

**LORAIN PORT AUTHORITY  
Board of Directors  
Regular Board Meeting  
May 14, 2013**

**Board of Directors:** Ms. Carr, Mrs. Cook; Messrs. Brown, Davila, Mullins, Nielsen, Sommers and Williamson, Jr.

**Staff:** Richard M. Novak, Executive Director  
Yvonne Smith, Accountant  
Ralph Bruening, Events Coordinator/Facilities Manager  
Mike Brosky, Legal Counsel

**Guests:** Josh Notley, LoCo'Yaks  
Stephanie Moore, LoCo'Yaks  
Robb Koscho, LoCo'Yaks  
Jim Tomazic - Citizen  
Jessica James - Morning Journal.

1. **Roll Call.** The meeting was called to order at 7:00 p.m. by Chairman, Carl Nielsen with roll call indicating a quorum present.
2. **Disposition of Meeting Minutes:** Disposition of April 9, 2013 Regular Board Meeting Minutes were presented for approval. Motion by Mr. Brown to accept. Support by Mr. Mullins. Motion carried. Disposition of May 1, 2013 Special Board Meeting Minutes were presented for approval. Motion by Mr. Williamson, Jr. to accept. Support by Mr. Mullins. Motion carried.
3. **Executive Director**
  1. Commendation LoCo'Yaks. In attendance this evening is Josh Notley, Stephanie Moore, and Robb Koscho from the LoCo'Yaks. Mr. Bruening indicated that this past November Stephanie Moore from LoCo'Yaks contacted him to do a Black River Clean-up Project along with Robb Koscho and Josh Notley the organizers of this event. They did a fantastic job. Approximately 200 volunteers volunteered for this event. Mr. Novak indicated many families turned out for this event. This event was a great partnership. Ms. Moore stated that six (6) tons of trash was collected. Plans are being developed for next year, involving even more groups and individuals.

Mr. Nielsen presented:

**A RESOLUTION COMMENDING LOCO'YAKS FOR CONDUCTING THE FIRST ANNUAL BLACK RIVER CLEAN-UP 2013.**

Mr. Brown made a Motion to accept Resolution No. 2013-27. Seconded by Ms. Carr. Roll call vote as follows:

Ayes: 8                                      Nays: 0                                      Abstain: 0                                      Resolution passed.

**4. Public Comments.**

Mr. Jim Tomazic spoke his concerns at the Black River Wharf area. Those concerns include dogs not being leashed, owners of the dogs allowing their dogs to defecate and the people living in the woods. Mr. Nielsen recommended these matters be referred to a Committee for research.

No other public comments are presented.

**5. Report of Officers.**

**A. Chairman.**

1. Correspondence received. None.

**B. Executive Director.**

1. Leedco Site Visit. Mr. Novak stated that a few weeks ago a meeting was held with representatives from Leedco. They are involved in constructing and developing the wind turbines on Lake Erie. Representatives were from around the world. They are searching for various sites and locations, touring all of the Ports in northeastern Ohio to see where they could assemble the wind turbines. This is a future project, approximately two (2) years out. The ground work is being done now. Various dock representatives, the City of Lorain and the Ford Plant attended this meeting, going through all the sites that are available. Information is still being gathered to deliver to Leedco. This is a pilot project and the duration would be for approximately four (4) years.

2. Update on East Pier Repairs. Mr. Bruening informed the Board that this Project is almost completed. A walk through was completed this week. All of the caulking has been completed. Terminal Ready Mix has done a great job with this Project.

3. Update on Ferry Terminal Building. Mr. Bruening indicated that this Project is going well. Block has been laid for the foundation. A scrap pile was unearthed at a corner of the building. This needs to be removed due to

the fact that there are some voids present. This will be completed this week and the footers will begin to be poured again.

## 6. Report of Committees

### A. Contract Management Committee.

1. Insurance Consolidation. Mr. Novak stated at the last Board Meeting the Board authorized entering into a Contract with Allen Thorley DeLloyd, subject to allowing Somers to provide a quote. Allen Thorley DeLloyd reviewed all of our policies and consolidated them. With consolidating the policies, there is a reduction from the last meeting with the Board. Somers was not able to provide a quote, therefore, Allen Thorley DeLloyd will be our insurance company. Mrs. Smith and Mr. Novak met with Allen Thorley DeLloyd providing additional information that helped reduce the risk that they thought the Port Authority had by explaining the Port Authority programs, policies and procedures. The price has dropped from \$62,000.00 to \$57,000.00. There is about an \$18,000.00 savings. Traveler's Insurance provides insurance to governmental agencies. Mr. Novak thanked Mr. Mullins for his involvement in this insurance process.

2. City of Huron Agreement. Mr. Novak indicated the Agency has been working with the City of Huron, Ohio on excursions with the Jet Express. The Jet Express would stop in Huron, pick up passengers, travelling to Lorain for more passengers and travel on into Cleveland. Mr. Brosky reviewed the Agreement with Mr. Novak. The Huron passengers will be part of four (4) trips, two (2) Horseshoe Casino trips then two (2) of the Cleveland Browns trips. More than thirty (30) people have signed up for the trip in July. This is an ideal partnership.

Mr. Nielsen presented:

**A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OR HIS DESIGNEE TO ENTER INTO AN AGREEMENT WITH THE CITY OF HURON, OHIO FOR THE PROVISION OF JET EXPRESS EXCURSIONS FROM HURON TO CLEVELAND DURING THE MONTHS OF JULY THROUGH SEPTEMBER 2013.**

Mr. Brown made a motion to accept Resolution No. 2013-28. Seconded by Mrs. Cook. Roll call vote as follows:

Ayes: 8                      Nays: 0                      Abstain: 0                      Resolution passed.

3. Horseshoe Casino Agreement. Mr. Novak stated that the Horseshoe Casino Agreement has not arrived as of yet. The Horseshoe Casino group is working with their legal counsel on this matter. Mr. Brosky has

also put input into this Agreement. Additional discounts provided to passengers are being looked at. For the Casino Trips, dockage in Cleveland will be at the Nautica. Discounts will be provided for the Aquarium and Shooters. This is another good partnership.

4. Ratify Contract with Huffman Black River Landing Dock Improvements. Mr. Bruening indicated that at the last Board meeting the Board approved the Director to enter into a contract with the low bidder, provided legal counsel approval. A ratification of the Contract is needed. The original low bid, Concrete & More, Inc. was a total of \$86,288.25. Unfortunately, that bid had to be rejected due to the fact that one of the forms that were required to be filled out was not incorporated in the bid. The next lowest bidder was Huffman Equipment Rental & Contracting, Inc. for a total of \$89,140.50 for the Contract amount and adding a contingency of \$10,859.50, total Project cost is \$100,000.00.

Mrs. Smith indicated that a correction needs to be made on the Resolution changing the amount from \$10,859.00 to \$10,859.50.

Mr. Brown made a motion to amend the Resolution correcting the .50 error/difference on the Resolution. Seconded by Ms. Carr. Motion carried.

Mr. Nielsen presented:

**A RESOLUTION RATIFYING A CONTRACT WITH HUFFMAN EQUIPMENT RENTAL & CONTRACTING INC. FOR THE BLACK RIVER LANDING SHUTTLE AND RECREATIONAL BOAT DOCK PROJECT, SUBJECT TO LEGAL COUNSEL APPROVAL.**

Mrs. Cook made a motion to accept Resolution No. 2013-29. Seconded by Mr. Davila. Roll call vote as follows:

Ayes: 8                      Nays: 0                      Abstain: 0                      Resolution passed.

5. Accepting Transfer (donation) of Real Estate – 1888 E. 31<sup>st</sup> Street (Former El Centro Office). Mr. Novak indicated this is for informational purposes. This Project is not yet ready. The Agency has partnered with the City of Lorain before. The Agency has worked with the City of Lorain on the Carnegie Library. The City of Lorain has approached the Agency concerning the old El Centro Office on East 31<sup>st</sup> Street, Lorain, Ohio. The City of Lorain would like to turn that structure over to a non-profit organization, a valor type facility dealing with Veterans and other non-profit social functions. The City of Lorain would have to bid this Project but by turning it to the Agency, the Agency would not have to bid. There are issues that need to be taken care, taxes and so forth on that building and we

would want to make sure that we have an environmental review completed of the building before we are involved. This is a future endeavor.

Mr. Novak updated the Board regarding the environmental review, which has been completed for the Carnegie Library. This has been forwarded to the City of Lorain for review. The issue of the sign location in front of the Health and Family Dentistry Building is under review as there were underground storage tanks there in the past. The underground storage tanks have been removed; however, there were no reports associated with them. Mr. Novak thanked Mr. Brown for providing the information to our consultants. There will need to be a Phase II Environmental Review.

Mr. Novak also updated the Board on other Projects we are working on with the City of Lorain as far as environmental. The Brownfield Grant Project is moving forward and working well. This Project is helping partner with the City of Lorain and helping to save money.

**B. Strategic Development Plan Committee – No Report**

**C. Marketing & Public Affairs Committee – No Report**

1. Mr. Bruening stated the Agency received a letter from the American Cancer Society, Relay for Life. This will be their eighth annual fundraiser at Black River Landing to be held on Saturday, July 20, 2013 and Sunday, July 21, 2013. The event begins at noon on July 20<sup>th</sup> and ends at noon on July 21<sup>st</sup>. In the past, we have completely waived fees for the American Cancer Society. Last year, they did pay \$500.00, which was the rental fee for one day of the pavilions and the Board waived the fees for the building the second day. The American Cancer Society would like to ask for a fee reduction. They have offered to \$500.00, again, for the one day's use of the pavilions and would like a fee reduction for the building. Mr. Nielson made a motion for a fee reduction for the building. Seconded by Mr. Sommers. Motion carried.

2. Mr. Bruening discussed a letter from Lorain Growth Corporation, Tourism Committee. They will be hosting a Picnic Pickins fundraiser, Wednesday, May 22, 2013. A waiver has been issued for the Building. Lorain Growth Corporation, Tourism Committee is asking a fee reduction for the boat trips paying in the amount of \$200.00 for three (3) trips. All of the funds for this fundraiser will be applied toward the Tree and Train Display during Christmas in the Transportation Center Building. Their plan is to install train tracks up high in the Transportation Center Building with the cars displaying business names as another fundraiser. Mr. Williamson, Jr. made a motion for a fee reduction for the boat trips. Seconded by Ms. Carr. Motion carried.

3. Mr. Novak reviewed an e-mail received from Lorain County Preservation Network Exhibition. Conversations have been had with Ed Herdendorf. This gentleman is involved with quite a few historical societies around the County. Mr. Herdendorf is asking for a fee waiver for this one-day event. Mr. Brown made a motion to host this event. Seconded by Mrs. Cook. Motion carried.

4. Mr. Novak reviewed a telephone call he received today from Lorain County Community College. They are going to be chartering the Jet Express for a major fundraiser, levy campaign. This will be held August 22, 2013. In case of inclement weather, they would like to reserve the building to continue their function. Mr. Mullins made a motion to waive the building fee for this function. Seconded by Mr. Williamson, Jr. Motion carried.

#### **D. Financial Planning and Audit Committee.**

1 – 2. Bank Reconciliation Report for April 2013 and Financial Statement for April 2013. Mr. Davila stated that Mrs. Smith and he were able to meet and review the Bank Reconciliation Report and Financial Statement for March 2013. These both are in order. Mr. Brown made a motion to accept April 2013 Financial Statements. Seconded by Mr. Sommers. Motion carried.

3. Transfer for Marine Patrol Program. Mrs. Smith stated that the Resolution was omitted in last month's Board Meeting.

Mr. Nielsen presented:

#### **A RESOLUTION TO APPROVE A TRANSFER OF FUNDS FROM THE GENERAL FUND TO A SPECIAL REVENUE (MARINE PATROL) FUND**

Mr. Nielsen made a motion to accept Resolution No. 2013-30. Seconded by Ms. Carr. Roll call vote as follows:

Ayes: 8                      Nays: 0                      Abstain: 0                      Resolution passed.

4. Then and Now Certificate. Mrs. Smith stated this Then and Now encompasses three (3) items: American Fireworks for \$20,000.00, Joseph Russo, Milestone Entertainment (the Band, Almost Queen) \$4,000.00 and Southshore Dredge and Dock, Inc. for putting in and removing the bouys for \$4,832.15.

Mr. Nielsen presented:

#### **A RESOLUTION TO APPROVE APPROPRIATIONS (THEN AND NOW CERTIFICATE) FOR THE LORAIN PORT AUTHORITY.**

Mrs. Cook made a motion to accept Resolution No. 2013-31. Seconded by Mr. Sommers. Roll call vote as follows:

Ayes: 8      Nays: 0      Abstain: 0      Resolution passed.

5. Monthly Audit for April 2013. This was reviewed and is in order.

**E. By-Laws and Personnel Committee – No Report.**

## **7. Other Business**

### **A. Executive Session.**

Mr. Davila made a motion to enter Executive Session for the purpose of discussing pending and imminent litigation. Seconded by Mrs. Cook. Roll call vote as follows:

Ayes: 8      Nays: 0      Abstain: 0      Motion carried.

Ms. Carr made a motion to return to regular session. Seconded by Mrs. Cook. Motion carried.

## **8. Adjournment**

There being no further business to come before the Board, Mr. Brown made a motion to adjourn. Seconded by Mr. Nielsen. Motion carried. The meeting was adjourned at 8:47 p.m.

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Carl Nielsen, Chairman

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Richard M. Novak, Executive Director