

Minutes of the Regular Meeting of the Board of Commissioners of the Lake Charles Harbor and Terminal District held at 5:00 P.M., Tuesday, May 28, 2013 in the Board Room of the Port of Lake Charles located at 751 Bayou Pines, Suite A, 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
- Daryl V. Burckel, Commissioner
- Dudley R. Dixon, Commissioner
- Walter M. Sanchez, Commissioner

Absent:

None

Also Present:

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

Mr. Hank called the meeting to order at 5:00 P.M. and asked Dr. Burckel to give the invocation. Ms. McManus 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 April 22, 2013 Regular Meeting Minutes.
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Mr. Dixon offered a motion to approve the April 22, 2013 Regular Meeting Minutes. Ms. McManus seconded the motion and it carried unanimously.

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- 2. Submission 2013 – 035 Election of Officers.
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Mr. Sanchez offered a motion to amend the agenda to include the Election of Officers for the term of July 1, 2013 until June 30, 2014. Dr. Burckel seconded the motion and it carried unanimously. The item was added to the agenda.

Mr. Sanchez offered a motion to adopt Resolution 2013 – 035 to approve the officers beginning July 1, 2013 until June 30, 2014 as follows:

John L. LeBlanc	President
Elcie J. Guillory	Vice President
Barbara McManus	Secretary/Treasurer
Daryl Burckel	Assistant Secretary/Treasurer

Mr. Guillory seconded the motion and it carried unanimously.

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- 3. Submission 2013 – 025 authorizing the attendance of Board Commissioner Barbara McManus at the 2013 AAPA Commissioners Conference and payment of expenses associated with the conference.
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Dr. Burckel offered a motion to adopt Resolution 2013 – 025 to authorize the attendance of Board Commissioner Barbara McManus at the 2013 AAPA Commissioners Conference and payment of expenses associated with the conference. Mr. Dixon seconded the motion and it carried unanimously.

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- 4. Submission 2013 – 026 authorizing a Cooperative Endeavor Agreement with the National Hurricane Museum and Science Center.
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Mr. Sanchez offered a motion to adopt Resolution 2013 – 026 to authorize a Cooperative Endeavor Agreement with the National Hurricane Museum and Science Center. Ms. McManus seconded the motion and it carried unanimously.

Mr. Mark McMurry spoke to the Board to state the Board of Directors of the Hurricane Museum voted to approve the wording the General Counsel included in their agreement. They were in agreement with the wording.

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5. Submission 2013 – 027 approving revisions to the District’s By-Laws.
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Mr. Guillory offered a motion to adopt Resolution 2013 – 027 to approve revisions to the District’s By-Laws. Dr. Burckel seconded the motion and it carried unanimously.

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6. Submission 2013 – 028 authorizing the award of the Banking Services Agreement to Capital One Bank for a three-year period ending on December 31, 2016.
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Mr. Dixon offered a motion to adopt Resolution 2013 – 028 to authorize the award of the Banking Services Agreement to Capital One Bank for a three-year period. Mr. LeBlanc seconded the motion and it carried unanimously

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7. Submission 2013 – 029 authorizing the Port’s funding of the Calcasieu Lake Beneficial Use Project.
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Mr. Dixon offered a motion to adopt Resolution 2013 – 029 to authorize the Port’s funding of the Calcasieu Lake Beneficial Use Project. Dr. Burckel seconded the motion and it carried unanimously.

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8. Submission 2013 – 030 approving a change order for cameras and card access systems.
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Mr. Guillory offered a motion to adopt Resolution 2013 – 030 to approve a change order for cameras and card access systems. Ms. McManus seconded the motion and it carried unanimously.

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9. Trunkline LNG Existing Leases Briefing Note.
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The Briefing Note concerning the Briefing Note the Trunkline LNG Existing Leases was rendered to the Board and is on file in the Executive Offices.

10. April 2013 Financials Briefing Note.

The Briefing Note concerning the District's April 2013 Financials was rendered to the Board and is on file in the Executive Offices.

11. 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.

12. 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.

13. 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.

14. 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.

15. 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.

16. 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.

17. 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.

18. Executive Session.

- a. Threatened litigation by Lake Charles Stevedores, LLC (Tom Flanagan) related to the Bag House Lease termination.
- b. Threatened litigation by Lake Charles Stevedores, LLC (Tom Flanagan) related to the Federal Maritime Commission and alleged Shipping Act violations.
- c. Pending litigation filed by Lake Charles Stevedores, LLC (Tom Flanagan), Fourteenth (14th) Judicial Court, Parish of Calcasieu, State of Louisiana-Suit No. 2013-001091.
- d. Threatened litigation in writing by the *M/V Advantage* relating to possible damages at Berth 6.

Mr. Hank stated the Board would not enter into Executive Session.

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. Mr. LeBlanc offered a motion to adjourn. Mr. Sanchez seconded the motion and it carried unanimously. The meeting adjourned at 5:23 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