

**MONROE PORT COMMISSION
REGULAR MEETING MINUTES
Wednesday, March 18, 2015 - 7:00 p.m.
2929 E. Front Street - Monroe MI 48161**

1. Call to Order: 7:03 p.m.

2. Members Present:
Dale H. Brose, Chairman
Thomas G. Myers, Vice Chairman
Kenyon S. Calender, Secretary
Lisa M. Leachman, Commissioner

Members Excused:
Thomas A. Krzyston, Commissioner

Others Present:
Paul C. LaMarre III, Port Director
John J. Emig, Jr., Port Engineer
Matthew D. Budds, Port Legal Counsel
Jack Sturn

3. On a motion by Vice Chairman Myers and supported by Commissioner Leachman, the Meeting Agenda was corrected to reflect the accurate spelling of Representative Zorn's last name and the corrected Meeting Agenda was approved: Ayes 4; Nays 0. Motion passed.

4. On a motion by Commissioner Calender and supported by Commissioner Leachman, the Regular Meeting Minutes of the Wednesday, February 18, 2015 Meeting were approved: Ayes 4; Nays 0. Motion passed.

5. Public Comment:

Mr. Sturn commented on the continued removal of material from Port property. Director LaMarre acknowledged the continued removal. Attorney Budds indicated that discussions had been started with Mr. Sturn's counsel regarding an extension of the interim agreement.

6. On a motion by Commissioner Leachman and supported by Vice Chairman Myers, the Consent Agenda was approved. Ayes 4; Nays 0. Motion passed.
 - 6.1 Approve and place on file Port of Monroe Expenditures - Order 0418 February 19, 2015 through March 18, 2015.

 - 6.2 Approve cost for Port Commissioners and staff to attend State Senator Dale Zorn Legislative Luncheon scheduled for Monday, March 23, 2014 11:30 a.m. - 1:00 p.m. Location: Joe's French Italian Inn, 2896 N. Dixie Hwy, Monroe, MI 48162

 - 6.3 Accept and place on file AKT Peerless invoice number 38013 in the amount of \$3,243.61 for environmental consulting services (services 2-1-15 / 2-28-15) to be submitted to the Downriver Community Conference Consortium EPA Revolving Loan Fund (RLF) for the Pump house demolition project. Contingent on BRA approval 4-9-15 (subsequent to the Port Commission meeting, the BRA meeting was rescheduled to 4-23-15).

6.4 Accept and place on file Johnson & Anderson Invoice 38100 in the amount of \$4,892.50 for inspection services and contract administration (services 2-1 / 2-28-15) to be submitted to the Downriver Community Conference Consortium EPA Revolving Loan Fund (RLF) for the Pump house demolition project. Contingent on BRA approval 4-9-15 (subsequent to the Port Commission meeting, the BRA meeting was rescheduled to 4-23-15).

7. Unfinished Business:

7.1 The Suspense Calendar was reviewed and updated.

7.2 On a motion by Commissioner Leachman and supported by Commissioner Calender, the Chairman was authorized to execute Monroe Bank & Trust's Not-For-Profit Entity Authorization Resolution with the indication that the Chairman is authorized to utilize and authorize the staff use of business credit cards in accordance with the Authorized Card Use Agreements.
Ayes 5; Nays 0. Motion Passed.

8. New Business:

8.1 Approve Johnson & Anderson 1st Amendment to the Engineering Services Agreement dated 9-17-14 to pump house demolition (BRA) project.
On a motion by Vice Chairman Myers, supported by Commissioner Calender, the Johnson & Anderson 1st Amendment to the Engineering Services Agreement dated 9-17-14 to pump house demolition (BRA) project was approved.
Ayes 5; Nays 0. Motion Passed.

8.2 Approve for Chairman's signature Homrich Inc. Change Order No. 2 for the Pump house demolition, additional work for the water chamber found underneath the basement floor of pump house and to be submitted to the Downriver Community Conference Brownfield Consortium EPA Revolving Loan Fund (RLF). Contingent on BRA approval 4-9-15 (subsequent to the Port Commission meeting, the BRA meeting was rescheduled to 4-23-15).

Original Contract:	\$179,098.00
Change Order #2 Increase:	<u>\$ 29,113.00</u>
Contract Price w/Change Order	\$208,211.00

On a motion by Commissioner Calender, supported by Commissioner Leachman, the Homrich Inc. Change Order No. 2 for the Pump house demolition, additional work for the water chamber found underneath the basement floor of pump house and to be submitted to the Downriver Community Conference Brownfield Consortium EPA Revolving Loan Fund (RLF) was approved contingent on BRA approval 4-9-15 Ayes 4; Nays 0. Motion Passed.

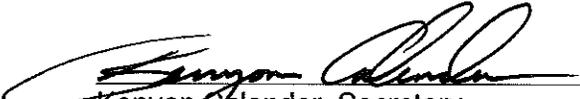
(subsequent to the Port Commission meeting, the BRA meeting was rescheduled to 4-23-15).

- 8.3 Consider Commercial Lease, Lease Termination, License and Option to Lease Agreement with OmniSource Corporation.
Following presentation by Director LaMarre and Attorney Budds, including discussion of a Term Sheet regarding the transaction, on a motion by Vice Chairman Myers, supported by Commissioner Leachman, the Chairman was authorized to sign the Commercial Lease, Lease Termination, License and Option to Lease Agreement and related documents provided the terms of the final agreements are consistent with those terms described in the Term Sheet presented and with the approval of the Port Director and Port Legal Counsel. Ayes 4; Nays 0. Motion Passed.
- 8.4 Consider Lease Development Agreement with DRM/Diversified Residual Management.
Following presentation by Director LaMarre and Attorney Budds, including discussion of a Term Sheet regarding the transaction, on a motion by Commissioner Leachman, supported by Commissioner Calender, the Chairman was authorized to sign the Lease Development Agreement and related documents provided the terms of the final agreements are consistent with those terms described in the Term Sheet presented and with the approval of the Port Director and Port Legal Counsel. Ayes 4; Nays 0. Motion Passed.
- 8.5 Approve Port of Monroe FY16 Operating Budget
On a motion by Vice Chairman Myers, and supported by Commissioner Calender, the Port of Monroe FY16 Operating Budget was approved. Ayes; Nays 0. Motion Passed.
9. Staff Reports:
- Paul C. LaMarre III:
Discussed the status of agreements and discussion with DTE
 - John J. Emig, Jr.
None
 - Matthew D. Budds:
Commented that a renewed Letter of Credit has been renewed relating to OmniSource/Steel Dynamics with a new expiration date of October 1, 2015
Discussed conversation with Jack's Lawn Service's counsel regarding an extension of the interim agreement
10. Other Business that may come before the Port Commission: None
11. Port Commissioners Comment: None

12. Public Comment: None

13. Adjournment: 9:30 p.m.

These minutes are not considered official until approved by the Monroe Port Commission at their next regular scheduled meeting, Wednesday, April 15, 2015.


Kenyon Calender, Secretary

4-15-15
Date