

**LORAIN PORT AUTHORITY
Board of Directors
Regular Board Meeting
March 12, 2013**

Board of Directors: Ms. Carr, Mrs. Cook, Mrs. Noland; Messrs. Brown, Davila (7:50 p.m.), Nielsen, Sommers and Williamson, Jr.

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

Guests: None.

- I. **Roll Call.** The meeting was called to order at 7:02 p.m. by Chairman Carl Nielsen with roll call indicating a quorum present.
- II. **Disposition of Meeting Minutes:** Disposition of February 12, 2013 Regular Board Meeting Minutes were presented for approval. Motion by Mr. Williamson, Jr. to accept. Support by Mr. Sommers. Motion carried.
- III. **Report of Officers.**
 - A. **Chairman.**
 1. Correspondence received. None.
 - B. **Executive Director – Richard Novak.**
 1. Mr. Novak discussed the new version of the Agenda by making some adjustments to the old Agenda. This revision was completed based upon comments received from some of the Board Members. It was brought to his attention that there was some confusion as to the way the meetings were being run. He reviewed the Cleveland Port's Agenda and we are now mirroring their format. Committee meetings will still be held.
 2. Mr. Novak also discussed the Great Lakes Maritime Task Force 2012 Annual Report. He indicated that dredging is a very important aspect. Lorain's Port is about two (2) feet down. We are not on the list to have dredging this year. Originally we were on the list but because of the budget situation, they went to higher priority Ports. Our Port will be on the schedule next year. The dredging here will go from the Henderson Bridge to the upper turning basin by the Steel Plant.

3. Mr. Novak further discussed the Corps of Engineers. He explained that we have a Lease with the Army Corps of Engineers, a Recreational Lease for the pier, for the utilization of the pier. This Lease is \$16,000.00 per year. Generally instead of making direct payments to the Corps, we perform offset tasks that equal our required payments. The Corps of Engineers is now requesting us to zero out our account every year with our offsets.

4. In addition to the above, Mr. Novak stated that the Brownfield Grant is moving forward. Our Quality Assurance Project Plan was submitted to the U.S. EPA. Testing and testing procedures are reported when projects need to be done. Target areas are also discussed. The target area is 28th Street and Pearl Avenue, which is being put together. Mrs. Cook questioned if the Brownfield Grant covered demolition and Mr. Novak indicated no but the City would do the clean-up.

5. Mr. Novak stated the discussions have been continuing with the Nautica Stage group concerning the Jet Express. Dockage was discussed along with discounts for other establishments. The internal marketing program has begun, which includes speeches. Mr. Novak announced that we are going to partner with the City of Huron picking up additional riders.

IV. Report of Committees.

A. Contract Management Committee.

1. Authorization to advertise for bids. Black River shuttle and Recreational Boat Dock Project. *Staff Presenter:* Ralph Bruening. Mr. Bruening stated that River Tour trips utilize the Black River Landing dock. Recent drops in water levels have made it difficult to dock and passengers to board. The dock on the river on the East side is no longer usable. After discussions with our Project Engineer, it was determined that concrete docks should be installed at Black River Landing. This will allow better access to the shuttle boats for passengers as well as handicapped passengers. The estimate for this Project is \$106,286.00. Mr. Bruening would like to ask Board approval to go out for bid on this Project. Mr. Novak added that we pursued a Grant last year, but the Office of Coastal Management changed the priorities after the Grant applications had been submitted. They were no longer doing public improvements, they were focusing on cleaning up the water quality in Lake Erie dealing with algae blooms.

Mr. Nielsen presented:

A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OR HIS DESIGNEE TO ADVERTISE FOR BIDS FOR THE BLACK RIVER LANDING SHUTTLE AND RECREATIONAL BOAT DOCK PROJECT.

Mr. Cook made a motion to accept Resolution No. 2013-15. Seconded by Mr. Nielsen. Roll call vote as follows:

Ayes: 7 Nays: 0 Abstain: 0 Resolution passed.

2. Authorization to advertise for bids. East Pier Brick Repair Project. *Staff Presenter:* Ralph Bruening. Mr. Bruening stated this Project is to repair the damage caused by Hurricane Sandy in October 2012. We will be replacing the brick with color concrete. The unofficial estimate will be under \$60,000.00.

Mr. Nielsen presented:

A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OR HIS DESIGNEE TO ADVERTISE FOR BIDS FOR THE REPAIRS TO THE BRICKWORK PROJECT ON THE EAST PIER.

Mr. Brown made a motion to accept Resolution No. 2013-16. Seconded by Mrs. Noland. Roll call vote as follows:

Ayes: 7 Nays: 0 Abstain: 0 Resolution passed.

B. Strategic Development Plan Committee. No report.

C. Marketing & Public Affairs Committee.

1. Fee Waiver – Lorain Growth Corporation Tourism Committee. *Staff Presenter:* Ralph Bruening. Mr. Bruening indicated all of the funds are going back into the Tree and Train Display. Mr. Brown made a motion to waive the fee for Lorain Growth Tourism Committee to be held May 22, 2013 for the Picnic Pickins' Fundraiser. Seconded by Mr. Sommers. Motion carried.

D. Financial Planning & Audit Committee. *Staff Presenter:* Yvonne Smith.

1. Bank Reconciliation Report for January and February 2013 and Financial Statement for January and February 2013. Mrs. Smith indicated that she and Mr. Davila were able to go over the bank reconciliations for January 2013 and February 2013. Mr. Williamson, Jr. made a motion to accept January 2013 and February 2013 Financial Statements. Seconded by Ms. Carr. Motion carried.

2. Then and Now Certificate. None.

3. Monthly Audit for December 2012, January and February, 2013. Mrs. Smith indicated that she and Mr. Davila were able to review the expenditures. Mr. Davila was satisfied.

4. Budget Amendment. Mrs. Smith indicated the only change in the Budget Amendment is with the Brownfield Grants on Special Revenue. This Grant is actually two (2) Grants. One for hazardous waste and one for petroleum. This needs to be split out into two separate funds. Each expenditure is required to be very clear as to which fund is being charged.

Mr. Nielsen presented:

A RESOLUTION RATIFYING EXPENDITURES AND AUTHORIZING THE EXECUTIVE DIRECTOR TO REVISE THE 2013 OPERATING BUDGET, TRANSFER AND APPROPRIATE FUNDS AND REQUEST AN AMENDED CERTIFICATE OF ESTIMATED RESOURCES FROM THE COUNTY AUDITOR.

Mr. Sommers made a motion to accept Resolution No. 2013-17. Seconded by Mrs. Noland. Roll call vote as follows:

Ayes: 7 Nays: 0 Abstain: 0 Resolution passed.

E. ByLaws and Personnel Committee. No report.

V. Other Business – Executive Session.

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

Ayes: 7 Nays: 0 Abstain: 0 Motion carried.

Mr. Williamson, Jr. made a motion to return to regular session. Seconded by Mr. Sommers. Motion carried.

VI. Adjournment

There being no further business to come before the Board, Mr. Davila made a motion to adjourn. Seconded by Ms. Carr. Motion carried. The meeting was adjourned at 7:59 p.m.

Nielsen, Chairman

Rick Novak, Executive Director