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 22, 2019 in the Boardroom of the Port of Lake Charles located at 1611 West Sallier St., Lake Charles, Louisiana.

In attendance and constituting a quorum, were:

John L. LeBlanc, President

Elcie J. Guillory, Vice President

David J. Darbone, Secretary/Treasurer

Thomas L. Lorenzi, Assistant Secretary/Treasurer

Dudley R. Dixon, Commissioner

Michael G. Eason, Commissioner

Carl J. Krielow, Commissioner

Absent:

None

Also Present:

Bill Rase, Executive Director

Richert Self, Deputy Executive Director/Director of Administration and Finance

Michael K. Dees, General Counsel

Jon Ringo, Assistant General Counsel

Regan Brown, Assistant Director of Navigation

Nik Pestello, Director of Engineering, Maintenance and Development

Todd Henderson, Director of Operations

Dan Loughney, Director of Marketing and Trade Development

Michelle Bolen, Executive Administrative Assistant

Mr. LeBlanc called the meeting to order at 5:00 P.M. and asked Mr. Guillory to give the invocation. Mr. Lorenzi led the Board and audience in the Pledge of Allegiance.

Mr. LeBlanc asked if there were any public comments regarding any items on the agenda. No one asked to speak.

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1. Approval of the June 24, 2019 Regular Meeting Minutes.

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Mr. Dixon offered a motion to approve the June 24, 2019 Regular Meeting Minutes. Mr. Guillory seconded the motion and it carried unanimously.

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2. Submission 2019 – 018 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; providing for the necessary documentation of the need for the port improvement; and providing for other matters in connection therewith

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Mr. Dixon offered a motion to adopt Resolution 2018 – 018 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; providing for the necessary documentation of the need for the port improvement; and providing for other matters in connection therewith. Mr. Krielow seconded the motion and it carried unanimously.

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3. Submission 2019 – 019 authorizing the District to enter into a Professional Services Agreement with Boos Navarre, LLC and to amend and change the name of the 2019 Capital project and budget.

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Mr. Eason offered a motion to adopt Resolution 2019 – 019 authorizing the District to enter into a Professional Services Agreement with Boos Navarre, LLC and to amend and change the name of the 2019 Capital project and budget. Mr. Guillory seconded the motion and it carried unanimously.

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4. Executive Director Quarterly Expenses Briefing Note

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

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5. Forecast II Briefing Note

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

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6. Monthly Staff report from Deputy Executive Director Monthly Report.

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The Deputy Executive Director’s Monthly Staff Report was rendered to the Board and is on file in the Executive Offices.

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7. 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.

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8. 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.

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9. 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.

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10. 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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11. Monthly Staff report from the State Port Lobbyist.

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Mrs. Corley spoke to the Board regarding the 2019 Legislative session. The State Port Lobbyist’s Monthly Staff Report was rendered to the Board and is on file in the Executive Offices.

Mr. LeBlanc announced the chairmen of the District’s Committees. They are as follows:

Mr. Michael Eason Chairman of the Administration, Personnel and Audit Committee

Mr. Dudley Dixon Chairman of the Business, Intergovernmental and Environmental Committee

Mr. David Darbone Chairman of the Security and Risk Management Committee

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12. Executive Session and appropriate action in any of the following matters:

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Mr. LeBlanc asked for a motion to enter into Executive Session. Mr. Eason offered a motion to enter into Executive Session. Mr. Dixon seconded the motion and it carried unanimously. The Board entered into Executive Session at 5:10 p.m. to discuss the matters below.

* 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.
* LCHTD vs IFG Port Holding, LLC – Case: 2:16-cv-00785 U S District Court, Western District of Louisiana, Lake Charles Division

The Board entered into Regular Session at 6:40 p.m.

Mr. LeBlanc stated he would entertain a motion to add to the agenda to approve Resolution 2019 - 020, on advice from Counsel, a settlement for the payment of Invoice 46127 issued by the Port to FMT representing the shortfall for the minimum tonnage guarantee for the years 2017 – 2018; with FMT paying a one-time cash payment of $50,000.00.

Mr. Mr. Dixon offered a motion to add the item to the agenda. Mr. Darbone seconded the motion and it carried unanimously.

Mr. Dixon offered a motion to adopt Resolution 2019 – 020, on advice from Counsel, to approve a settlement for the payment of Invoice 46127 issued by the Port to FMT representing the shortfall for the minimum tonnage guarantee for the years 2017 – 2018; with FMT paying a one-time cash payment of $50,000.00. Mr. Eason seconded the motion and it carried unanimously.

Mr. LeBlanc stated he would entertain a motion to add to the agenda to authorize the Board President to enter into a contract with Jon Ringo.

Mr. Dixon offered a motion to add the item to the agenda. Mr. Darbone seconded the motion and it carried unanimously.

Mr. Dixon offered a motion to adopt Resolution 2019 – 021 to approve the Board President to enter into a contract with Jon Ringo to be effective January 2, 2020 or before if the current General Counsel retires before that date. Mr. Darbone seconded the motion.

Mr. Krielow stated they needed to specify the compensation of terms discussed in Executive Session.

Mr. Dixon amended his motion to include a salary of $200,000 per year, $1,000 per month for a car allowance and a three year contract with one year options following. The details of the contract were reviewed by each individual Board member in the Executive Session.

The motion passed unanimously.

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

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There being no further business to come before the Board, Mr. LeBlanc asked for a motion to adjourn. Mr. Guillory offered a motion to adjourn and Mr. Dixon seconded the motion and it carried unanimously. The meeting adjourned at 6:46 p.m.

All discussions held on the above items were recorded using the FTR Gold program, and saved on the District’s main file server in the District’s office.

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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ELCIE J. GUILLORY, Vice President

and Acting President

ATTEST:

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DAVID J. DARBONE, Secretary/ Treasurer