

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 27, 2012, 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
John L. LeBlanc, Vice President
Elcie J. Guillory, Secretary/Treasurer
Barbara M. McManus, Assistant Secretary/Treasurer
Dudley R. Dixon, Commissioner
Walter M. Sanchez, Commissioner

Absent:

Daryl V. Burckel, Commissioner

Also Present:

Bill Rase, Executive Director
Michael K. Dees, General Counsel
Richert Self, Director of Administration and Finance
Donald Brinkman, Director of Engineering, Maintenance and Development
Dan Loughney, Director of Marketing and Trade Development
Michelle Bolen, Executive Administrative Assistant

Mr. Hank called the meeting to order at 5:05 P.M. and asked Mr. LeBlanc to give the invocation. Mr. Dixon 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.

Mr. Hank welcomed Congressman Charles Boustany to the Port and asked him to please address the Board with his comments.

Congressman Boustany addressed the Board by stating that Louisiana is clearly a maritime state. Our destiny is linked to the waterways and ports which hold Louisiana's energy, agriculture and manufacturing sectors together. The future of the Louisiana economy depends on maintaining these ports.

One of his goals is to address the issue of the shortfalls of dredging funds. He also stressed how vital the Calcasieu Ship channel is to this area.

He also discussed other topics from PL-480 cargo shipments to production rig regulations.

Congressman Boustany thanked the Board for letting him speak to them.

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1. Approval of the July 23, 2012 Regular Meeting Minutes.
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Mr. LeBlanc offered a motion to approve the July 23, 2012 Regular Meeting Minutes. Ms. McManus seconded the motion and it carried unanimously.

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2. Submission 2012 – 049 authorizing the Port to enter into a professional services agreement with Richmond Engineering Works.
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Mr. Guillory offered a motion to adopt Resolution 2012 – 049 to authorize the Port to enter into professional services agreement with Richmond Engineering Works. Mr. Dixon seconded the motion and it carried unanimously.

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3. Submission 2012 – 050 authorizing the Executive Director to approve a change order for the Electrical Upgrade to the Ship Loaders and Automated Terminal project.
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Mr. LeBlanc offered a motion to adopt Resolution 2012 – 050 to authorize the Executive Director to approve a change order for the Electrical Upgrade to the Ship Loaders and automated Terminal project. Ms. McManus seconded the motion and it carried unanimously.

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4. Submission 2012 – 051 to acknowledge, declare and certify that an extreme emergency does exist necessitating the entering into multiple contracts and amending the capital budget, immediately, for the repairs of berths 4, 5 and 6.
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Mr. LeBlanc offered a motion to adopt Resolution 2012 – 051 to acknowledge, declare and certify that an extreme emergency does exist necessitating the entering into multiple contracts and amending the capital budget, immediately, for the repairs of berths 4, 5 and 6. Mr. Guillory seconded the motion and it carried unanimously.

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5. Business, Intergovernmental, and Environmental Committee.
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Mr. LeBlanc stated the Committee met on August 22, 2012 to discuss two items:

- a. Bag House Contract
- b. Nominations to the Louisiana International Board of Commerce.

Mr. LeBlanc stated the Committee discussed several key points regarding the Bag House Contract. The Committee also heard from Lawyers from James J. Flanagan Shipping Corporation to present their view.

After much discussion, no action was taken.

Mr. LeBlanc stated the Committee also discussed who to select to potentially be appointed to the Louisiana International Commerce Board. Mr. Hank offered a motion to bring to the full Board at the August 27, 2012 Regular meeting the nomination of Mr. Walt Sanchez and Mr. Bill Rase as potential appointees to the new Board. Mr. LeBlanc seconded the motion and it carried unanimously.

With no other matters to discuss the Committee adjourned.

Mr. LeBlanc offered a motion to adopt Resolution 2012 – 052 to nominate Mr. Walt Sanchez and Mr. Bill Rase to represent the Lake Charles Harbor and Terminal District to be considered for appointment to the Louisiana Board of International Commerce. Being a Committee recommendation, no second to the motion is required. The motion passed unanimously.

6. July 2012 Financials Briefing Note.

The Briefing Note on the District's July 2012 Financials was rendered to the Board and is on file in the Executive Offices.

7. 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.

8. 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.

- 9. Monthly Staff report from Director of Operations.

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

- 10. 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.

- 11. 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.

- 12. 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.

- 13. 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.

- 14. Executive Session.

- a. Threatened litigation in writing by the M/V Advantage relating to possible damages at Berth 6.
- b. Threatened litigation related to the Bag House Lease termination.

Mr. Hank asked for a motion to enter into Executive Session. Mr. Sanchez offered a motion to enter into Executive Session. Ms. McManus seconded the motion and it carried unanimously.

The Board entered into Executive Session at 5:23 p.m.

The Board returned from Executive Session at 6:09 p.m. No action was taken.

19. Other Matters which may properly come before the Board.

There being no further business to come before the Board, Mr. Hank asked for a motion to adjourn. Ms. McManus offered a motion to adjourn. Mr. Sanchez seconded the motion and it carried unanimously. The meeting adjourned at 6:09 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.

H.C. HANK, President

ATTEST:

ELCIE J. GUILLORY, Secretary/ Treasurer