

MONROE PORT COMMISSION
REGULAR MEETING MINUTES
Wednesday, February 19, 2014 - 7:00 p.m.

1. Call to Order: 7:04 P.M
2. Members Present:
Thomas A. Krzyston, Chairman
Dale H. Brose, Vice Chairman
Ken Calender, Secretary
Lisa Leachman, Commissioner
Tom Myers, Commissioner

Others Present:
Paul C. LaMarre, Port Director
John J. Emig, Port Engineer
Matt D. Budds, Legal Counsel
Willie Hall, Former City Councilman 3rd Precinct
David Hoffman
Richard Micka

Before the start of the meeting, Chairman Krzyston recognized former City Councilman 3rd Precinct, Mr. Willie Hall. Although short termed as the Monroe's Port Liaison, Mr. Hall's input was appreciated and valued. Chairman Krzyston presented Mr. Hall with a Resolution signed by the Monroe Port Commission. Mr. Hall thanked everyone and stated it was his pleasure to serve and quite humbled by the presentation.

3. Chairman Krzyston amended the Meeting Agenda to delete item 8.2 under New Business and be placed on the next Regular Monroe Commission meeting agenda.
4. On a motion made by Vice Chairman Brose and seconded by Myers to approve the meeting agenda as amended. Ayes 5 Nays 0. Motion passed.
5. Public Comment: None.
6. Motioned by Leachman and seconded by Secretary Calender the Consent Agenda was approved. Ayes 5 Nays 0. Motion passed.
 - 6.1 Approve and place on file Port of Monroe Expenditures - Order 0405 January 21, 2014 through February 19, 2014.
 - 6.2 Approve and place on file Regular Meeting Minutes of Tuesday, January 21, 2014.
 - 6.3 Approve and place on file Special Meeting Minutes of Wednesday, February, 12, 2014.
 - 6.4 Accept and place on file the renewal of Steel Dynamics (Omni Source) Letter of Credit expiration - March 31, 2015.

Chairman Krzyston called the meeting out of sequence to accept the Port Counsel's, Thomas P. Russow Letter of Resignation, effective immediately

On a motion made by Leachman and supported by Myers to accept and place on file Thomas P. Russow, Port Counsel, Letter of Resignation effective immediately.

Moving forward on port legal matters, T. Myers suggested the use of the law firm of Robison Curphey & O'Connell.

On a motion made by Leachman and seconded by Myers to appoint Mr. Matthew D. Budds from the law firm of Robison Curphey & O'Connell on interim basis to represent Port of Monroe's legal matters. Ayes 5 Nays 0. Motion passed.

7. Unfinished Business:

7.1 Vice Chairman Brose requested the Suspense Calendar be placed on floor for discussion.

After review, a motion made by Vice Chairman Brose and supported by Myers the Suspense Calendar to be accepted as updated, and placed on file. Ayes 5 Nays 0. Motion passed.

8. New Business:

8.1 Commissioner Leachman requested new business item 8.1 be placed on the floor for discussion the authorize Port Director to enter into agreement with tenants to fund and award contract for the Dredging River Raisin Turning Basin.

Discussion took place on funding the dredging of the turning basin and port tenants involvement.

On a motion made by T. Myers and supported by Secretary Calender to refer to the Finance Committee for their discussion on funding the dredging with a report due at the next regular scheduled meeting. Ayes 5 Nays 0. Motion passed

9. Staff Reports:

Paul C. LaMarre III:

As in previous discussions with regards to funding the dredging at the turning basin, I will be meeting with the finance committee and report the outcome at the next regular meeting.

The Port Director met with individuals that work in the compost business to discuss the Jack's Lawn Service compost dilemma. Essentially, they stated that there is no value to the compost because it is either not a finished product or the cost of removal is prohibitive.

Jack Sturn also notified Mr. LaMarre that he had been in contact with a party interested in the material but no timeframe was specified. Jack is still not willing to sign an agreement and the Commission feels this gentlemen agreement, has run its due course and have taken many steps to accommodate him.

Matt Budds to review documents and formally meet with Tom Russow, John Emig and the Port Director to discuss where the Port legally stands to move forward with Jack's Lawn Service.

John J. Emig, Jr:

With regard to the gypsum and other bulk materials to be moved across the port docks, the Federal Clean Water Act through the National Pollution Discharge Elimination System (NPDES) requires a permit for the discharge of wastewater. The program is administered by the MDEQ. The storm sewer system on the river dock discharges to a City storm sewer. There are two stormwater treatment systems in the Port storm sewer on the river dock that separate floating and settleable materials from the storm water before discharge to the City sewer. The City of Monroe has a NPDES permit and the City of Monroe engineer Patrick Lewis says that the Port storm sewer system is nested within the City's NPDES permit. Therefore, storm water discharge from bulk operations on the river dock will not require a separate NPDES permit.

We have been told by the MDEQ that the planned gypsum movement through the Port at quantities below 100,000 tons annually will not need a permit known as a Permit to Install, but should have a Fugitive Dust program. We will be continuing discussions with the MDEQ.

Gerdau responded to our December letter that notified them about the Ventower siding construction and the fact that the siding would cross over a Michigan Gas Utilities (MGU) gas line and through the corner of the Gerdau rail easement. The Gerdau letter indicated that Gerdau was concerned about the rail construction interrupting their gas supply and wanted a meeting with the Port, MGU and CN Railroad to discuss the situation. A meeting will be scheduled.

The FRA Grant for the Ventower siding is coming to the end of its term. We are working with Ventower and MDOT to insure that MDOT has everything it needs from Ventower and that the MDOT grant will be awarded to Ventower. A viable Ventower siding requires both the MDOT grant funds and the FRA grant funds. Without certainty to the MDOT grant to Ventower, the FRA grant funds would be insufficient to construct a viable siding to Ventower and the FRA would likely consider a partial siding as unacceptable. We should have some news later next week.

If the FRA Grant does not happen for Ventower, the Port Director mentioned he would like the use of the FRA money for a rail spur at the port turning basin dock. This grant is through the City and can be used for other rail projects, but there would be a need to act fast before the expiration of the grant.

10. Other Business that may come before the Port Commission:
Port Director asked if a Special Meeting could be scheduled for either Wednesday or Thursday for the following week. The Special Meeting was scheduled for Thursday, February 27, 2014 at 7:00 p.m.
11. Port Commissioners Comment: Chairman Krzyston asked if the invoice from J&A (\$400) for engineering services in regards to Hanwha installing a fence on port property be submitted for reimbursement be appropriate. No reply from the Commission.

12. Public Comment: Mr. Richard Micka attended the Michigan Department of Transportation French Town first phase meeting of changing I-75 Monroe exits.
13. Adjournment: 9:20 p.m.

These minutes are not consider official until approved by the Monroe Port Commission at their next regular scheduled meeting, Wednesday, March 19, 2014.


Kenyon Calender
Secretary

March 19, 2014
Date