

**LORAIN PORT AUTHORITY
Board of Directors
Regular Board Meeting
June 13, 2017**

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

Staff: Tom Brown, Executive Director
Yvonne Smith, Accountant
Tiffany McClelland, Economic Development Specialist
Kelsey Leyva, Office Manager
Mary Patton, Lorain Port Authority Intern

Guests: Rick Payerchin, Morning Journal
Dennis Flores, Lorain Second Ward Councilman
Gerald W. Phillips, Concerned Citizen
Reese Dunton, Lorain County Community Development
Sylvia DuVall, Lorain County Section, National Council of Negro Women
Marlene Duffy, Lorain County Section, National Council of Negro Women
Hari Chandra, Full Circle Technologies
Chandra Pillai, Full Circle Technologies
John Frank, Full Circle Technologies

I. Roll Call

The meeting was called to order at 7:00 p.m. by Chairman Brad Mullins with roll call indicating a quorum present.

II. Disposition of Meeting Minutes

Disposition of the April 11, 2017, Regular Board Meeting Minutes were presented for approval. Mr. Zgonc moved to accept the minutes. Ms. Carr seconded the motion. Motion carried unanimously.

III. Report of Officers

A. Chairman

1. Correspondence received: None.

B. Executive Director

1. Lorain County Section, National Council of Negro Women. Mr. Brown explained he asked Ms. Duvall and Ms. Duffy to attend and said their group has done a lot for the Lorain Port Authority over the last 10 years. Most recently the group dedicated a flag pole and purchased hanging baskets. The Lorain Port Authority wanted to say thank you and created a Resolution to do so.

Mr. Mullins presented:

A RESOLUTION RECOGNIZING AND COMMENDING THE LORAIN COUNTY COUNCIL OF NEGRO WOMEN FOR ALL THAT THEY DO IN OUR COMMUNITY AND FOR THEIR GENEROUS CONTRIBUTIONS TO THE BEAUTIFICATION OF BLACK RIVER LANDING.

Mr. Nielsen moved to accept Resolution No. 2017-30. Seconded by Mr. Davila.
Roll call vote as follows:

Ayes: 9 Nays: 0 Abstain: 0 Resolution passed

IV. Executive Session

Ms. Carr moved to enter executive session to discuss property disposition. Mr. Bansek seconded the motion. Motion passed unanimously.

Mr. Davila moved to exit executive session. Ms. Carr seconded the motion. Motion carried unanimously.

V. Report of Committees

Mr. Mullins and Ms. Carr have discussed reworking existing committees and adding additional committees on a temporary basis. Plan to work with Mrs. Cook to follow Bylaws. Hope to introduce new committees and members at July board meeting.

A. Contract Management Committee

1. Mr. Mullins had nothing to report.

B. Strategic Development Plan Committee

1. Ms. Carr said she anticipates a meeting in the near future to discuss the executive session presentation. She also said she and

Mr. Brown have a couple of other projects that will soon be coming through the committee.

C. Marketing and Public Affairs Committee

1. Mr. Bansek had nothing to report.
2. Cabela's Tournament report: Mr. Brown commended the Lorain Port Authority staff and board for their volunteer efforts and described Cabela's as "organized chaos." He said Cabela's and the National Walleye Federation couldn't have been happier and it was a very successful tournament, yielding 4,840 pounds of fish the first day and 4,100 on day two. Mr. Zellers said the tournament was phenomenal and was proud of Lorain and the Port Authority. Mr. Mullins said he believed the tournament was the type of event that can draw other opportunities to Lorain.
3. Rockin' on the River report: Mr. Brown said the concert series is in its fourth week and is doing quite well. He believes attendance numbers have been up. Bob Early is happy. Still working to ensure site is ready. Coming to the life-end of the stage top. Designed to last about 10 years and we're there. Plans to put together some proposals from architects to bring to the board. Then work through the Strategic Committee. Wants to look at something more permanent. Spend a lot of money with maintenance, including putting it up and taking it down the vinyl. Mr. Brown believes the Port Authority has proved it can attract different types of acts. NOPEC has expressed interest in locating funding for the proposal. Mrs. Cook asked if the new stage top would be larger and Mr. Brown said it likely would be larger, but it will be left up to experts.
4. Rick Novak Way report: Mr. Brown said Rick Novak and his family were very appreciative and happy. A resolution will likely be presented at the July 18, 2017, Board of Directors meeting to make the addition official. Mr. Brown thanked all those who attended Rick's retirement party and wished him well.
5. Ohio EPA Meeting report: Mr. Brown said he has been attending meetings with an Ohio EPA representative, representatives from different Ports and two men who are studying dredge reuse materials. They are looking to fund or get funding for beneficial

reuse of dredging material. Mr. Brown said this will be important to the Lorain Port Authority and other Ports because by 2020 the EPA is mandating no open-lake dumping. He said he attended a workshop about two weeks ago in Cleveland and he recently received emails from a gentleman with Cornell University and a gentleman with the University of Buffalo who want to have more meetings with Lorain to discuss it being included in the study.

6. American Great Lakes Port Association meeting: Mr. Brown said he and Ms. McClelland plan to attend the meeting on July 11, 2017, which would be the next scheduled board meeting. Mr. Brown requested the date of the next meeting be changed to July 18, 2017.
7. Medical Marijuana Facility: Mr. Brown said he was asked to write a letter of support regarding the Medical Marijuana Facility that wants to move into an industrial park in Lorain. Mr. Brown said he thinks this is a very important project and that if the company receives its license, it could bring another green technology to Lorain and wake up an industrial park. He asked for the board's approval before composing the letter. Mrs. Cook said she doesn't go for marijuana. Mr. Nielsen voiced his support of Mr. Brown composing a letter and moved to approve Mr. Brown's request. Mr. Bansek seconded the motion. The motion passed unanimously.
8. Educational Boat Excursion rates: Ms. McClelland reminded the board of the May 9, 2017, regular Board of Directors meeting when the private tour rates were adjusted. She explained the Lorain Port Authority is often approached by children's educational groups that want to take excursions, and in the past the Port Authority has granted discounts to allow the children to get out on the water. Special circumstances such as this were not discussed when the private tour rates were adjusted, so Ms. McClelland requested a resolution be passed to clarify that Mr. Brown or his designee has the authority to adjust the private tour rates.

Mr. Mullins presented:

A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OR HIS DESIGNEE TO ESTABLISH ALTERNATE RATES FOR EDUCATIONAL BOAT TOURS.

Ms. Carr moved to accept Resolution No. 2017-31. Seconded by Mr. Zgonc.
Roll call vote as follows:

Ayes: 9

Nays: 0

Abstain: 0

Resolution passed

9. Exercise Class Partnership: Ms. McClelland explained she met a woman, Annette Jackson, who provides aerobics classes. Ms. McClelland said she had met with a couple of different organizations to discuss the possibility of offering exercise classes or activities during the week at Black River Landing. The goal is to expand the use of Black River Landing, especially on weekdays. Mercy Parish Nursing is offering to pay for the instructor, provide the equipment, set up and provide classes twice a week from 9:30 to 10:30 a.m. on Mondays and Wednesdays from June 19, 2017, through the month of July. Ms. McClelland said the organization would like to expand their offerings in the future. She said she believes this is a great way to bring people down to Black River Landing. Mr. Mullins said liability is always a concern. Ms. McClelland explained Mercy Parish Nursing takes care of that with waivers. Mr. Brown said the walking trails at Black River Landing are utilized by more people each day. He said he hopes the aerobics class brings other activities to the site. Mr. Zellers said he would like Mike Brosky to weigh in on the partnership. Ms. McClelland explained the arrangement with Mercy Parish is similar to the partnership with Brewfest. Mr. Mullins said he believed the waiver distributed by Mercy Parish should include the Lorain Port Authority. Ms. McClelland said she would check with Mercy Parish to ensure the Port Authority is included on the waiver and/or the insurance. Mr. Brown said the resolution would be sent to Mike Brosky for review. Classes will take place on the stage, but the goal is to increase the class size to where the instructor is on the stage and the group is on the grass below.

Mr. Mullins presented:

A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OR HIS DESIGNEE TO ENTER INTO A PARTNERSHIP WITH MERCY PARISH NURSING TO PROVIDE EXERCISE CLASSES AT BLACK RIVER LANDING, PENDING LEGAL AND INSURANCE APPROVAL.

Mr. Zellers moved to accept Resolution No. 2017-32. Seconded by Ms. Carr.
Roll call vote as follows:

Ayes: 9

Nays: 0

Abstain: 0

Resolution Passed

10. Tall Ships: Ms. McClelland reported the Tall Ships will be stopping in the Lorain Harbor August 4-7, 2017. Mr. Mullins asked if the visit included any financial responsibility. Ms. McClelland said she is trying to get in contact with them and knows the Lorain Harbor is on their schedule. At this time, Ms. McClelland doesn't believe there is any financial obligation, but explained an agreement will have to be crafted and signed. She said the ships are currently traveling, which makes them harder to contact. Last year, the only expenses associated with the visit was the hookup, which include water and electricity. Volunteers are also welcomed.

D. Financial Planning and Audit Committee

1. May 2017 Bank Reconciliation Report: Mrs. Smith said the committee didn't have a chance to meet due to time constraints, so the report is not yet ready.
2. May 2017 Financial Statements: Mrs. Smith explained the Lorain Port Authority received two refunds of real estate taxes. The first was the parcel Spitzer Marina paid for from 2007 to 2016 for a total of \$288,336.17. The second parcel was paid for by the Port Authority from 2012 to 2016 in the amount of \$2,437.12. Ms. Smith explained she has a budget amendment which will allow the Port Authority to make the payment to Spitzer Marina because it wasn't initially included in the budget. Ms. Carr moved to accept the May financials. Mr. Zgonc seconded the motion. Motion passed unanimously.
3. Then and Now: Mrs. Smith explained there are two, including purchase order 113-2017 and 114-2017, to South Shore Dredge and Dock. One was for the docks and one was for the buoys. Both were for \$5,600 each, equaling a total of \$11,200. Mr. Brown explained the board approved the contract on a Tuesday night, he called the next day to order the work and neglected to request a purchase order. Mrs. Smith added she was also out of the office during the same time frame.

Mr. Mullins presented:

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

Mr. Nielsen moved to accept Resolution No. 2017-33. Seconded by Mr. Zellers.
Roll call vote as follows:

Ayes: 9 Nays: 0 Abstain: 0 Resolution Passed

4. Budget Amendment: Mrs. Smith said there are two items of note in the general fund, both of which are refunds of real estate taxes paid on Lorain Port Authority properties for multiple years. One refund was for \$2,437.12 and was paid by the Port Authority. The other refund was for \$288,336.17 and was paid by Spitzer Marina. In expenditures, the \$2,437.12 will go into the shuttle boats account because the vessels need a little more attention this year. The \$288,336.17 was added as a new line item so Mrs. Smith can pay Spitzer Marina.

Mr. Mullins presented:

A RESOLUTION RATIFYING EXPENDITURES AND AUTHORIZING THE EXECUTIVE DIRECTOR TO REVISE THE 2017 OPERATING BUDGET, TRANSFER AND APPROPRIATE FUNDS AND REQUEST AN AMENDED CERTIFICATE OF ESTIMATED RESOURCES FROM THE COUNTY AUDITOR.

Mr. Zellers moved to accept Resolution No. 2017-34. Seconded by Mr. Nielsen.
Roll call vote as follows:

Ayes: 9 Nays: 0 Abstain: 0 Resolution Passed

E. Bylaws and Personnel Committee

1. Mrs. Cook had nothing to report.

VI. Other Business

- A. Ms. Carr mentioned a meeting between she, Mr. Mullins, Mrs. Smith and Mr. Brown about creating a temporary committee for grounds, maintenance and capital improvements. She said the point of the committee would be to work with staff to look at the different projects that are needed at the Port Authority's various properties and prioritizing projects and grants. Ms. Carr said everything would flow through the

committee before being presented to the board. According to the bylaws, the board has the authority to create a committee or sub-committee and doesn't require any amendments to the bylaws, unless the board later decides to make the committee permanent. Ms. Carr said she thinks it would be beneficial to create the committee, let it operate for a year or two and then decide whether it should be made permanent. Mr. Mullins said a driving force behind the desire to create a new committee is the fact that some of our facilities are aging and see some pretty large capital expenditures coming up. He said he thinks it's a proactive approach to tie in what they want from the business plan to the execution of the committees to get projects done. Mr. Zellers said he thought the creation of a new committee was a great idea and moved to create the Grounds, Maintenance and Capital Improvements Committee for a one-year period. Seconded by Mr. Bansek. The motion passed with eight ayes and one nay by Mr. Zgonc. He said he believed there were already enough committees to handle the grounds, maintenance and capital improvements.

- B.** Mr. Nielsen explained a customer approached him and said the Transportation Center bathroom needs repaired. Mr. Brown said the bathroom is repaired nearly every week, and added that he believes a main cause of the issue is people flushing paper towels and other large items. Repairs were ordered.
- C.** Mr. Zgonc asked if a thank you letter had been sent to the Lorain County Commissioners for their support. Mr. Brown said a letter had not yet been sent, but a thank you letter including details about the ongoing activities offered by the Lorain Port Authority would be crafted and sent. Mr. Zgonc also thanked Ms. McClelland for her efforts to replace a flagpole plaque.

VII. Public Comments

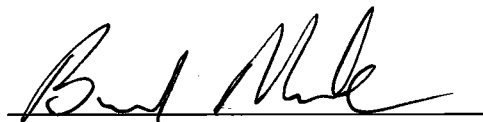
- A.** Lorain Councilman Dennis Flores said he toured the Camaco expansion area and noticed concrete blocks near Access Road. Mr. Flores also noticed trailers lined up on the road. He asked if the concrete blocks were the cutoff for the Camaco property. Mr. Brown explained the property was entirely city owned and the concrete blocks are used by the city. Mr. Flores then asked about the Lorain County Metro Parks and discussions about their bike path. Mr. Nielsen said those discussions are between the City of Lorain and the Metro Parks. Mr. Brown said the Port Authority previously discussed grant opportunities with the Metro Parks, but those did not come to fruition. Mr. Brown then added that discussions with Metro

Parks Executive Director Jim Ziemnik about bringing the biking paths to Black River Landing would be ongoing.

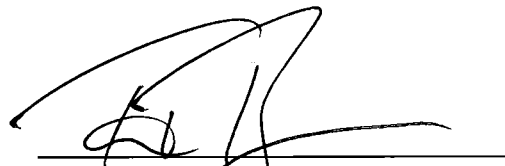
- B.** Gerald Phillips, of Avon Lake, explained he has been a taxpayer for 34 years and felt it important to inform the board of a disturbing event and circumstance. On June 26, 2017, a group of concerned, like-minded individuals in Lorain County contacted the Rockin' on the River concert series to have an information booth. MR. Phillips said the group filled out an application and paid the associated fee to be able to disseminate information about different issues. Specifically, the issues were: sales tax, ballot access for the Libertarian party, the coming charter and the decriminalization of marijuana. Mr. Phillips said he and the other members of the group showed up at 4 p.m., spoke with Bob Earley and were allegedly told the Lorain County Commissioners didn't want the group involved. Phillips said Earley ignored the check and contract, and mentioned Tom Brown as well as County Commissioner Matt Lundy during the discussion. Phillips said this needs to be addressed and it will not go away.

VIII. Adjournment

Ms. Carr moved to adjourn. Seconded by Mr. Davila. Motion passed unanimously. The meeting adjourned at 9:10 p.m.



Brad Mullins, Chairman



Tom Brown, Executive Director