, Commissioner
- John LeBlanc, Commissioner

Absent:

None

Also Present:

- Bill Rase, Port Director
- Michael K. Dees, General Counsel
- Richert Self, Director of Administration and Finance
- Donald Brinkman, Director of Engineering, Maintenance and Development
- David Wagoner, Harbor Police Major
- Dan Loughney, Director of Sales and Marketing
- Todd Henderson, Director of Operations
- Michelle Bolen, Executive Administrative Assistant

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

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

- 
1. Resolution 2010 – 038 recognizing Commissioner David J. Darbone.
- 

Mr. Shaddock stated the Board would like to recognize Mr. Darbone for his service as Commissioner of the Board of Commissioners of the Lake Charles Harbor and Terminal District.

Mr. Herford offered a motion to adopt Resolution 2010 – 038 to commend David J. Darbone for his service to the District and the community as a member of the Board of Commissioners. Mr. Sanchez seconded the motion and it carried unanimously.

Each of the Board members expressed their appreciation of Mr. Darbone’s service and working with him.

Mr. Darbone thanked the Board and stated it was a pleasure to serve with everyone and he really enjoyed the experience.

Mr. Shaddock asked Representative A. B. Franklin to address the Board.

Representative A. B. Franklin gave his address as 2808 E. Broad Street, Lake Charles, LA, and phone number of 491-2320 and stated that since Mr. Darbone has been replaced the Board is no longer balanced with minority representatives. He is familiar with the State statute with the way the Board is set up. He is afraid there will be problems with the legality of the Board. He received two opinions from the Attorney General’s office with one stating there was a problem and the other stating something different. He said that yes the Board could meet but is it in compliance and meeting on a level playing field. He said it would not take much to make this right. He stated something should be done about the situation because he believes the Port is not in compliance and there will be problems down the road.

Mr. Shaddock thanked him for his comments. He stated the Board does not have any authority in the matter of appointing Board members.

Representative Franklin stated he believes the Board can solve the problem.

- 
- 2. Approval of the July 26, 2010 Regular Meeting Minutes.
- 

Mr. Sanchez offered a motion to approve the July 26, 2010 Regular Meeting Minutes. Mr. LeBlanc seconded the motion and it carried unanimously.

- 
- 3. Submission 2010 – 039 authorizing Commissioners Kay C. Barnett, Mark T. Abraham and Harry C. Hank to attend the AAPA Annual Conference in Halifax, Nova Scotia.
- 

Mr. Herford offered a motion to adopt Resolution 2010 – 039 to authorize Commissioners Kay C. Barnett, Mark T. Abraham, and Harry C. Hank to attend the AAPA Annual Conference in Halifax, Nova Scotia. Mr. Sanchez seconded the motion and it carried unanimously.

- 
4. Submission 2010 – 040 approving Port Director, William J. Rase, III, as the District’s Official Representative at the 2010 AAPA Annual Convention.
- 

Ms. Barnett offered a motion to adopt Resolution 2010 – 040 to approve Port Director, William J. Rase, III, as the District’s Official Representative at the 2010 AAPA Annual Convention. Mr. Hank seconded the motion and it carried unanimously.

- 
5. Submission 2010 – 042 accepting the lowest responsive bid of Purvis Industries for new Precision Idlers.
- 

Mr. Hank offered a motion to adopt Resolution 2010 – 042 to accept the lowest responsive bid lowest responsive of Purvis Industries for new Precision Idlers. Ms. Barnett seconded the motion and it carried unanimously.

- 
6. Submission 2010 – 043 accepting the lowest responsive bid of Blake D. Hines, Inc. for the Main Port Sewer Line Evaluation and Rehabilitation.
- 

Mr. LeBlanc offered a motion to adopt Resolution 2010 – 043 to accept the lowest responsive bid lowest responsive bid of Blake D. Hines, Inc. for the Main Port Sewer Line Evaluation and Rehabilitation. Mr. Herford seconded the motion and it carried unanimously.

- 
7. Submission 2010 – 044 authorizing the issuance of revenue bonds to finance certain grain terminal facilities; making application to the State Bond Commission for approval of revenue bonds; and providing for other matters in connection therewith.
- 

Mr. Sanchez offered a motion to adopt Resolution 2010 – 044 to authorize the issuance of revenue bonds to finance certain grain terminal facilities; making application to the State Bond Commission for approval of revenue bonds; and providing for other matters in connection therewith. Mr. Herford seconded the motion and it carried unanimously.

- 
8. Administration, Personnel and Audit Committee.
- 

The Administration, Personnel and Audit Committee met on July 26, 2010 to discuss the District Forecast II.

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

The Business, Intergovernmental and Environmental Committee met on August 17, 2010 to discuss business proposals from Mr. George Swift, Executive Director of the Chamber SWLA.

- 10. July 2010 Financials Briefing Note.  
-----

The Briefing Note on July 2010 Financials 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. Shaddock stated the Board would not enter into Executive Session.

-----  
20. Other Matters which may properly come before the Board.  
-----

There being no further business to come before the Board, Mr. Shaddock asked for a motion to adjourn. Mr. Sanchez offered a motion to adjourn. Ms. Barnett 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.

\_\_\_\_\_  
C. Wade Shaddock, Jr., President

ATTEST:

\_\_\_\_\_  
James L. Herford, Secretary/ Treasurer