

Minutes of the Special Meeting of the Board of Commissioners of the Lake Charles Harbor and Terminal District held at 5:00 P.M., Monday, September 29, 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:

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

Mr. Hank called the meeting to order at 5:00 P.M. and Mr. Abraham gave the invocation. Mr. Darbone 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 August 25, 2008 Regular Meeting Minutes and the September 5, 2008 Special Meeting Minutes.
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Mr. Godwin offered a motion to approve the August 25, 2008 Regular Meeting Minutes and the September 5, 2009 Special Meeting Minutes. Mr. Darbone seconded the motion and it carried unanimously.

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2. Submission 2008 – 069 authorizing Harry C. Hank to travel to the United Kingdom for a trade mission and to meet with Port customers.
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Mr. Shaddock offered a motion to adopt Resolution 2008 – 069 to authorize Harry C. Hank to travel to the United Kingdom for a trade mission and to meet with Port customers. Ms. Barnett seconded the motion and it carried unanimously.

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3. Submission 2008 – 070 accepting the lowest responsive bid of L.M. Daigle Oil Distributors, LLC. to supply motor fuel for the District.
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Mr. Abraham offered a motion to adopt Resolution 2008 – 070 to accept the lowest responsive bid of L.M. Daigle Oil Distributors, LLC. to supply motor fuel for the District. Mr. Godwin seconded the motion and it carried unanimously.

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4. Submission 2008 – 071 accepting the lowest responsive bid of Duecker Rubber Services, Inc. for new conveyor belting.
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Mr. Darbone offered a motion to adopt Resolution 2008 – 071 accepting the lowest responsive bid of Duecker Rubber Services, Inc. for new conveyor belting. Ms. Barnett seconded the motion and it carried unanimously.

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5. Submission 2008 – 072 authorizing the Lake Charles Harbor and Terminal District to expend funds of \$200,000 to assemble a portable reclaimer.
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Mr. Godwin offered a motion to adopt Resolution 2008 – 072 to authorize the Lake Charles Harbor and Terminal District to expend funds of \$200,000 to assemble a portable reclaimer. Mr. Darbone seconded the motion and it carried unanimously.

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6. Submission 2008 – 073 approving Amendment No. 2 to the Master Service Agreement for professional services with Gahagan & Bryant Associates, Inc.
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Mr. Shaddock offered a motion to adopt Resolution 2008 – 073 to approve Amendment No. 2 to the Master Service Agreement for professional services with

Gahagan & Bryant Associates, Inc. Mr. Darbone seconded the motion and it carried unanimously.

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7. Submission 2008 – 074 authorizing the Port Director to submit an application to the Louisiana Port Construction and Development Priority Program.
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Ms. Barnett offered a motion to adopt Resolution 2008 – 074 to authorize the Port Director to submit an application to the Louisiana Port Construction and Development Priority Program. Mr. Darbone seconded the motion and it carried unanimously.

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8. Submission 2008 – 075 authorizing the Port Director to submit a Capital Outlay Request.
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Mr. Godwin offered a motion to adopt Resolution 2008 – 075 to authorize the Port Director to submit a Capital Outlay Request and to amend the resolution to reflect the priority of the projects. Mr. Shaddock seconded the motion and it carried unanimously.

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9. Submission 2008 – 076 authorizing final action to sell certain property under La. R. S. 33:4717.2., after public hearing, to J1B2 West River, LLC.
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Mr. Shaddock offered a motion to adopt Resolution 2008 – 076 to authorize final action to sell certain property under La. R. S. 33:4717.2, after public hearing, to J1B2 West River, LLC. Mr. Darbone seconded the motion and it carried unanimously.

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10. Submission 2008 – 077 authorizing the purchase of property owned by Margaret deSynek Kuttner, John E. Bergstedt and Thomas M. Bergstedt.
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Mr. Darbone offered a motion to adopt Resolution 2008 – 077 to authorize the purchase of property owned by Margaret deSynek Kuttner, John E. Bergstedt and Thomas M. Bergstedt. Mr. Godwin seconded the motion and it carried unanimously.

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11. Dock Improvement Briefing Note.  
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The Briefing Note regarding Dock Improvement was rendered to the Board and is on file in the Executive Offices.

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12. Hurricane Ike Damage Briefing Note.  
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The Briefing Note regarding Hurricane Ike Damage was rendered to the Board and is on file in the Executive Offices.

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13. Strategic Plan Update Process Briefing Note.  
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The Briefing Note regarding the Strategic Plan Update Process was rendered to the Board and is on file in the Executive Offices.

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14. Exclusivity in City Docks Operations Briefing Note.  
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The Briefing Note regarding Exclusivity in City Docks Operations was rendered to the Board and is on file in the Executive Offices.

After much discussion the Board decided not to take any action on this issue at this time.

Mr. Godwin offered a motion to refer the issue of exclusivity to a stevedore for any purpose to the Business, Intergovernmental and Governmental Committee for review and to have the committee report to the Board no later than the November Board meeting with their recommendations. Mr. Darbone seconded the motion and it carried unanimously.

Mr. McBride asked Mr. Hank to confirm that the moratorium on the issuance of new licenses continues and if they have firms that want to bring cargo here, staff will have to let them know the Board is not in a position yet to entertain new permit applications.

Mr. Hank stated that yes that is the case.

Mr. McBride asked if new business comes in using local labor he would like to be able to tell them the Board would consider them. The Commissioners agreed and stated that a stevedore application with new business should be brought before the Board to have the opportunity to consider the company even if the Board has to lift the moratorium in order to grant an application.

- 15. August 2008 Financials Briefing Note.  
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The Briefing Note regarding the August 2008 Financials was rendered to the Board and is on file in the Executive Offices.

- 16. 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.

- 17. 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.

- 18. 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.

- 19. 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.

- 20. 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.

- 21. 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.

- 22. 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.

- 23. Monthly Staff report from the National Port Lobbyist.  
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The National Port Lobbyist's Monthly Staff Report was not rendered to the Board.

- 24. Executive Session.  
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Mr. Hank called for a motion to enter into Executive Session. Mr. Shaddock offered a motion to enter into Executive Session to discuss the following:

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

Mr. Godwin seconded the motion and it carried unanimously. The Board entered into Executive Session at 6:25 p.m.

The Board reconvened from Executive Session at 6:38 p.m. No action was taken in Executive Session.

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25. 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. Shaddock seconded by Mr. Godwin and approved unanimously among those present the meeting adjourned at 6:38 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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H. C. Hank, President

ATTEST:

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Mark T. Abraham, Secretary/ Treasurer