

Minutes of the Regular Meeting of the Board of Commissioners of the Lake Charles Harbor and Terminal District held at 5:00 P.M., February 19, 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:

Harry C. Hank, President
Kay C. Barnett, Vice President
Mark T. Abraham, Secretary/Treasurer
David J. Darbone, Commissioner
Fred R. Godwin, Commissioner
C. Wade Shaddock, Jr., Commissioner

Absent:

Stephen L. Hebert, Assistant Secretary/Treasurer

Also Present:

R. Adam McBride, Port Director
Michael Dees, General Counsel
Richert Self, Director of Administration and Finance
Bill Rase, Director of Operations
Channing Hayden, Director of Navigation/Security
Derek Schierloh, Marketing Manager
Donald Brinkman, Director of Engineering, Maintenance and Development

Mr. Hank 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.

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

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1. Approval of the January 26, 2009 Regular Meeting Minutes and the February 9, 2009 Special Meeting Minutes.
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Mr. Darbone offered a motion to approve the January 26, 2009 Regular Meeting Minutes and the February 9, 2009 Special Meeting Minutes as written. Mr. Shaddock seconded the motion and it carried unanimously.

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2. Submission 2009 – 010 authorizing the Port Director to enter into a Rights of Entry Agreements necessary to have the Calcasieu Ship Channel dredged to project dimensions and create wetlands at the Black Lake Beneficial Use Site.
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Mr. Godwin offered a motion to adopt Resolution 2009 – 010 to authorize the Port Director to enter into a Rights of Entry Agreements necessary to have the Calcasieu Ship Channel dredged to project dimensions and create wetlands at the Black Lake Beneficial Use Site. Ms. Barnett seconded the motion and it carried unanimously.

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3. Submission 2009 – 011 approving a stevedore license.
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Mr. Darbone offered a motion to adopt Resolution 2009 – 012 to approve a stevedore license to Lake Charles Stevedores. Mr. Godwin seconded the motion and it carried unanimously.

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4. Submission 2009 – 012 approving a stevedore license.
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Mr. Shaddock offered a motion to adopt Resolution 2009 – 012 to approve a stevedore license to J. J. Flanagan Shipping Corporation. Mr. Godwin seconded the motion and it carried unanimously.

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5. Submission 2009 – 013 approving revisions to the Port of Lake Charles Tariff No. 012.
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Ms. Barnett offered a motion to adopt Resolution 2009 – 013 to approve revisions to the Port of Lake Charles Tariff No. 012. Mr. Darbone seconded the motion and it carried unanimously.

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6. Submission 2009 – 014 accepting the lowest responsive quote of Allied Waste to supply and service various sizes of dumpsters at City Docks.
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Mr. Darbone offered a motion to adopt Resolution 2009 – 014 to accept the lowest responsive quote of Allied Waste to supply and service various sizes of dumpsters at City Docks. Mr. Shaddock seconded the motion and it carried unanimously.

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7. Submission 2009 – 015 accepting the lowest responsive bid of Louisiana Lift and Equipment, Inc. for a new 100 foot Man Lift.
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Mr. Shaddock offered a motion to adopt Resolution 2009 – 015 to accept the lowest responsive bid of Louisiana Lift and Equipment, Inc. for a new 100 foot Man Lift. Mr. Godwin seconded the motion and it carried unanimously.

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8. Submission 2009 – 016 accepting the lowest responsive bid of Morris Material Handling, Inc. in the amount of \$14,978,500.00 for the New Ship Unloader at BT-1.
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Mr. Abraham wanted to make sure the Port Director conveyed the message the Board was looking carefully at the negotiated amount for the ship unloader and that the Port Director would bring the negotiated amount back to the Board for approval.

Mr. Shaddock offered a motion to adopt Resolution 2009 – 016 to accept the lowest responsive bid of Morris Material Handling, Inc. for the New Ship Unloader at BT-1 subject to certain conditions. Mr. Darbone seconded the motion and it carried unanimously.

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9. Submission 2009 – 017 accepting the lowest responsive bid of USA Environmental LP for the construction of the visitor parking area.
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Ms. Barnett offered a motion to adopt Resolution 2009 – 017 to accept the lowest responsive bid of USA Environmental LP for the construction of the visitor parking area.

Mr. Darbone commented that this is the first time the DBE policy was used and it was successful.

Mr. Darbone seconded the motion and it carried unanimously.

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10. Submission 2009 – 018 authorizing an amendment to a Pipeline Servitude Agreement with Kinder Morgan Louisiana Pipeline, LLC.
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Mr. Darbone offered a motion to adopt Resolution 2009 – 018 to authorize an amendment to a Pipeline Servitude Agreement with Kinder Morgan Louisiana Pipeline, LLC. Ms. Barnett seconded the motion and it carried unanimously.

- 11. Submission 2009 – 019 amending the 2009 budget to incorporate a cash forecast as requested by the LA Bond Commission.

Ms. Barnett offered a motion to adopt Resolution 2009 – 019 to amend the 2009 budget to incorporate a cash forecast as requested by the LA Bond Commission. Mr. Abraham seconded the motion and it carried unanimously.

- 12. Security and Risk Management Committee

The Security and Risk Management Committee February 2, 2009 to discuss the TWIC Implementation update and the status of various Port security grant programs, awards and construction programs.

- 13. Strategic Plan Update Briefing Note

The briefing note on the update of the Port's Strategic Plan was rendered to the Board and is on file in the Executive Offices.

- 14. January 2009 Financials Briefing Note.

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

- 15. 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.

- 16. 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.

- 17. 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.

- 18. 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.

- 19. 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.

- 20. 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.

- 21. 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.

- 22. 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.

23. Executive Session.

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

Mr. Hank stated there would be no Executive Session.

24. 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. Godwin seconded by Mr. Abraham 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.

H. C. Hank, President

ATTEST:

Mark T. Abraham, Secretary/ Treasurer