

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 28, 2008, 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:

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

Absent:

None

Also Present:

- R. Adam McBride, Port Director
- Mike Dees, General Counsel
- Richert Self, Director of Administration and Finance
- Donald Brinkman, Director of Engineering, Maintenance and Development
- Bill Rase, Director of Operations
- Dan Loughney, Director of Marketing and Trade Development
- David Wagner, Harbor Police Major

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

Mr. Darbone 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 March 31, 2008 Special Meeting Minutes.
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Mr. Hank offered a motion to approve the March 31, 2008 Special Meeting Minutes as written. Mr. Godwin seconded the motion and it carried unanimously.

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2. Submission 2008 – 020 authorizing the acceptance of payment in the amount of \$86,000 from LA Ash.
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Mr. Godwin offered a motion to adopt Resolution 2008 – 020 to authorize acceptance of payment in the amount of \$86,000 from LA Ash. Mr. Hank seconded the motion and it carried unanimously.

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3. Submission 2008 – 021 authorizing the Port Director to enter into a Pipeline Servitude Agreement with Kinder Morgan Louisiana Pipeline, LLC.
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Mr. Hebert offered a motion to adopt Resolution 2008 – 021 to authorize the Port Director to enter into a Pipeline Servitude Agreement with Kinder Morgan Louisiana Pipeline, LLC. Mr. Godwin seconded the motion and it carried unanimously.

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4. Submission 2008 – 022 accepting the lowest responsive bid of Alfred Palma, LLC. In the amount of \$6,269,953.00 for the Bulk Terminal Rehabilitation of Rail Unloader and amending the capital budget accordingly.
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Mr. Shaddock offered a motion to adopt Resolution 2008 – 022 to accept the lowest responsive bid of Alfred Palma, LLC. In the amount of \$6,269,953.00 for the Bulk Terminal Rehabilitation of Rail Unloader and amending the capital budget accordingly. Ms. Barnett seconded the motion and it carried unanimously.

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5. Submission 2008 – 023 authorizing the Port to enter into a professional services agreement with River West Enterprises, Inc. for contract labor services for Port construction projects.
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Mr. Hebert offered a motion to adopt Resolution 2008 – 023 to enter into a professional services agreement with River West Enterprises, Inc. for contract labor services for Port construction projects. Mr. Shaddock seconded the motion and it carried unanimously.

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6. Submission 2008 – 024 authorizing the Port to enter into a professional services agreement with A&M Associates, Inc.
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Mr. Hank offered a motion to adopt Resolution 2008 – 024 to authorize the Port to enter into a professional services agreement with A&M Associates, Inc. Ms. Barnett seconded the motion and it carried unanimously.

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7. Submission 2008 – 025 authorizing the Port to enter into a professional services agreement with Meyer and Associates.
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Mr. Shaddock offered a motion to adopt Resolution 2008 – 025 to enter into a professional services agreement with Meyer and Associates. Mr. Hebert seconded the motion and it carried unanimously.

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8. Submission 2008 – 026 supporting the “no-build” alternate for the relocation of Prien Lake Road.
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Mr. Shaddock offered a motion to adopt Resolution 2008 – 026 to support the “no-build” alternate for the relocation of Prien Lake Road. Mr. Godwin seconded the motion and it carried unanimously.

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9. Submission 2008 – 027 approving a security contract agreement with Securitas Security Service.
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Mr. Shaddock offered a motion to adopt Resolution 2008 – 027 to approve a contract agreement with Securitas Security Service. Mr. Hebert seconded the motion and it carried unanimously.

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10. Administration, Personnel and Audit Committee
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The Administration, Personnel and Audit Committee met on April 23, 2008 to discuss the following:

- The 2007 LA Compliance Questionnaire. Ms. Barnett offered a Committee motion to adopt Resolution 2008 – 028 to approve the LA Compliance Questionnaire. The motion was carried unanimously by the Board.

- The District Forecast 1. – Mr. Self presented the Forecast 1. No action was taken on this item.
- The District Travel Policy – Changes were made to the District’s Travel Policy. Ms. Barnett offered a Committee motion to adopt Resolution 2008 – 029 to approve a revision to the District’s Travel Policy. The motion was carried unanimously by the Board.
- The audit engagement – Ms. Barnett offered a Committee motion to adopt Resolution 2008 – 030 to approve an audit engagement with McElroy, Quirk and Burch, APC. The motion was carried unanimously by the Board.

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 11. Update on BT-1 Stevedoring Contract Briefing Note.  
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The Briefing Note regarding an Update on the BT-1 Stevedoring contract was rendered to the Board and is on file in the Executive Offices.

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 12. Shortline Railroad Briefing Note.  
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The Briefing Note regarding the Shortline Railroad was rendered to the Board and is on file in the Executive Offices.

Mr. Rase explained to the Board that the railroad would be shortening the length of the car trains from 120 to 40 cars and will keep the track off of peak commuter times.

Mr. Darbone asked for a motion to direct the Port Director to proceed with negotiations with UP and the two clients the Port has and proceed with that process. Mr. Abraham offered a motion to move forward on this and Ms. Barnett seconded the motion and it carried unanimously.

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 13. 2008 Forecast 1 Financials Briefing Note.  
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The Briefing Note regarding the 2008 Forecast 1 Financials was rendered to the Board and is on file in the Executive Offices.

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 14. Monthly Staff report from General Counsel.  
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The General Counsel’s Monthly Staff Report was rendered to the Board and is on file in the Executive Offices.

- 15. Monthly Staff report from Director of Administration and Finance.  
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The Director of Administration and Finance's Monthly Staff Report was rendered to the Board and is on file in the Executive Offices.

- 16. Monthly Staff report from Director of Navigation and Security.  
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The Director of Navigation and Security's Monthly Staff Report was rendered to the Board and is on file in the Executive Offices.

- 17. Monthly Staff report from Director of Terminal Operations.  
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The Director of Terminal Operations' Monthly Staff Report was rendered to the Board and is on file in the Executive Offices.

- 18. Monthly Staff report from Director of Marketing and Trade Development.  
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The Director of Marketing and Trade Development's Monthly Staff Report was rendered to the Board and is on file in the Executive Offices.

- 19. 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.

- 20. 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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 21. 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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 22. 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
- c. Discussion of threatened litigation concerning Disposal Area 16N and other property acquisitions

Mr. Darbone asked for a motion to enter into Executive Session. Mr. Hank offered a motion to enter into Executive Session. Mr. Godwin seconded the motion and it carried unanimously. The Board entered into Executive Session at 5:56 p.m.

The Board returned from Executive Session at 7:17 p.m.

No action was taken.

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 23. 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. Hebert seconded by Mr. Abraham and approved unanimously among those present the meeting resumed regular session and adjourned at 7:18 p.m.

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.

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 David J. Darbone, President

ATTEST:

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 Stephen L. Hebert, Secretary/ Treasurer