

**CALCASIEU CAMERON NAVIGATION DISTRICT  
PROCEEDINGS**

February 4, 2019

The Calcasieu Cameron Navigation District met in regular session on Monday, February 4, 2019 at the Calcasieu Parish Police Jury Chambers, 105 Pithon Street, Lake Charles, Louisiana at 10:00 a.m.

Present:

Commissioner Stevie Trahan Commissioner Clair Marceaux, Commissioner Bill Rase, Commissioner Brett Palmer, Commissioner Charles Harper

Absent:

None

Guests:

Senator Dan Morrish; Lynn Hohensee – West Calcasieu Port; Jon Ringo – Port of Lake Charles; Rene Escurieux-Fenstermaker; Tammy Truax – Magnolia LNG; David Devall – Devall Towing; Jennifer Jones- Cameron Parish District Attorney; Charlie Atherton; Randy Roach; Jon Gagne; Megan Hartman; Michelle Bolen – Port of Lake Charles

Commissioner Trahan called the meeting to order by a roll call. All board members were present.

Commissioner Trahan gave the invocation and Commissioner Rase led the Pledge of Allegiance.

Approval of Minutes.

Commissioner Palmer offered a motion to approve the January 7, 2019 Meeting Minutes. Commissioner Harper seconded the motion and it carried unanimously.

Discussion of Cooperative Endeavor Agreement between the Calcasieu Cameron Navigation District and the Port of Lake Charles.

Commissioner Trahan stated the board had formed a committee to discuss the issue. The Committee made up of Commissioner Rase and Harper met. Commissioner Harper stated the issue they had with the CEA was a question of

recompensation to the Lake Charles Harbor and Terminal District for monies expended in the fulfillment of their duties under the DMMP. The question arose whether that would include monies used to purchase properties. He spoke with Mr. Ringo, Mr. Dees and Commissioner Rase. The Port will be acquiring a permanent servitude to meet the requirements of the CORPS. They will not be acquiring title to the property. They in turn will grant a servitude to the District for the price they paid for the servitude. The District will not be compensating the Port for money used to purchase property that would be in their name.

Commissioner Trahan stated the Port would just be reimbursed for servitudes only. He said they have a red line CEA to review.

Commissioner Trahan recognized Ms. Jennifer Jones to address the board. She has a couple of concerns. She does not feel they should go beyond the statute. As far as what needs to be included in the CEA, is provided for in the statute and does not believe they should go beyond that.

She has questions concerning the wording in Section 2.1 of the CEA regarding that reimbursement to the Lake Charles Harbor and Terminal District shall be made on a yearly basis in the amount of 50% of the total yearly revenue of the Calcasieu Cameron Navigation District.

This provision that the Navigation District is required to turn over 50% of their yearly revenues to the Lake Charles Harbor & Terminal District for reimbursement is not provided in the statute. She advised the Port of Cameron not to agree with that provision.

Section 2.2 – The Lake Charles Harbor and Terminal District will maintain ownership and control of all sites used for dredge material currently owned by the Lake Charles Harbor and Terminal District or acquired by them while operating as agent for the state of Louisiana. The thing is, one can acquire ownership, not only of the land, but also ownership of a servitude. If the Lake Charles Harbor and Terminal District is going to maintain ownership and control of all these sites, she sees no reason why the Calcasieu Cameron Navigation District should reimburse them.

The section regarding the Lake Charles Harbor and Terminal District designating a staff member, she does not think this should be included in the CEA. She urged that they stick with the terms as provided within the statute and then add or subtract as the need arises.

Commissioner Marceaux asked for an explanation of Sections 2.1 and 2.2 in regard to the 50% of the total yearly revenue of the Calcasieu Cameron Navigation District.

Mr. Ringo replied that this is not a debate or should not be. They sent this language early last week in an attempt to resolve some of these issues. The Port, in complying with the DMMP, is expending money on behalf of the State to fulfill obligations for the CORPS. The CORPS tells the Port to go out and acquire property rights on behalf of the State. It is not the Port's obligation in so far as the Port is the agent for the State. The Port has been expending that money at the direction of the COPRS.

They are in this limbo period where by statute, The Calcasieu Cameron Navigation District is technically the agent for the State of Louisiana, acting as the local sponsor. That is what the statute says.

The statute also says that the Port will continue to operate as the local sponsor until such time as a tax is passed. That is where they are now. The Navigation District is the local sponsor and the Port is continuing to act as the local sponsor. The language where it says the Port shall maintain ownership and control of all sites is for this limbo period they are in, so they can continue to go out and do what the CORPS requires them to do as far as acquiring property rights and maintaining control of them. When the tax is passed, the Navigation District will become fully functional as a board. The control of those sites will be turned over to the Navigation District in the form of a servitude. The property owner will own the property. The Port will have a servitude on that property. The Navigation District will have a servitude on top of that servitude.

There was discussion regarding whether the funding should be retroactive back from when the DMMP started, which is where the money began expending to the CORPS or when the Navigation District began. Also, the 50% yearly revenue to the Lake Charles Harbor and Terminal District needed further discussion.

After discussion, Commissioner Rase suggested he be removed from the Committee. Commissioner Trahan asked for a new Commissioner to replace Commissioner Rase. Commissioner Trahan was selected.

The Board decided to table the CEA decision for now. The Committee will meet February 14, 2019 at 10:00 a.m. in Lake Charles to discuss to bring back to the Board at the March 4, 2019 meeting.

Mr. Charlie Atherton commented that from the public's perspective, the Act clearly lays out a path forward. The Act says the CEA has to contain two sentences. It is pretty cut and dry. He does not know why they would deviate from that. They should stick with the CEA with those two sentences and be done with it.

Discussion of RFP submittal for the selection of a Fiscal Agent.

Commissioner Marceaux presented the final RFP for approval.

Commissioner Harper offered a motion to approve a Cooperative Endeavor Agreement between the Calcasieu Cameron Navigation District and the Lake Charles Harbor and Terminal District for Commercial Banking Services. Commissioner Rase seconded the motion and it carried unanimously.

Commissioner Marceaux stated she would get the RFP in the Cameron Pilot and the Lake Charles Harbor and Terminal District will run the RFP in the American Press.

Discussion of a request to file legislation changing the required monthly meetings to quarterly meetings.

Commissioner Rase offered a motion to change the required monthly meetings to quarterly meetings. Commissioner Marceaux seconded the motion and it carried unanimously.

Senator Morrish stated he needed a resolution to change the wording. Commissioner Trahan stated they need to also include in the resolution that they can move the quarterly meetings, but if they need to have them on a monthly basis or a more frequent basis they can. Senator Morrish stated that was in the resolution.

The Port of Lake Charles will prepare the resolution.

Commissioner Marceaux stated the Port of Cameron will pay for the bill change advertisement.

Discussion and reminder of board members training obligations for Ethics Training and Sexual Harassment Training.

All members are working on their training. A reminder was given to complete the Tier 2.1 Financial Disclosure form as well.

Other Matters that may properly come before the board.

None

Public Comments.

None

The next regular meeting will be scheduled for March 4, 2019, in Cameron, Louisiana.

There being no further business and upon motion of Commissioner Harper seconded by Commissioner Palmer and carried, the meeting was declared adjourned at 12:30 p.m.

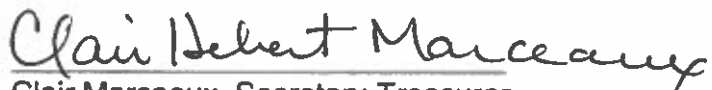
APPROVED:



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Stevie Trahan, President

ATTEST:



Clair Marceaux, Secretary-Treasurer