

**LORAIN PORT AUTHORITY
Board of Directors
Regular Board Meeting
February 14, 2017**

Board of Directors: Ms. Carr, Mrs. Cook; Messrs. Bansek, Davila, Mullins, Nielsen and Zellers

Staff: Rick Novak, Executive Director
Yvonne Smith, Accountant
Tiffany McClelland, Economic Development Specialist
Mike Brosky, Esq.

Guests: Rick Payerchin, Morning Journal
Gail Bonsor
Bessie Nelson
Dennis Flores
Tom Brown, Executive Director Elect
Scott Ross, Shuttle Boat Captain
Susan Scott, Shuttle Boat Captain

- I. **Roll Call.** The meeting was called to order at 7:00 p.m. by Chairman Carl Nielsen with roll call indicating a quorum present.
- II. **Disposition of Meeting Minutes:** Disposition of January 10, 2017 Regular Board Meeting Minutes were presented for approval. Motion to accept the Minutes by Mr. Mullins. Support by Ms. Carr. Motion carried.
- III. **Report of Officers.**

A. Chairman

1. Correspondence received – Lorain Arts Council letter. Mr. Nielsen stated this is to be given to the Marketing & Public Affairs Committee for discussion.
2. Letter from National Council of Negro Women, Inc. for a building fee waiver for their May 6, 2017 meeting. Mr. Davila made a Motion to extend a waiver for the building fee for this organization. Seconded by Mrs. Cook. Motion carried.
3. Letter from Lorain Lighthouse Foundation – 100th Celebration on July 19, 2017 Building Fee Waiver. Motion to extend a waiver for the building waiver made by Ms. Carr. Seconded by Mr. Mullins. Motion carried.
4. Lorain Growth Corporation Letter for Brewfest Site Deposit Fee Waiver. Mr. Nielsen suggested the Lorain Port Authority partner with this group and

donate the site instead of a waiver. Mr. Mullins made a motion to donate the sight thereby sponsoring the event. Seconded by Mr. Bansek. Motion carried.

5. Lorain Growth Corporation Tourism Committee Letter for a building fee waiver for the Cabela's Fish Tournament. Mr. Bansek made a Motion to waive the building fee. Seconded by Ms. Carr. Motion carried.

B. Executive Director.

1. ODNR Submerged Land Lease Replacement Lease. Mr. Novak stated this will remain \$1.00 for the next 50 years unless the use in that area changes. Mr. Novak stated this is public use, which includes the parking lot, the beach area and the open water area.

Mr. Nielsen presented:

A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OR HIS DESIGNEE TO FILE A LAKE ERIE SUBMERGED LAND REPLACEMENT LEASE APPLICATION WITH ODNR FOR THE DIKED DISPOSAL SITE AREA AND TO ENTER INTO ASSOCIATED AGREEMENTS PERTAINING TO SAID LEASE.

Ms. Carr made a Motion to accept Resolution No. 2017-05. Seconded by Mr. Mullins. Roll call vote as follows:

Ayes: 7 Nays: 0 Abstain: 0 Resolution passed

2. Port Maritime Study. Mr. Novak stated this pertains to the meetings Mr. Brown and he attended in Columbus. Mr. Novak further stated this study will help to pass levies and shows what is done at the Lorain Port Authority. Ms. Carr made a motion to have the amount of \$10,000.00 earmarked for publishing this study. Seconded by Mrs. Cook. Motion carried.
3. Kelley's Island Ferry Boat Project. Mr. Novak stated a meeting has been scheduled with ODOT this Friday, February 17, 2017 at the District Office in Ashland.
4. ODNR Coastal Management Grant. Mr. Novak stated following a meeting with ODNR, the Port was encouraged to submit a full application for an ODNR pre-application that was previously submitted in December not approved to move forward to full application. This full application needs a resolution and was already submitted by the February 3rd deadline.

Mr. Nielsen presented:

A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OR HIS DESIGNEE TO FILE AN APPLICATION WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES OFFICE OF COASTAL MANAGEMENT FOR THE OHIO COASTAL MANAGEMENT ASSISTANCE GRANT PROGRAM.

Ms. Carr made a Motion to accept Resolution No. 2017-06. Seconded by Mr. Bansek. Roll call vote as follows:

Ayes: 7 Nays: 0 Abstain: 0 Resolution passed

Mr. Novak wished to advise the Board that Frost, Brown is working with Agency on the Capital Lease Transaction concerning Clover Properties. This is the Project located on the West Side behind the former K-Mart. The overall fee was \$20,000.00 that was presented earlier that included putting the lease together and other discussions with Clover. Mr. Mullins made a Motion to approve Capital Lease Transaction for Clover properties in Lorain. Seconded by Ms. Carr. Motion carried.

Mr. Novak stated we are continuing to work with Camaco on the TIF. Motion to approve TIF by Ms. Carr. Seconded by Mr. Mullins. Motion carried.

IV. Report of Committees.

A. Contract Management Committee – At the last Contract Management Committee Meeting, Mr. Novak explained that the Stocker Foundation was willing to contribute \$1,000.00 toward the Cabela's Tournament, however, an Agreement needs to be executed. Mr. Novak further stated the Committee approved it and he now needs the authority to execute the Agreement. Mr. Novak further explained that the funds may not be used for political purposes, etc. Mrs. Cook made a motion to allow Mr. Novak to execute the Agreement. Seconded by Mr. Mullins. Motion carried.

Mr. Novak explained the TPI Gas Supplier Agreement was presented to the Contract Committee and it was decided to maintain TPI as the Supplier for the next three (3) years. Mr. Mullins made a Motion to lock in the natural gas rates for the next three (3) years with Aguria. Seconded by Ms. Carr. Motion carried.

Ms. McClelland stated the Naturalist Agreements are procedural for the Agency. Ms. McClelland further stated these Agreements are on an as needed basis.

Mr. Nielsen presented:

A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OR HIS DESIGNEE TO ENTER INTO AN INDEPENDENT CONTRACTOR AGREEMENT WITH INDEPENDANT

NATURALISTS RELATIVE TO THE CONDUCT OF NATURE TOURS UTILIZING THE SHUTTLE BOATS.

Ms. Carr made a Motion to accept Resolution No. 2017-07. Seconded by Mr. Mullins.
Roll call vote as follows:

Ayes: 7 Nays: 0 Abstain: 0 Resolution passed

Mr. Scott Ross and Ms. Susan Scott were in attendance at this evening's Board Meeting and gave a speech introducing themselves and discussing a plan for this year's shuttle boats.

Ms. McClelland stated the Murray Ridge Agreement is procedural. This Agreement is from May through October and during the summer months their garbage pick-up is twice per week. Ms. McClelland stated that Murray Ridge will pick up other days depending upon site activities necessity.

Mr. Nielsen presented:

A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OR HIS DESIGNEE TO ENTER INTO A CONTRACTUAL AGREEMENT WITH THE MURRAY RIDGE PRODUCTION CENTER, INC. FOR THE GENERAL CLEAN-UP OF LITTER AND DEBRIS GROUNDS SERVICES FOR PROPERTIES OWNED BY THE LORAIN PORT AUTHORITY.

Mr. Bansek made a Motion to accept Resolution No. 2017-08. Seconded by Mr. Davila.
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 –

Mr. Nielsen presented:

A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OR HIS DESIGNEE TO ENTER INTO A CONTRACT WITH AMERICAN FIREWORKS FOR PROVISION OF PROFESSIONAL PYROTECHNICAL SERVICES FOR THE JULY 1, 2017 FIREWORKS.

Mr. Bansek made a Motion to accept Resolution No. 2017-09. Seconded by Mrs. Cook.
Roll call vote as follows:

Ayes: 7 Nays: 0 Abstain: 0 Resolution passed

Mr. Bansek stated a proposal has been presented to the Agency from Maximum Velocity for the replatforming of the website. This was recommended to proceed with a not to exceed dollar amount of \$10,000.00. This investment will also be a shift to a new hosting entity, which will result in a hosting fee savings of roughly \$250.00 per month.

Mr. Nielsen presented:

A RESOLUTION AUTHORIZING THE CONTINUATION OF THE AGENCY'S BUILDOUT OF ITS WEBSITE WITH MAXIMUM VELOCITY, LLC.

Ms. Carr made a Motion to accept Resolution No. 2017-10. Seconded by Mr. Mullins. Roll call vote as follows:

Ayes: 7 Nays: 0 Abstain: 0 Resolution passed

Ticketing Update. Mr. Davila made a Motion to accept Zozi for ticketing. Seconded by Ms. Carr. Motion carried.

Lorain High School Class Sponsor 2017. Mr. Brown suggested Mr. Novak's name be attached to the sponsorship. Mr. Nielsen suggested this matter be referred to the Marketing & Public Affairs Committee.

D. Financial Planning and Audit Committee –

January 2017 Financials. Ms. Smith reviewed the financials with the Board. Mr. Mullins made a Motion to accept the January 2017 Financials. Seconded by Ms. Carr. Motion carried.

2017 Permanent Budget:

Mr. Nielsen presented:

A RESOLUTION MAKING PERMANENT APPROPRIATIONS OF THE LORAIN PORT AUTHORITY FOR CALENDAR YEAR 2017.

Ms. Carr made a Motion to accept Resolution No. 2017-11. Seconded by Mr. Bansek. Roll call vote as follows:

Ayes: 7 Nays: 0 Abstain: 0 Resolution passed

Then & Now Certificate – None.

E. ByLaws and Personnel Committee – Mrs. Cook stated the ByLaws and Personnel Committee approved and is sending to the Regular Board the salary adjustment of 3% raise for Richard M. Novak retroactive to January 1, 2016. Mr. Mullins

made a Motion to put into effect retroactive pay for Mr. Novak to January 1, 2016 of 3%.
Seconded by Ms. Carr. Motion carried.

V. Public Comments – None.

VI. Other Business.

Ms. Carr made a Motion to enter Executive Session for the purpose of discussing Economic Development and Property Disposition. Seconded by Mr. Mullins. Roll call vote as follows:

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

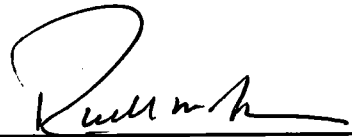
Motion by Mr. Nielsen to exit Executive Session. Seconded by Ms. Carr. Motion carried.

VII. Adjournment.

There being no further business to come before the Board, Mr. Mullins made a Motion to adjourn. Seconded by Ms. Carr. Motion carried. The meeting was adjourned at 9:13 p.m.



Carl Nielsen, Chairman



Rick Novak, Executive Director