

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, July 25, 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

Absent:

- Barbara M. McManus, Commissioner

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
- Nick Pestello, Assistant Director of Engineering, Maintenance and Development
- Michelle Bolen, Executive Administrative Assistant

Dr. Burckel called the meeting to order at 5:02 P.M. and asked Mr. LeBlanc to give the invocation. Mr. Eason 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.

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1. Approval of the June 22, 2016 Special Meeting Minutes.
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Mr. Dixon offered a motion to approve the June 22, 2016 Special Meeting Minutes. Mr. Eason seconded the motion and it carried unanimously.

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2. Submission 2016 – 037 approving and levying for the tax year 2016 an adjusted ad valorem millage rate.
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Mr. Sanchez offered a motion to adopt Resolution 2016 – 037 to authorize and levy for the tax year 2016 an adjusted ad valorem millage rate of 2.41 mills by polling each Board member. Mr. Eason seconded the motion.

Voting went as follows:

<u>Yeas</u>	<u>Nays</u>	<u>Absent</u>	<u>Abstain</u>
Mr. Eason	None	Ms. McManus	None
Mr. Sanchez			
Mr. Dixon			
Mr. Guillory			
Mr. LeBlanc			
Dr. Burckel			

The motion carried unanimously.

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3. Submission 2016 – 038 setting forth the adjusted millage rate and the forward millage rate not exceeding the maximum authorization.
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Mr. Sanchez offered a motion to adopt Resolution 2016 – 038 to set forth the adjusted millage rate and the forward millage rate not exceeding the maximum authorization by polling the Board. Mr. Eason seconded the motion.

Voting went as follows:

<u>Yeas</u>	<u>Nays</u>	<u>Absent</u>	<u>Abstain</u>
Mr. Eason	None	Ms. McManus	None
Mr. Sanchez			
Mr. Dixon			
Mr. Guillory			
Mr. LeBlanc			
Dr. Burckel			

The motion carried unanimously.

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4. Submission 2016 – 039 authorizing the Executive Director to enter into a Cooperative Endeavor Agreement with the Calcasieu Parish Gravity Drainage District Number 4 and endorse the application of Gravity Drainage District Number 4.
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Mr. Eason offered a motion to adopt Resolution 2016 – 039 to authorize the Executive Director to enter into a Cooperative Endeavor Agreement with the Calcasieu Parish Gravity Drainage District Number 4 and endorse the application of Gravity Drainage District Number 4. Mr. Dixon seconded the motion and it carried unanimously.

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5. Submission 2016 – 040 authorizing the amendment or other revision of a prior Act of Exchange entered into in 2009 between the Lake Charles Harbor and Terminal District (“District”) and Bel Mineral, Limited Liability Company (“Bel Mineral”) or other conveyance or transfer with Bel Mineral so as to provide for Bel Mineral to receive an additional approximate six (6+/-) acres of adjacent District land in exchange for the District being relieved of its obligation owed by the District to Bel Mineral to relocate a large drainage ditch on the southern edge of the property previously conveyed to Bel Mineral by the 2009 exchange with the District or, alternatively, authorizing the District staff to undertake the relocation of the ditch now on the Bel Mineral property to adjacent District property at a cost not to exceed \$200,000.00.
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Mr. Dixon offered a motion to adopt Resolution 2016 – 040 to authorize the amendment or other revision of a prior Act of Exchange entered into in 2009 between the Lake Charles Harbor and Terminal District (“District”) and Bel Mineral, Limited Liability Company (“Bel Mineral”) or other conveyance or transfer with Bel Mineral so as to provide for Bel Mineral to receive an additional approximate six (6+/-) acres of adjacent District land in exchange for the District being relieved of its obligation owed by the District to Bel Mineral to relocate a large drainage ditch on the southern edge of the property previously conveyed to Bel Mineral by the 2009 exchange with the District or, alternatively, authorizing the District staff to undertake the relocation of the ditch now on the Bel Mineral property to adjacent District property at a cost not to exceed \$200,000.00.

Mr. Guillory seconded the motion and it carried unanimously.

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6. Submission 2016 – 041 authorizing the staff of the Lake Charles Harbor and Terminal District (“District”) to negotiate with Turner’s Bay, LLC (“Turner’s Bay”) the acquisition, subject to funding by the State of Louisiana, of either the full ownership or permanent dredge material disposal easement of an approximate 180 acre parcel (the “Needed Property”) located on the eastern side of Choupique Island, a needed dredge material disposal area near the intersection of the Calcasieu River and Pass Ship Channel (the “Channel”) and the Industrial Canal which is now designated as Disposal Area 13.
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Mr. Guillory offered a motion to adopt Resolution 2016 – 041 to authorize the staff of the Lake Charles Harbor and Terminal District (“District”) to negotiate with Turner’s Bay, LLC (“Turner’s Bay”) the acquisition, subject to funding by the State of Louisiana, of either the full ownership or permanent dredge material disposal easement of an approximate 180 acre parcel (the “Needed Property”) located on the eastern side of Choupique Island, a needed dredge material disposal area near the intersection of the Calcasieu River and Pass Ship Channel (the “Channel”) and the Industrial Canal which is now designated as Disposal Area 13.

Dr. Burckel seconded the motion and it carried unanimously.

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7. Submission 2016 – 042 approving actions taken concerning the Dredge Material Management Plan (DMMP).
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Mr. LeBlanc offered a motion to adopt Resolution 2016 – 042 to approve actions taken concerning the Dredge Material Management Plan (DMMP). Mr. Eason seconded the motion and it carried unanimously.

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8. Security and Risk Management Committee.
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Mr. Dixon stated the Security and Risk Management Committee met on July 14, 2016 to discuss a Harbor Police departmental mission statement, a taser use policy, and a uniform policy.

Mr. Dixon stated the Committee would enter into Executive Session to discuss security camera system issues. No action was taken in Executive Session.

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9. Administration, Personnel and Audit Committee.
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Mr. Eason stated the Committee met on July 19, 2016 to discuss the Forecast II. No action was taken at the Committee meeting.

Mr. Self presented the Forecast II to the Board.

10. Executive Director Quarterly Expenses Briefing Note

The Briefing Note concerning the Executive Director Quarterly Expenses was rendered to the Board and is on file in the Executive Offices.

11. Forecast II Financials Briefing Note

The Briefing Note concerning the Forecast II Financials was rendered to the Board and is on file in the Executive Offices.

12. 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.

13. Monthly Staff report from Director of Navigation.

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

14. 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.

15. 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.

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16. 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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17. Monthly Staff report from the State Port Lobbyist.
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The State Lobbyist attended the Board meeting and gave a report on the 2016 Legislative sessions.

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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18. 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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19. Executive Session
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- Suit against the Port of Lake Charles – Suit No. 2013-001091-14th JDC, State of LA.
- Suit against the Port of Lake Charles – Suit No. 2014-004268-14th 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. Mr. Eason seconded the motion and it carried unanimously. The Board entered into Executive Session at 5:36 p.m.

The Board returned from Executive Session at 5:58 p.m. No action was taken in Executive Session. Mr. Sanchez offered a motion to return to Regular Session. Mr. Eason seconded the motion and it carried unanimously.

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

There being no further business to come before the Board, Dr. Burckel asked for a motion to adjourn. Mr. Eason offered a motion to adjourn. Mr. LeBlanc seconded the motion and it carried unanimously. The meeting adjourned at 5:58 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.

DARYL V. BURCKEL, President

ATTEST:

MICHAEL G. EASON, Secretary/ Treasurer