

**MONROE PORT COMMISSION  
REGULAR MEETING MINUTES  
Wednesday, March 19, 2014 - 7:00 p.m.  
2929 E. Front Street - Monroe MI 48161**

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1. Call to Order: 7:03 P.M.
  
2. Members Present:  
Thomas A. Krzyston, Chairman  
Dale Brose, Vice Chairman  
Ken Calender, Secretary  
Lisa Leachman, Commissioner  
Tom Myers, Commissioner  
  
Others Present:  
Paul C. LaMarre III, Port Director  
John J. Emig, Port Engineer  
Matt Budds, Port Legal Counsel  
David Hoffman
  
3. Additions/Deletions to the Meeting Agenda: New Business items were added to the Meeting Agenda. 8.1, 8.2 and 8.3 and renumber the remaining sequential business items.
  
4. On a motion made by Vice Chairman Brose and seconded by Myers to amend the Meeting Agenda to include the New Business items 8.1, 8.2 and 8.3., and renumber the sequential business items. Ayes 5 Nays 0. Motion passed.
  
5. Public Comment: None
  
6. On a motion made by Vice Chairman Brose and seconded by Myers to approve the Consent Agenda after the Chairman asked to amend the Regular Meeting Minutes of February 19, 2014, to omit a second paragraph regarding port legal matters. Ayes 5 Nays 0. Motion passed.
  - 6.1 Approve and place on file Port of Monroe Expenditures - Order 0406 February 20, 2014 through March 19, 2014.
  - 6.2 Approve and place on file Regular Meeting Minutes of Wednesday, February 19, 2014.
  - 6.3 Approve and place on file Special Meeting Minutes of Thursday, February, 27, 2014.
  - 6.4 Approve cost for Port Commissioners and staff to attend the Chamber of Commerce Legislative Luncheon on Monday, March 31, 2014, at the Monroe Golf & Country Club 11:30 a.m. - 1:00 p.m.
  
7. Unfinished Business:
  - 7.1 Review and update the Suspense Calendar.  
On a motion made by Myers and seconded by Secretary Calender to accept and place on file the Suspense Calendar. Ayes 5 Nays 0. Motion passed.
  
8. New Business:
  - 8.1 On a motion made by Vice Chairman Brose and seconded by Myers to establish the Monroe Port Commission Personnel Committee composed of the Chairman (to be appointed by the Port Commission) and the Port Commission Vice Chairman. Ayes 5 Nays 0. Motion passed.
  - 8.2 On a motion by Myers and seconded by Secretary Calender to approve the appointment of Lisa Leachman as the Personnel Committee Chair. Ayes 5 Nays 0. Motion passed.

- 8.3 On a motion made by Vice Chairman Brose and seconded by Secretary Calender to approve the final budget submission for the Fiscal Year of 2014-15 to the City of Monroe for approval. Ayes 5 Nays 0. Motion passed
  - 8.4 On a motion made by Myers and supported by Vice Chairman Brose to approve and authorize the Chairman to sign the Inter-Fund Loan between the City of Monroe and the Port of Monroe to fund the Dredging River Raisin Turning Basin Project. Ayes 5 Nays 0. Motion passed.
  - 8.5 Motioned by Myers and seconded by Secretary Calender to authorize the Port Director to sign the First Amendment to Berthing Agreement with DRM Maintenance Management for the Turning Basin Dock Dredging. Ayes 5 Nays 0. Motion passed.
  - 8.6 Moved by Secretary Calender and seconded by Vice Chairman Brose to authorize and issue Notice of Award to Geo. Gradel Company for the dredging of the River Raisin Turning Basin for the amount of \$122,630. Ayes 5 Nays 0. Motion passed.
  - 8.6 (a) Moved by Myers and seconded by Vice Chairman Brose to authorize the Port Director and Port Engineer to issue the Notice to Proceed for the River Raisin Turning Basin Dock Dredging to Geo. Gradel Company, upon satisfaction of all conditions of the Port Engineer, for the amount not to exceed \$122,630 and job completion no later than July 15, 2014. Ayes 5 Nays 0. Motion passed.
  - 8.7 Motioned by Secretary Calender and seconded by Leachman to approve and authorize Chairman to sign the professional service agreement for legal services with Robison, Curphey & O'Connell up to June 30, 2015. Ayes 5 Nays 0. Motion passed.
  - 8.8 On a motion made by Vice Chairman Brose and seconded by Leachman to appoint Dan Swallow of the City of Monroe to represent the Port of Monroe as the Downriver Community Conference (DCC) Brownfield Consortium representative and that the Port Director, Paul LaMarre, to be the alternate DCC representative. Ayes 5 Nays 0. Motion passed.
9. Staff Reports:
- Paul C. LaMarre III:  
The Port met with DTE Energy to discuss storing synthetic gypsum at the port at the earliest possible opportunity for future transport. DTE's environmental division has requested clarification on the associated permitting for storage with MDEQ. The Port feels that it is in compliance with any regulation but needs MDEQ's approval to move forward as soon as possible.
- The Port recently alleviated a dire rail situation when a traffic conflict arose between Canadian Nation cars being unloaded at Barnhart and a Norfolk Southern train destined for Michigan Paving & Materials. The Port's "boots on the ground" approach allowed for direct communication with the locomotive engineer and all concerned parties to avoid significant delays and demurrage charges to port tenants. Two rail projects are planned for construction and will avoid setbacks like this in the future.

Paul C. LaMarre III cont.:

After growing concerns about local flood waters the Port Director contacted Patrick Lewis at the City of Monroe and was directed to the County's Emergency Manager who said that the coast guard was unresponsive to icebreaking. The Director then contacted Commanders in Detroit and Toledo who scheduled the USCG Neah Bay for the following day.

I will be traveling to Washington DC next week to attend the National Freight Advisory Committee meeting. While in DC, I will be meeting with the U.S. Maritime Administrator, St. Lawrence Administrator and the Executive Director of the American Great Lakes Ports.

- John J. Emig, Jr.:

Last month, the commission authorized issuance of the notice-of-award to the rail contractor for the Port piece of the Port/Ventower railroad project. We have held off sending the notice-of-award to the contractor until two matters with CN were resolved: 1) a letter from CN engineering approving the plans; and, 2) CN offering a no-cost lease of a section of the existing CN track to enable our contractor to install the switch. As of this time, we have the letter, and are expecting the lease soon.

The Federal Railroad Administration (FRA) Grant will reimburse the City (the grantee) grant eligible expenses related to the Port piece of the Port/Ventower rail project; and, the City will reimburse the Port (the sub-grantee). As the rail project moves into construction, the expenses being submitted to the Port for payment will be greater with the potential for stressing cash flow for the Port. We have talked to Ed Sell about a submittal process to minimize the time between Port payment of expenses and FRA reimbursement. What we have worked out with Ed is as follows: the Port will cut the check and approve payment at a regular meeting; the Port will then hold the check; J&A will request FRA reimbursement the following day; J&A will notify Ed Sell when we have submitted the request to FRA and again when the funds have been disbursed - we are able to determine payment status on the FRA website - should be a 2 to 3 day turnaround; Ed will transfer funds to the Port as soon as the City receives them; and, then the Port can release their check. The total project is made a little more complicated by MDOT funding the Ventower piece of the project. We are working with and for Ventower to coordinate the reimbursement requests between the funding agencies

- Matthew D. Budds:

Discussed issues of tenancy of Jack's Lawn Service and seeking to authorize final settlement offer.

On a motion made by Meyers and seconded by Secretary Calender to authorize a letter for a final settlement offer, if not complied with, the port will take legal ramifications. Ayes 5 Nays 0. Motion passed.

Dan Swallow:

Seeking authorization for the Chairman to execute a letter of support for the City of Monroe's land acquisition grant application to the Michigan Trust Natural Resources Trust Fund.

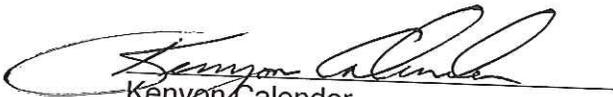
At least 25 % of the project total cost must be provided by local units. The Economic and Community Development is currently calculating the value of land the Port of Monroe donated (Northern Battlefield, pump house, property north of E. Elm Street and east of Detroit avenue), to be utilized as match for this project.

After much discussion on this topic, it was suggested to have Dan Swallow, City of Monroe, and Paul LaMarre, Port Director, work jointly to draft a letter of support, a copy of which would be sent electronically to the Commissioners.

On a motion made by Vice Chairman Brose and seconded by Myers to draft a letter of support for the City of Monroe's land acquisition grant application to the Michigan Natural Resources Trust Fund to be drafted by Director LaMarre, Mr. Swallow, with the input of Attorney Budds. The draft to be circulated to the board members electronically to meet the deadline of April 1, 2014. Ayes 5 Nays 0. Motion passed.

10. Other Business that may come before the Port Commission: None
11. Port Commissioners Comment: None
12. Public Comment: None
13. Adjournment: 9:35 p.m.

These minutes are not consider official until approved by the Monroe Port Commission at their next regular scheduled meeting, Wednesday, April 16, 2014.

  
Kenyon Calender  
Secretary

April 16, 2014  
Date