

**LORAIN PORT AUTHORITY
Board of Directors
Regular Board Meeting
February 12, 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, Esq.

Guests: Rick Payerchin, The Morning Journal

- I. **Roll Call.** The meeting was called to order at 7:08 p.m. by Chairman Carl Nielsen with roll call indicating a quorum present.
- II. **Disposition of Meeting Minutes:** Disposition of January 17, 2013 Special Board Meeting Minutes were presented for approval. Motion by Mrs. Cook to accept. Support by Mr. Brown. Motion carried. Disposition of January 8, 2013 Regular Board Meeting Minutes were presented for approval. Motion by Mr. Brown to accept. Support by Mr. Williamson, Jr. Motion carried.
- III. **Report of Officers.**
 - A. **Chairman.**
 1. Correspondence received. Letter received from "P. M." Mr. Novak explained that the citizen expressed concern about the lack of parking at Black River Landing. Motion by Tom Brown to receive and file. Seconded by Ms. Carr. Motion carried.
 2. Resolution of Commendation – Doug Miles.

Mr. Nielsen presented:

A RESOLUTION COMMENDING DOUGLAS MILES FOR HIS OUTSTANDING SERVICE, DEDICATION AND COMMITMENT TO THE LORAIN PORT AUTHORITY.

Mr. Brown made a motion to accept Resolution No. 2013-10. Seconded by Mr. Mullins. Roll call vote as follows:

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

3. Letter of Appointment – Connie Carr. Letter of appointment from Mayor Ritenauer for Connie Carr. Mr. Novak added Ms. Carr had the Oath of Office administered earlier this evening. Letter was received and filed.

4. Letter of reappointment – Roberto Davila. Letter of reappointment from Mayor Ritenauer for Roberto Davila. Letter was received and filed.

B. Executive Director – Richard Novak.

1. Independent Naturalist Agreement, Independent Contractor Agreements with Ship Captains re: Shuttle Boats and Agreement with Port of Lorain Foundation, Inc. re: Shuttle Boat Service to the Lorain Lighthouse. Mr. Novak stated that these Agreements are Agreements that have been approved over the past several years. The Naturalists Agreement is one in which a Naturalist from Lorain County MetroParks provides information during the river tours. This past year we did not have the need to use a Naturalist – the Captains are doing a fantastic job pointing out all the nature along the cruise. A few groups do request a Naturalist, therefore, the need for an Agreement. The next Agreement is the Ship Captain's Agreement. We currently have seven (7) Captains, possibly losing one but picking up another one. They are paid \$20.00 per hour. Tom Kern is our Head Captain who does a wonderful job. He is paid \$22.00 per hour. Most bring in business. The last Agreement is with the Port of Lorain Foundation. This is a renewal of the Agreement we have had with them. We provide the Shuttle services to the Lighthouse, we split the fees. It is \$20.00 to go out to the Lighthouse, we each collect \$10.00 a piece. It is fundraiser for the Lighthouse and a way for the Agency to make money.

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.

Mr. Williamson, Jr. made a motion to accept Resolution No. 2013-11. Seconded by Mr. Mullins. Roll call vote as follows:

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

Mr. Nielsen presented:

A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OR HIS DESIGNEE TO ENTER INTO INDEPENDENT CONTRACTOR AGREEMENTS WITH SHIP CAPTAINS RELATIVE TO THE OPERATION OF THE SHUTTLE BOAT VESSELS.

Mr. Williamson, Jr. made a motion to accept Resolution No. 2013-12. Seconded by Mrs. Cook. Roll call vote as follows:

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

Mr. Nielsen presented:

A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OR HIS DESIGNEE TO ENTER INTO AN AGREEMENT WITH THE PORT OF LORAIN FOUNDATION, INC. REGARDING THE PROVISION OF THE 2013 SHUTTLE BOAT SERVICE TO THE LORAIN LIGHTHOUSE.

Mr. Brown made a motion to accept Resolution No. 2013-13. Seconded by Mr. Mullins. Roll call vote as follows:

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

2. Jet Express 2013 Season. Mr. Novak stated this section pertains to the operational aspects of the Jet Express IV. The Agreement as is written now states the Jet Express is to provide regular service to the Islands over the weekends. They have asked that we amend the Agreement due to the fact that the economy is not strong and the ridership to the Islands is not high. We have added another date to make 19 dates this year for the various trips adding trips to the Casino and to Kelly's Island. He added that we recently had discussion with the Manager of the Cleveland Nautica Flats Project and we are in discussion with them relating to dockage and service to this venue. We would like to move forward with the schedule this year and have an amendment that the Board approved by motion last year. Mr. Bruening explained that all the highlighted dates will qualify for discounts. Mrs. Smith indicated that for those riders that sign up 10 days in advance, a discount will be given. Mr. Novak stated that a \$2.00 discount will be given for the River Tours. He also stated that we would like to increase ridership on the boats, to experience both the Jet Express IV and the nature tours. Mr. Brown made a motion to Amend the 2013 Jet Express Schedule. Seconded by Ms. Carr. Motion carried.

C. Special Events Coordinator – Ralph Bruening

1. Contract with American Fireworks. Mr. Bruening deferred this section to Mr. Brown, Chairman of the Marketing and Public Affairs Committee. Mr. Brown indicated that the Committee made a motion to present to the full Board for approval of American Fireworks for the 2013 July 3rd Fireworks display.

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 3, 2013 FIREWORKS.

Mr. Mullins made a motion to accept Resolution No. 2013-14. Seconded by Mr. Williamson, Jr. Roll call vote as follows:

Ayes: 7 Nays: 0 Abstain: 1 Resolution passed
(Mr. Brown due to
appearance of conflict
of Interest)

2. Ferry Terminal Building Update. Mr. Bruening stated that on Friday, February 1, 2013 a contract was signed with Lakeland Management Systems, Inc. of Painesville, Ohio. There is a tentative start date of March 18, 2013. August 31, 2013 is their estimated completion date. Ground breaking will be the beginning of March, 2013. Mr. Nielsen stressed that signage should be present so the public will know what is taking place.

3. Black River Landing Transportation Center closing date beginning October 31, 2013. Mr. Bruening stated that the Building is generally closed November 15 through March 15. This past year we closed the building on November 5 so that the International Tree and Train Display could begin set up. This Committee has requested an extra week this year. Although the Election will still take place, the International Tree and Train Display Committee set up will not be disrupted by the Election nor will the Election be disrupted by the International Train and Tree Display set up.

4. Black River Landing Special Event Application Changes. Mr. Bruening turned the floor over to Mr. Brown who indicated the Marketing and Public Affairs Committee met this evening and a recommendation was made to accept both changes, the closing date of October 31, 2013 and the Special Events Application Changes. A motion was made by Mr. Brown to accept the changes. Seconded by Mr. Williamson, Jr. Motion carried.

5. Lakeside Landing Lighting Improvement Project. For the Ferry Terminal Building Project we are going to be removing six (6) of the light posts. They will not be used for the Building anymore. Those six (6) posts were taken to Lakeside Landing replacing old light posts. That Project is almost complete. We are trying to get a uniform look for all the lighting.

D. Accountant – Yvonne Smith

1. Marine Patrol Supervisor. Mrs. Smith indicated that in Committee it was discussed that a title be established for the Marine Patrol position to Marine Patrol Supervisor

and pay adjustment be made. Mrs. Cook, Chairman of the ByLaws and Personnel Committee, made a motion to accept the pay adjustment from \$17.00 per hour to \$19.00 per hour and title of Supervisor for the Marine Patrol position. Seconded by Mr. Mullins. Motion carried.

IV. Report of Committees

A. Contract Management Committee - No report.

B. Strategic Development Plan Committee – No report.

C. Marketing & Public Affairs Committee - Mr. Brown stated everyone was in attendance, no need to reiterate.

D. Financial Planning & Audit Committee -

1. Bank Reconciliation report for January 2013. Deferred to next meeting.
2. Financial Statement for January 2013. Deferred to next meeting.
3. Then and Now Certificate – None

E. By-Laws and Personnel Committee – Mrs. Cook, Chairman, indicated information has already been presented.

V. Other Business – A discussion was had to change the order of Committee Reports. Mr. Davila made a motion to change the order of Committee Reports. Seconded by Mr. Williamson, Jr. 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 7:38 p.m.

Carl Nielsen, Chairman

Rick Novak, Executive Director