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**Site Selection & Business Development**  
**Alexandria International Airport**

The England Economic and Industrial Development District  
Board of Commissioners

Regular Session  
April 28, 2005

The England Economic and Industrial Development District met in Regular Session at the England Authority Board Room, 1611 Arnold Drive, England Industrial Airpark and Community, Alexandria, Louisiana, on Thursday, April 28, 2005.

There were present: Mr. Wayne Miller, Chairman; Mr. Wayne Denley, Mr. Curman Gaines, Mr. Richard Bushnell, Mr. Martin Johnson, Mr. Charles Waites, Ms. Bridgett Brown, Mr. Mike Tudor.

Absent: Mr. Barron, Mr. Provine

Also present were: Members of the England Authority staff, legal counsel, and members of the public, press and media.

Commissioner Waites gave the invocation and Commissioner Gaines led the Pledge of Allegiance.

England Economic and Industrial Development District was duly convened as the governing authority of said District by Mr. Wayne Miller, Chairman, who then stated that the England Economic and Industrial Development District was ready for the transaction of business.

**CONSENT CALENDAR**

Chairman Miller asked for a motion to approve the consent calendar items 1 – 14 with the exception of item #4 (for further discussion).

Motion by Mr. Johnson, second by Mrs. Brown to approve items 1 through 14. There being no discussion, a vote was called. By unanimous vote, motion carried.

**MOTION TO APPROVE MINUTES FROM THE MARCH 24, 2005 REGULAR BOARD MEETING.**  
Motion by Mr. Johnson, second by Mrs. Brown, to approve Minutes from the March 24, 2005 Regular Board Meeting. On vote, motion carried. 038-2005

**MOTION TO APPROVE PAYMENT OF PROVOSTY BILL FOR THE MONTH OF MARCH, 2005.**  
Motion by Mr. Johnson, second by Ms. Brown, to approve payment of Provosty bill for the month of March, 2005. On vote, motion carried. 039-2005

**MOTION TO APPROVE PAYMENT OF ATTORNEY'S BILL TO THE MUNSTERMAN LAW FIRM FOR THE MONTH OF MARCH, 2005.**  
Motion by Mr. Johnson, second by Ms. Brown, to approve payment of attorney's bill to the Munsterman Law Firm for the month of March, 2005. On vote, motion carried. 040-2005

**MOTION TO AUTHORIZE EXECUTIVE DIRECTOR AND MR. MUNSTERMAN AS LEGAL COUNSEL TO TAKE SUCH ACTION AS IS NECESSARY TO RECOVER MONIES OWED TO THE ENGLAND ECONOMIC AND INDUSTRIAL DEVELOPMENT DISTRICT BY PRIDE FLIGHT SERVICES UP TO AND INCLUDING THE FILING AND PROSECUTION OF A LEGAL SUIT TO COLLECT SAID FUNDS.**

Motion by Mr. Johnson, second by Ms. Brown to authorize Executive Director and Mr. Munsterman as legal counsel to take such action as is necessary to recover monies owed to the England Economic and Industrial Development District by Pride Flight Services up to and including the filing and prosecution of a legal suit to collect said funds. On vote, motion carried. 041-2005

**MOTION TO AUTHORIZE EXECUTIVE DIRECTOR TO EXECUTE RIGHT OF WAY PERMIT WITH CLECO POWER, LLC.**  
Motion by Mr. Johnson, second by Ms. Brown, to authorize Executive Director to execute Right of Way Permit with CLECO Power, LLC. On vote, motion carried. 042-2005

**MOTION TO RATIFY RIGHT OF ENTRY TO INTEGRATED PACKAGING CORPORATION FOR BUILDING #1203 AND AUTHORIZE EXECUTIVE DIRECTOR TO EXECUTE LEASE WITH INTEGRATED PACKAGING CORPORATION FOR BUILDING #1203.**

Motion by Mr. Johnson, second by Ms. Brown to ratify Right of Entry to Integrated Packaging Corporation for Building #1203 and authorize Executive Director to execute lease with Integrated Packaging Corporation for Building #1203. On vote, motion carried. 043-2005

**MOTION TO AUTHORIZE EXECUTIVE DIRECTOR TO EXECUTE LEASE AGREEMENT WITH DELTA BEVERAGE GROUP, INC. FOR BUILDING #606.**

Motion by Mr. Johnson, second by Ms. Brown, to authorize Executive Director to execute lease agreement with Delta Beverage Group, Inc., for Building #606. On vote, motion carried. 044-2005

**MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO EXECUTE AMENDMENT NO. 2 TO THE RIGHT OF USE AGREEMENT BETWEEN THE EEIDD AND UNION TANK CAR COMPANY, SIGNED SEPTEMBER 21, 2004, TO PROVIDE UTLX MANUFACTURING, INC. THE RIGHT TO PERFORM CERTAIN ADDITIONAL CONSTRUCTION WORK ON THE FACILITIES AT THE PLANT SITE, INCLUDING THE LAYING OF CONCRETE CAISSONS FOR BUILDING FOUNDATIONS, THE ERECTION OF A BUILDING (BUILDING C) AND OTHER CONSTRUCTION AND ERECTION WORK, PENDING THE EXECUTION OF THE ACT OF CONVEYANCE.**

Motion by Mr. Johnson, second by Ms. Brown, to authorize the Executive Director to execute Amendment No. 2 to the Right of Use Agreement between the EEIDD and Union Tank Car Company, signed September 21, 2004, to provide UTLX Manufacturing, Inc. the right to perform certain additional construction work on the facilities at the plant site, including the laying of concrete caissons for building foundations, the erection of a building (Building C) and other construction and erection work, pending the execution of the Act of Conveyance. On vote, motion carried. 045-2005

**MOTION TO AUTHORIZE EXECUTIVE DIRECTOR TO SIGN CHANGE ORDER #5 FOR THE TAXIWAY**

CONNECTORS PROJECT.

Motion by Mr. Johnson, second by Ms. Brown, to authorize Executive Director to sign Change Order #5 for the Taxiway Connectors Project. On vote, motion carried. 046-2005

MOTION TO AUTHORIZE EXECUTIVE DIRECTOR TO EXECUTE RENEWAL OPTION FOR THE PROFESSIONAL SERVICES AGREEMENT OF DUDLEY HIXSON FOR PROFESSIONAL INSPECTION AND PROJECT MANAGEMENT SERVICES FOR AEX PASSENGER TERMINAL COMPLEX PROJECT THROUGH APRIL 30, 2006 AT THE SAME TERMS.

Motion by Mr. Johnson, second by Ms. Brown, to authorize Executive Director to execute renewal option for the Professional Services Agreement of Dudley Hixson for professional inspection and project management services for AEX Passenger Terminal Complex project through April 30, 2006 at the same terms. On vote, motion carried. 047-2005

MOTION TO AUTHORIZE EXECUTIVE DIRECTOR TO EXECUTE CONTRACT WITH BARRON, HEINBERG & BROCATO ET AL FOR DESIGN OF NEW WAREHOUSE FACILITY TO REPLACE BUILDING #1315.

Motion by Mr. Johnson, second by Ms. Brown, to authorize Executive Director to execute contract with Barron, Heinberg & Brocato et al for design of new warehouse facility to replace building #1315. On vote, motion carried. 048-2005

MOTION TO AMEND AND RATIFY KAZETTE CONTRACT WITH ENGLAND AUTHORITY FOR DBE SERVICES.

Motion by Mr. Tudor, second by Mr. Gaines to amend and ratify Kazette contract with England Authority for DBE services.

Discussion by Ms. Brown and Attorney John Munsterman, regarding the issue of conflict for legal counsel with the DBE contract and attorney representation Kazette.

On vote, motion carried. 049-2005

ADDITIONS TO AGENDA (BY 2/3 VOTE)

Motion by Ms. Brown, second by Mr. Bushnell to add the following items to agenda:

Motion to direct legal counsel to request an Attorney General's opinion relative to Executive Director Advisory Groups as outlined by counsel attachment to letter.

Motion to authorize the Executive Director to publish in the Town Talk, a Public Notice of the intent of the EEIDD to transfer fee title to certain property owned by it in Sections 31, 32 & 34 Township 4 North, and Range 2 West, Southwest District, Rapides Parish, Louisiana and to take any other action as may be necessary to accomplish this transfer.

Motion to authorize a resolution authorizing the Chairman of the England Authority to enter into a Development & Sale Agreement with the England District Sub-District No. 1 and UTLX Manufacturing, Inc., to construct and operate a rail car manufacturing facility.

By unanimous vote, items were added.

MOTION TO DIRECT LEGAL COUNSEL TO REQUEST AN ATTORNEY GENERAL'S OPINION RELATIVE TO EXECUTIVE DIRECTOR ADVISORY GROUPS AS OUTLINED BY COUNSEL ATTACHMENT TO LETTER.

Motion by Mr. Bushnell, second by Mr. Gaines, to direct legal counsel to request an Attorney General's opinion relative to Executive Director Advisory Groups as outlined by counsel attachment to letter. On vote, motion carried. 050-2005

MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO PUBLISH IN THE TOWN TALK, A PUBLIC NOTICE OF THE INTENT OF THE EEIDD TO TRANSFER FEE TITLE TO CERTAIN PROPERTY OWNED BY IT IN SECTIONS 31, 32 & 34 TOWNSHIP 4 NORTH, AND RANGE 2 WEST, SOTHWEST DISTRICT, RAPIDES PARISH, LOUISIANA AND TO TAKE ANY OTHER ACTION AS MAY BE NECESSARY TO ACCOMPLISH THIS TRANSFER.

Motion by Mr. Bushnell, second by Mr. Gaines, to authorize the Executive Director to publish in the Town Talk, a Public Notice of the intent of the EEIDD to transfer fee title to certain property owned by it in Sections 31, 32 & 34 Township 4 North, and Range 2 West, Southwest District, Rapides Parish, Louisiana and to take any other action as may be necessary to accomplish this transfer. On vote, motion carried. 051-2005

MOTION TO AUTHORIZE A RESOLUTION AUTHORIZING THE CHAIRMAN OF THE ENGLAND AUTHORITY TO ENTER INTO A DEVELOPMENT AND SALE AGREEMENT WITH THE ENGLAND DISTRICT SUB-DISTRICT NO. 1 AND UTLX MANUFACTURING, INC. TO CONSTRUCT AND OPERATE A RAIL CAR MANUFACTURING FACILITY.

Motion by Mr. Bushnell, second by Mr. Gaines, to authorize a resolution authorizing the Chairman of the England Authority to enter into a Development & Sale Agreement with the England District Sub-District No. 1 and UTLX Manufacturing, Inc., to construct and operate a rail car manufacturing facility. On vote, motion carried. 052-2005

Comments by Legal Counsel – None

Comments or Questions by Commissioners – None

Executive Director's Report & Financial Report: - Mr. Grafton will give report at next month's meeting.

Public Comments or Questions – None

There being no further business to come before the Board, meeting was adjourned.

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Wayne Miller, Chairman  
England Economic and Industrial Development District  
Board of Commissioners

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C. E. Provine, Secretary/Treasurer  
England Economic and Industrial Development District  
Board of Commissioners