

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 22, 2016 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:

Daryl V. Burckel, President  
Dudley R. Dixon, Vice President  
Michael G. Eason, Secretary/Treasurer  
Walter M. Sanchez, Assistant Secretary/Treasurer  
Elcie J. Guillory, Commissioner  
John LeBlanc, Commissioner  
Barbara M. McManus, Commissioner

Absent:

None

Also Present:

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

Dr. Burckel called the meeting to order at 5:00 P.M. and asked Mr. Dixon to give the invocation. Ms. McManus led the Board and audience in the Pledge of Allegiance.

Dr. Burckel asked if there was any public comment regarding any items on the agenda. Dr. Burckel stated there were no public comments to be heard.

Dr. Burckel stated there was one item staff is asking to be added to the agenda. The item concerns funding of Port Rail, Inc. by the Lake Charles Harbor and Terminal District. The item must have a unanimous vote to be added to the agenda Dr. Burckel asked for a motion and a second to the motion to add this item to the agenda. Ms. McManus offered a motion to add Submission 2016 – 050 authorizing the approval of funding of an investment by the District of \$300,000 for Port Rail, Inc. to continue rail operations and also provide for reimbursement by Port Rail, Inc. of the investment with interest. Mr. Eason second the motion and it carried unanimously. Submission 2016 – 050 was added to the agenda and action will be taken after the other submissions.

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1. Approval of the July 25, 2016 Public Hearing Meeting Minutes, July 25, 2016 Regular Meeting Minutes and the August 4, 2016 Special Meeting Minutes.
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Mr. Guillory offered a motion to approve the July 25, 2016 Public Hearing Meeting Minutes, July 25, 2016 Regular Meeting Minutes and the August 4, 2016 Special Meeting Minutes. Ms. McManus seconded the motion and it carried unanimously.

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2. Submission 2016 – 044 authorizing the District to enter into a professional services contract with Gahagan & Bryant Associates, Inc.
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Mr. Eason offered a motion to adopt Resolution 2016 – 044 to authorize the District to enter into a professional services contract with Gahagan & Bryant Associates, Inc. Mr. Dixon seconded the motion and it carried unanimously.

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3. Submission 2016 – 045 approving the signing of a Memorandum of Agreement between the U.S. Army Corps of Engineers and the Lake Charles Harbor and Terminal District.
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Mr. Dixon offered a motion to adopt Resolution 2016 – 045 to approving the signing of a Memorandum of Agreement between the U.S. Army Corps of Engineers and the Lake Charles Harbor and Terminal District. Ms. McManus seconded the motion and it carried unanimously.

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4. Submission 2016 – 046 authorizing the Lake Charles Harbor and Terminal District to enter into a replacement agreement with the State of Louisiana, Department of Transportation and Development under the Louisiana Port Construction and Development Priority Program for assistance in the implementation of a port improvement project; provide for the necessary documentation of the need for the port improvement; and provide for other matters in connection therewith.
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Mr. Guillory offered a motion to adopt Resolution 2016 – 046 to authorize the Lake Charles Harbor and Terminal District to enter into a replacement agreement with the State of Louisiana, Department of Transportation and Development under the Louisiana Port Construction and Development Priority Program for assistance in the implementation of a port improvement project; providing for the necessary documentation of the need for the port

improvement; and providing for other matters in connection therewith. Mr. Eason seconded the motion and it carried unanimously.

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- 5. Submission 2016 – 047 authorizing the Executive Director to amend the capital budget, advertise, accept the lowest responsive bid and enter into a contract for the construction of a new open storage laydown area at City Docks.
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Mr. LeBlanc offered a motion to adopt Resolution 2016 – 047 to authorize the Executive Director to amend the capital budget, advertise, accept the lowest responsive bid and enter into a contract for the construction of a new open storage laydown area at City Docks. Ms. McManus seconded the motion and it carried unanimously.

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- 6. Submission 2016 – 048 authorizing the Executive Director to make application for Minor Boundary Modification to the U.S. Foreign-Trade Zones Board and any other related documents needed in connection therewith.
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Ms. McManus offered a motion to adopt Resolution 2016 – 048 to authorize the Executive Director to make application for Minor Boundary Modification to the U.S. Foreign-Trade Zones Board and any other related documents needed in connection therewith. Mr. Eason seconded the motion and it carried unanimously.

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- 7. Submission 2016 – 049 amending the District’s Delegation of Authority.
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Mr. Dixon offered a motion to adopt Resolution 2016 – 049 to amend the District’s Delegation of Authority. Ms. McManus seconded the motion and it carried unanimously.

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- 8. Submission 2016 – 050 authorizing the approval of funding of an investment by the District of \$300,000 for Port Rail, Inc. to continue rail operations and also provide for reimbursement by Port Rail, Inc. of the investment with interest.
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Mr. Sanchez offered a motion to adopt Resolution 2016 – 050 to authorize the approval of funding of an investment by the District of \$300,000 for Port Rail, Inc. to continue rail operations and also provide for reimbursement by Port Rail, Inc. of the investment with interest. Ms. McManus seconded the motion and it carried unanimously.

- 9. July 2016 Financials Briefing Note  
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The Briefing Note concerning the July 2016 Financials was rendered to the Board and is on file in the Executive Offices.

- 10. 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.

- 11. Monthly Staff report from Director of Navigation.  
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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.

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

- 13. 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.

- 14. Monthly Staff report from Director of Engineering, Maintenance,  
and Development and Security.  
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The Director of Engineering, Maintenance, and Development and Security's Monthly Staff Report was rendered to the Board and is on file in the Executive Offices.

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15. 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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16. 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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17. Executive Session  
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- Suit against the Port of Lake Charles – Suit No. 2013-001091-14<sup>th</sup> JDC, State of LA.
- Suit against the Port of Lake Charles – Suit No. 2014-004268-14<sup>th</sup> JDC, State of LA.
- IFG Port Holding, LLC vs LCHTD – Case: 2:16-cv-00146 U S District Court, Western District of Louisiana, Lake Charles Division.

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 5:20 p.m.

The Board returned from Executive Session at 5:43 p.m. No action was taken in Executive Session. Ms. McManus offered a motion to return to Regular Session. Mr. Eason seconded the motion and it carried unanimously.

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18. Other Matters which may properly come before the Board.  
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There being no further business to come before the Board, Dr. Burckel asked for a motion to adjourn. Mr. LeBlanc offered a motion to adjourn. Mr. Guillory seconded the motion and it carried unanimously. The meeting adjourned at 5:43 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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DARYL V. BURCKEL, President

ATTEST:

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MICHAEL G. EASON, Secretary/ Treasurer