



319 Black River Lane  
Lorain, Ohio 44052  
440.204.2269  
[lorainport.com](http://lorainport.com)

DATE: October 7, 2022  
TO: Board of Directors  
FROM: Brad Mullins, Chairman, Boards of Directors  
SUBJECT: Meeting Notice

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Please be advised that a Regular Board Meeting has been scheduled for 7:00 p.m. on

Tuesday, October 11, 2022

Location:  
Lorain Port and Finance Authority  
319 Black River Lane  
Lorain, OH 44052

cc: Mayor/Administration  
City Council  
Media

**Lorain Port and Finance Authority**  
Board of Directors Regular Meeting  
Tuesday, October 11, 2022, at 7:00 p.m.  
Port Office

**AGENDA**

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- I. Roll Call
- II. Pledge of Allegiance
- III. Disposition of Meeting Minutes
  - A. September 13, 2022, Regular Board Meeting
- IV. Report of Officers
  - A. Chairman
    - 1. Correspondence received:
  - B. Executive Director
    - 1. Neil Sommers  
*Staff Presenter: Tom Brown, Executive Director*
    - 2. Property Transfer Update  
*Staff Presenter: Tom Brown, Executive Director*
    - 3. Navigational Aids Grant Request Application: Resolution No. 2022-\_\_  
*Staff Presenter: Kelsey Leyva-Smith, Office Manager*
- V. Report of Committees
  - A. Contract Management Committee
    - 1. King Fishery Lease Agreement: Resolution No. 2022-\_\_  
*Staff Presenter: Tom Brown, Executive Director*
    - 2. Chris Haynes Creative Content Contract  
*Staff Presenter: Tom Brown, Executive Director*
    - 3. Riverside Building Lease  
*Staff Presenter: Tom Brown, Executive Director*
  - B. Strategic Development Plan Committee
  - C. Marketing and Public Affairs Committee
  - D. Financial Planning and Audit Committee

1. 2021 Audit

*Staff Presenter: Yvonne Smith, Accountant*

2. Accepting Amount and Rates for Calendar Year 2023: Resolution No. 2022-\_\_

*Staff Presenter: Yvonne Smith, Accountant*

3. September 2022 Financial Statement: Motion to approve

*Staff Presenter: Yvonne Smith, Accountant*

- E. Bylaws & Personnel Committee

1. Bylaws Update

*Staff Presenter: Tiffany McClelland, Assistant Director*

- VI. Other Business

- VII. Public Comment

- VIII. Executive Session: Purpose of property disposition

- IX. Adjournment

**Lorain Port and Finance Authority**  
**Board of Directors**  
**Regular Meeting**  
**Port Office**  
**Tuesday, September 13, 2022, at 7:00 p.m.**

**Board of Directors:** Ms. Bonilla and Kiraly; Messrs. Mullins, Nielsen, Sommers,  
 Veard, Zellers and Zgonc (7)

**Staff:** Tom Brown, Executive Director  
 Tiffany McClelland, Assistant Director  
 Yvonne Smith, Accountant  
 Kelsey Leyva-Smith, Office Manager  
 Michael Brosky, Attorney

**Guests:** Todd Poole, 4Ward Planning (virtually via Zoom)

**I. Roll Call**

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

**II. Pledge of Allegiance**

**III. Report of Officers**

**IV. Disposition of Meeting Minutes**

**A.** August 9, 2022, Regular Board Meeting: Mrs. Leyva-Smith said she changed Monday to Tuesday on page one. With changes, Mr. Sommers moved to approve the meeting minutes. Second by Ms. Bonilla. Motion carried.

**B. Chairman**

**1.** Presentation by 4Ward Planning: Ms. McClelland introduced Mr. Todd Poole. He said he is the manager of 4Ward Planning. They've been working on a strategic study for the Port for the past 5 months. They looked at 3 specific sites: the former Pellet Terminal location, the south Black River Landing parcel and the boat launch site. Mr. Poole was in Lorain about a month ago and gave a presentation on the market study findings. He's here to give a quick overview and a little bit more information on the financial feasibility of the market study. The study entails a comprehensive market analysis, real estate trends, market outreach with interviews and roundtables. Most recently

completed was the financial feasibility analysis. He said the uses, with the exception of mixed industrial, aren't financially feasible, so they didn't do more in depth there. They looked at the three properties and surrounding areas. Key findings: flat population growth. He said that's consistent among industrialized areas. Growth among seniors and prime-age working adults. Young people are moving to places with better employment opportunities. Healthcare is a top industry sector. Manufacturing sector is shrinking. It's not specific to our area. There is a growing demand for multi-family housing. More people looking for studio apartments, or family members are living together. Lorain lacks Class A multi-family housing. The cost of developing that and cost of rents won't allow it. He said there is unmet demand and what can be captured in the City of Lorain are between 320 and 660 multi-family residential units. Little new office demand. There's remote and hybrid work now, and that was happening well before the pandemic. Mr. Poole said there is a tight yet affordable local industrial market. The issue, in terms of developing new space, is does it pencil out with what it would cost to develop. Pellet Terminal recommendations: They see this as seasonal concessions or a restaurant or food kiosk with water-based activities, potentially coordinated with Black River Landing. It's a 36.3-acre site on the western bank at the mouth of the Black River. Recommendations for south Black River Landing: 400 units of multi-family housing (including studios and two-bedroom units) targeted to young professionals and empty nesters with views of the river. It's a 14.5-acre site just south of the Black River Landing festival grounds. They also see potential for ground-floor service retail and public access along the riverfront. Mr. Poole said 15-year tax abatements are required for development. Boat Launch recommendations: Short-term recommendations are boat storage and secure funding to rebuild seawall bulkhead. Mr. Poole said it could be part of a long-term plan to eventually have up to 500,000 square feet of marine-related light industrial and/or cargo transfer. The Financial Feasibility Analysis: Mr. Poole said they modeled three different scenarios. Two are related to Black River Park South site. One is a mixed use

200-unit multi-family rental apartments with a restaurant and bar, and one is a mixed use 80-unit multi-family. The third is at boat launch site, which could be 200,000 sq. ft. of light industrial. Initial average monthly rates for the 200-unit multi-family rental apartments would be \$1,100/month studios, \$1,536/month 1BR, \$2,002/month 2BR. He said these are modest process for waterfront housing. The initial average annual net lease rate for the restaurant/bar space would be \$25/square foot. It would be a waterfront destination. Total project cost: \$60.5 million. Negative Internal Rate of Return (IRR) of .004, it would never move forward. Looking at the 80-unit recommendation, same lease rate on restaurant/bar. Positive IRR of 3.89 percent, which is still too low to be feasible. You're looking for 12 percent to be able to move forward. Total project would be \$28.5 million. Total residential construction costs are approximately \$250/sq foot. Total restaurant/bar costs are approximately \$300/sq foot. Development costs are approximately 30 percent greater than what they would have been in early 2020. Rents, while higher than 2020, have risen at a far slower rate. Construction inflation. The Boat Launch model: \$5.5/sq foot. Total project cost would be \$23.4 million modeled out. Positive IRR of .33 percent. It doesn't pencil out. Mr. Poole said when it doesn't pencil out for private investment, the port authority could choose to develop the space, or a third party could develop the building and operate. Recommended next steps: Continue the seasonal programming. Mr. Poole said we're hoping to see rental rates increase more in the next three to five years. They also recommend starting activities at the former Pellet Terminal site. He thinks that will promote greater interest. On the industrial site, develop an incentive package (pilot, tax abatement, etc.). Move forward with securing the capital improvement funds for the seawall. Mr. Mullins asked if there was good news? Ms. McClelland said unfortunately, no. Mr. Poole said this is not just Lorain. It's happening in a lot of places trying to redevelop themselves. Eventually things will work themselves out. He hopes this is short-term and not long-term. Ms. McClelland said this study is depressing, but it explains why our previous RFPs have failed. Our market doesn't

support the image of what we think can happen here unfortunately. JobsOhio has millions of dollars ready for organizations who go through this process. We looked at it from all angles, and it was dismal news. We learned and we're going to move forward on the industrial aspect as that's what we can do right now. Mr. Brown said we can try to get that site shipping-ready, so there is still opportunity. Team NEO wants to get something going in Lorain. Mr. Zgonc asked how the Opportunity Zones played into the properties we have? Mr. Brown said that was basically a creative funding mechanism for projects already going to happen. They still want to see a positive IRR. Mr. Brown said we can focus on the \$500,000 Brownfield Grant secured by Ms. McClelland to try to rehab existing sites. Ms. McClelland said this study has brought hard realities to the table. But we can still make the boat launch site more attractive by trying to secure grants. Mr. Brown said we're going to focus our energy on that seawall. Our goal is to get revenue for the next 100 years. We're not giving up. Ms. Kiraly asked about the cost to develop the seawall? Ms. McClelland and Mr. Brown said \$10-15 million. It could end up costing as much as \$20 million.

**2. Correspondence received:**

- a. Mr. Brown said he received none but encouraged board members to attend the last Rockin' on the River concert. Labor Day Festival happened two weekends ago and they gave us a full-page ad. They experienced growing pains, but they put together a nice committee. It rained but there was a decent crowd and a good attitude about it. Looking forward to next year.

**C. Executive Director**

1. Bob Early Chamber of Commerce Bright Star Recognition: Mr. Brown said each chamber nominates a bright star. Lorain County nominated Mr. Bob Earley and it was accepted. The recognition event will be at La Center in Westlake. We reserved 10 spots for the dinner on October 20 at 5 p.m. Dinner options are beef, chicken, or vegetarian. Mr. Brown will send another

email. We need answers by Friday. We had our social media guy make an advertisement, too.

2. Caboose Status Update: Mr. Brown said the committee has been working quite a bit. They want to have it painted before their event September 24. Slow progress, not as much as we'd like, but they're working on it. Mr. Nielsen said they didn't do anything in July. He said it sounds like they're waiting for bad weather.
3. LCCC Issue 10 Renewal Levy: Mr. Brown said he attended a meeting last week. He thinks the Lorain County Community College is a huge asset in the county and we should support it. It's a renewal levy and would be a \$14 million dollar hit if it doesn't pass. Mr. Brown thinks it's important with us being their partner for us to support them in this realm.

Mr. Mullins presented:

**A RESOLUTION SUPPORTING THE LORAIN COUNTY COMMUNITY COLLEGE  
ISSUE 10 RENEWAL LEVY.**

Mr. Zgonc moved to approve Resolution No. 2022-18. Second by Mr. Sommers. Roll call vote as follows:

**Ayes: 7                      Nays: 0                      Abstain: 0                      Resolution Passed**

4. City of Lorain Property Transfer: Mr. Brown said this is the former city garage on the corner of 35<sup>th</sup> Street off Broadway Avenue. We've written grants with that site in mind. The Veard Group is planning to demo a good portion and have obtained the church up front. They plan to fence the site and refurbish a building for Lorain City Schools bussing. They will be demoing some portions and salvaging some of the savable buildings. The city wants to get working immediately. They have six months to finish. If not, it goes back to the city. Mr. Veard and Ms. Kiraly abstained due to the appearance of a conflict of interest.

Mr. Mullins presented:

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE LORAIN PORT  
AUTHORITY AUTHORIZING THE EXECUTIVE DIRECTOR OR HIS DESIGNEE TO**



**ENTER INTO AN AGREEMENT WITH THE CITY OF LORAIN, OHIO TO ACCEPT PROPERTY SUBJECT TO LEGAL COUNSEL REVIEW.**

Mr. Nielsen moved to approve Resolution No. 2022-19. Second by Ms. Bonilla. Roll call vote as follows:

**Ayes: 5                      Nays: 0                      Abstain: 2                      Resolution Passed**

5. Melrose Park Development LCC Purchase Agreement: Mr. Brown said this is Mr. Veard's company. We will receive a fee through the deal. Mr. Veard and Ms. Kiraly abstained due to the appearance of a conflict of interest.

Mr. Mullins presented:

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE LORAIN PORT AUTHORITY AUTHORIZING THE EXECUTIVE DIRECTOR OR HIS DESIGNEE TO ENTER INTO A REAL ESTATE PURCHASE AGREEMENT WITH MELROSE PARK DEVELOPMENT LLC, SUBJECT TO LEGAL COUNSEL REVIEW.**

Mr. Nielsen moved to approve Resolution No. 2022-20. Second by Mr. Sommers. Roll call vote as follows:

**Ayes: 5                      Nays: 0                      Abstain: 0                      Resolution Passed**

6. Sale of 3807 West Erie Avenue: Mr. Brown said we accepted \$217,500. Title company asked for this. Will probably go to closing this week.

Mr. Mullins presented:

**A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OR HIS DESIGNEE TO EXECUTE THE CLOSING DOCUMENTS FOR THE PROPERTY LOCATED AT 3807 WEST ERIE AVE. LORAIN OHIO.**

Mr. Nielsen moved to approve Resolution No. 2022-21. Second by Mr. Sommers. Roll call vote as follows:

**Ayes: 7                      Nays: 0                      Abstain: 0                      Resolution Passed**

**V. Report of Committees**

**A. Contract Management Committee**

1. Chris Haynes Creative Content Contract: Mr. Brown said he'd like the committee to have a quick meeting with our content creator Mr. Chris Haynes. The page is up 500%. Chris was the owner of Erie Shores Rentals, but we realized how talented he was with drone footage and marketing that we hired

him under a limited contract. We figure out what we want to market, and then he'll take a deeper dive. He's asking for \$2,000 month, but with that he'd make a presentation about what he would be doing additionally. Mr. Mullins asked if it would be a set term or month-to-month. Mr. Brown said it could be either, we have to decide what we want. Mr. Mullins said marketing is hard to measure. Mr. Nielsen asked about his ability to help us advertise the stage project.

2. Brownfield Grant Notice of Award: Ms. McClelland said we'll receive the funds October 1. We got approval to hire a firm. If anyone has a strong desire to be involved in this process, you're more than welcome. We're limiting this to two board members, and Jeff has already expressed interest. It will be on the agenda next month.
3. Riverside Building Lease: Mr. Brown said he intended to include an attachment in the board packet about a tentative design. Ms. McClelland presented the design on the TV. Mr. Brown didn't see anything too remarkable that we'd be against. We cautioned them about the easement with ODOT to access the bridge. Mr. Nielsen said he wants the lease to be nontransferable and to include a hard date on the occupancy permit. If they don't obtain it, the lease is void and we get the property back. The lessee needs to set a date to open and achieve it. Mr. Mullins asked how many people would fit? Mr. Brown said not many. It will be a seasonal location for a quick drink and bite to eat. We're going to set up a construction lease of no less than \$250 a month. It will then go to a square footage rate with escalation over the years. Ms. Bonilla confirmed they're planning to open in 2023. Mr. Brown said if not by Memorial Day, they're looking at July 1.

#### **B. Strategic Development Plan Committee**

1. Mr. Zgonc said there is no report.

#### **C. Marketing and Public Affairs Committee**

1. Mr. Nielsen said there will be a joint committee meeting to talk about our content creator and possibly the lease.

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

1. August 2022 Financial Statement: Mr. Sommers said the August financials look good, and he moved to approve them. Second by Mr. Veard. Motion carried.

#### **E. Bylaws and Personnel Committee**

1. Mr. Sommers said he had no report.

#### **VI. Other Business**

- A. Mr. Veard said he has a subcontractor that's expanding his business and is doing drone work called Busy Bees if we need anything done.
- B. Mr. Zgonc said some feedback he got on the stage was to maintain the riverfront views and greenspace. Mr. Brown addressed his concerns and said it would remain. Mr. Zgonc said the ladies also want more restrooms. People have asked, why the "v"? Mr. Brown said it's just a design. The top will be steel, and the bottom will be a cedar wood. The internal skeleton would be steel. There was a structural analysis to figure all of that out.
- C. Mr. Brown said we were invited to the Lorain County Commissioners meeting. We told them the stage would cost \$12 million and we wanted \$4 million. The commissioners want to see matches. There was a little sticker shock, but we're working all angles. We may work with a firm recommended by Bialosky. If you have any ideas of possible funding sources or investors, please send over their contact information. There's money out there, we just have to find it. Mr. Zgonc asked about the budget? Mr. Brown said phase one is \$5-6 million. Extending the dock and connecting to Broadway, that would be \$10-12 million.

#### **VII. Public Comment**

- A. None.

#### **VIII. Executive Session: Purpose of property disposition**

- A. Mr. Sommers moved to enter executive session. Second by Mr. Zgonc. Roll call vote as follows:

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

Mr. Sommers moved to exit executive session. Second by Mr. Nielsen. Motion carried.

**IX. Adjournment**

- A.** There being no further business to come before the board, Mr. Veard moved to adjourn. Ms. Kiraly seconded. Meeting adjourned at 8:45 p.m.

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Brad Mullins, Chairman

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Tom Brown, Executive Director

**RESOLUTION NO. 2022-\_\_****A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OR HIS DESIGNEE TO FILE A NAVIGATIONAL AIDS GRANT REQUEST APPLICATION.**

**WHEREAS**, it is the desire of the Lorain Port Authority to file a Navigational Aids Grant Request application for funding assistance through the Ohio Department of Natural Resources Division of Watercraft for navigational aids for the Agency; and

**WHEREAS**, the Port is responsible for the maintenance and placement of the navigational aids along the shores of the City of Lorain.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Lorain Port Authority:

**SECTION I.** That the Executive Director or his designee is hereby authorized to submit a Grant Application to the Ohio Department of Natural Resources Division of Watercraft for the for navigational aids for the Agency.

**SECTION II.** That the request is for the replacement of existing navigational aids to ensure that all navigational aids are in adequate condition for the 2023 calendar year.

**SECTION III.** It is found and determined that all formal proceedings and actions of this Board concerning and relating to the passage of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal Requirements, including Section 121.22, of the Ohio Revised Code.

**Ayes:****Nays:****Abstain:****Adopted:**


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 Brad Mullins, Chairman

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 Tom Brown, Executive Director

**RESOLUTION NO. 2022-\_\_**

**A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO RENEW AN AGREEMENT WITH KING FISHERY TO LEASE A PORTION OF THE GROVE SITE FOR TEMPORARY STORAGE OF COMMERCIAL FISHING VESSELS.**

**WHEREAS**, the Lorain Port Authority acquired the Grove Site in 1995 and subsequently developed Black River Landing, 421 Black River Lane, Lorain, Ohio 44052; and

**WHEREAS**, an Agreement has been prepared (attached) relative to temporary leasing of the site for storage of commercial fishing vessels.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Lorain Port Authority:

**SECTION I.** That the Executive Director is hereby authorized to enter into an Agreement with King Fishery Lorain, Ohio, to lease real property belonging to the Lorain Port Authority for temporary storage of commercial fishing vessels.

**SECTION II.** It is found and determined that all formal proceedings and actions of this Board concerning and relating to the passage of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22, of the Ohio Revised Code.

**Ayes:**

**Nays:**

**Abstain:**

**Adopted:**

\_\_\_\_\_  
Brad Mullins, Chairman

\_\_\_\_\_  
Tom Brown, Executive Director

## LEASE AGREEMENT

WHEREAS, The Board of Directors of the Lorain Port Authority has determined that the real property is not needed during the term of the lease for the purpose of the Lorain Port Authority; and,

WHEREAS, The Lorain Port Authority consistent with its authority under Ohio Law is authorized to convey, lease, or exchange, “without competitive bidding and on mutually agreeable terms, any real property, or any interest therein, which is not needed for the purpose of the grantor”, the Lorain Port Authority.

**NOW THEREFORE, it is mutually agreed as follows:**

1. PARTIES

THIS LEASE is made this \_\_\_\_\_, 2022, between the Lorain Port Authority, 319 Black River Lane, Lorain, Ohio 44052, as Lessor and Kenneth King d.b.a. King Fishery as Lessee, 150 East Eighth Street, Lorain, Ohio 44052.

2. DESCRIPTION

Lessor hereby leases to the lessee dockage space presently constituted (hereinafter called the premises) known as the “Grove Site” in the City of Lorain, County of Lorain, State of Ohio, and consisting of the southern 50 feet of the “Grove Site” parcel located along the river edge shoreline. No inland property shall be considered part of this Lease Agreement (See attached sheet) (hereinafter called the premises).

3. TERM

The space is leased on a month-to-month basis for a term not to exceed one (1) year. This lease may be terminated by either party upon thirty (30) days written notice to the other party. Notice shall be deemed given upon delivery to Lessee’s address as stated above or personally at the leased premises.

4. RENT

The rent of Four Hundred Dollars (\$400.00) per year shall be payable within fifteen (15) days upon execution of this Agreement.

5. USE AND OCCUPANCY

Lessee shall use and occupy the premised only as a dockage facility for tie-up and storage of commercial fishing vessels.

6. COVENANT TO PAY RENT

Lessee shall pay rent, and any additional rent as may hereinafter be provided, to Lessor at the above stated address.

7. CARE AND REPAIR OF PREMISES

Lessee shall commit no act of waster and shall take good care of the premises and the fixtures and appurtenances therein, and shall, in the use and occupancy of the premises, conform to all laws, orders, and regulations of the federal, state, and municipal governments or any of their departments. All improvements as made by Lessee or to the premises which are so attached to the premises that they cannot be removed without material injury to the premises, shall become the property of Lessor upon installation. Not later than the last day of the term, Lessee shall, at Lessee's expense, remove all of Lessee's personal property and those improvements made by Lessee which have not become the property of Lessor.

8. IMPROVEMENTS

Lessee shall not, without first obtaining the written consent of Lessor, make any alterations, additions, or improvements in, to or about the premises.

9. ASSIGNMENT OR SUBLEASE

Lessee shall not assign, this lease, in whole or in part, or sublet the premises or any part thereof.

10. UTILITIES

Lessee shall be responsible for the installation costs of utility service and for the payment of all utilities if required to the site.

11. INSURANCE / IDENTIFICATION

Lessee shall hold Lessor harmless for any an all claims, damages or losses arising out of the use of the premises. Lessee shall maintain \$1 million liability insurance and shall provide evidence of same for Lessor, and name Lessor co-insured. Lessee shall identify the lessor against any and all claims awarded losses or damage whatsoever made by lessee or any third-party.

12. LESSOR'S REMEDIES ON DEFAULT

If Lessee defaults in the payment of rent, or any additional rent, or defaults in the performance of any of the other covenants or conditions hereof, Lessor may give Lessee notice of such default and if Lessee does not cure any rent, or additional rent, default within three (3) days or other default within fourteen (14) days, after the giving of such notice (or if such other default is of such nature that it cannot be completely cured within such period, if Lessee does not commence such curing within such fourteen (14) days and thereafter proceed with reasonable diligence and in good faith to cure such default) then Lessor may terminate this lease on not less than three (3) days notice to the Lessee, and on the date specified in said notice the term of this lease shall terminate, and Lessee shall then quit and



surrender the premises to Lessor, but Lessee shall remain liable as hereinafter provided. If this lease shall have been so terminated by Lessor, Lessor may at any time thereafter resume possession of the premises by any lawful means and remove Lessee. Lessor reserves the right to cancel this lease pursuant to paragraph 3 hereunder without cause.

13. NO WAIVER OF COVENANTS OR CONDITIONS

The failure of either party to insist on strict performance of any covenant or condition hereof, or to exercise any option herein conditioned, shall not be construed as a waiver of such covenant, condition, or option in any other instance. This lease cannot be changed or terminate orally.

14. RIGHT TO CURE LESSEE'S BREACH

If Lessee breached any covenant or condition of this lease, Lessor may, on reasonable notice to Lessee (except that no notice need be given in case of emergency), cure such breach at the expense of Lessee and the reasonable amount of all expense, including attorney fees, incurred by Lessor in so doing (whether paid by Lessor or not) shall be deemed additional rent payable on demand.

15. NOTICES

Any notices by either party to the other shall be in writing and shall be deemed to have been duly given only if delivered personally or sent by ordinary mail in a postpaid envelope addressed, if to Lessee, at the address so designated in this agreement. Notice shall be deemed to have been duly given, if delivered personally or to the address designated in this lease agreement, upon delivery thereof, and if mailed, upon the third day after the mailing thereof.

16. RIGHT TO INSPECT AND REPAIR

Lessor may, but shall not be obligated to, enter the premises at any reasonable times, or upon reasonable notice to Lessee (except that not notice be given in case of emergency) for the purpose of inspection or the making of such repairs, replacements, or additions in, to, on, and about the premises as Lessor deems necessary or desirable. Lessee shall have no claim or cause of action against Lessor by reason thereof.

17. NO OTHER REPRESENTATIONS

No representations or promises shall be binding on the parties hereto except those representations and promises contained herein or in some future writing signed by the party making such representations or promises.

18. NO SECURITY

Lessor is not responsible for security of damages. The parties agree that the Lorain Port Authority shall have no duty to provide security to the leased site area. Security measures are solely the responsibility of lessee.

19. ENTIRE AGREEMENT

This instrument constitutes the sole and only agreement of the parties hereto relating to said sale and transfer of assets and correctly sets forth the rights, duties and obligations of each to the other as of its date. Any prior agreement, promises, negotiations or representations not expressly set forth in this Agreement are of no force or effect. Any oral representations or modifications concerning this instrument shall be of no force or effect excepting subsequent modifications in writing, signed by the parties to be charged. This Agreement constitutes the entire agreement between the parties and no oral or implied agreement exists.

20. BINDING CONTRACT

This Agreement shall inure to the benefit of, and be binding upon the parties, their legal representatives, successors and assigns. No agreement between the parties exist except for those which have been reduced to writing and which has been executed by all parties interested in this transaction. This Agreement shall be construed under and in accordance with the laws of the State of Ohio. It is expressly understood by the Seller, that this Agreement is contingent upon the Board of Directors of the Lorain Port Authority authorizing said agreement and agreeing to the terms and conditions herein contained by adoption of a Resolution providing for the same.

IN WITNESS WHEREOF, the parties hereto have set their hands the day and year first above written.

SIGNED IN THE PRESENCE OF:

THE LORAIN PORT AUTHORITY

\_\_\_\_\_

By:

\_\_\_\_\_  
Tom Brown, Executive Director  
Lorain Port Authority

KING FISHERIES

\_\_\_\_\_

By:

\_\_\_\_\_  
Kenneth King  
d.b.a. King Fishery

**RESOLUTION NO. 2022-\_\_**

**A RESOLUTION ACCEPTING THE AMOUNTS AND RATES FOR CALENDAR YEAR 2023 AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.**

**WHEREAS**, Resolution No. 2022-16 passed July 11, 2022, authorized the Executive Director to submit the 2023 operating budget and request and amended Certificate of Resources from the County Auditor; and

**WHEREAS**, based upon the operating budget it is necessary to accept the official Certificates of Estimated Resources and Appropriations from the Lorain County Budget Commission.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Lorain Port Authority:

**SECTION I.** That the Board of Directors hereby accepts the official Certificate of Estimated Resources and Appropriations as approved by the Lorain County Budget Commission.

**SECTION II.** It is found and determined that all formal proceedings and actions of this Board concerning and relating to the passage of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22, of the Ohio Revised Code.

**Ayes:**

**Nays:**

**Abstain:**

**Adopted:**

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Brad Mullins, Chairman

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Tom Brown, Executive Director

## LORAIN PORT AUTHORITY, LORAIN COUNTY

## Fund Summary

September 2022

Fund #	Fund Name	Starting Fund Balance	Month To Date Revenue	Year To Date Revenue	Month To Date Expenditures	Year To Date Expenditures	Ending Fund Balance	Current Reserve for Encumbrance	Unencumbered Fund Balance
1000	General	\$979,943.04	\$230,313.88	\$1,207,231.41	\$79,610.88	\$813,593.42	\$1,130,646.04	\$228,301.58	\$902,344.46
2061	Marine Patrol Program	\$1.32	\$0.00	\$0.00	\$0.00	\$70.71	\$1.32	\$0.00	\$1.32
2901	Inclusive Project Planning	\$22,459.00	\$0.00	\$31,800.00	\$0.00	\$30,241.00	\$22,459.00	\$11,559.00	\$10,900.00
4201	Grant Construction KIFBL	\$0.00	\$0.00	\$2,079,965.52	\$0.00	\$2,079,965.56	\$0.00	\$0.00	\$0.00
4202	Port & Parks Bike Trail Station	\$27,436.60	\$0.00	\$2,436.60	\$13,583.34	\$13,583.34	\$13,853.26	\$21,845.16	(\$7,991.90)
9902	Rockin' on the River	\$2,460.00	\$14,965.66	\$44,676.24	\$17,425.66	\$44,676.24	\$0.00	\$0.00	\$0.00
9903	Energy Special Improvement District	\$2,500.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,500.00	\$0.00	\$2,500.00
	Report Total:	\$1,034,799.96	\$245,279.54	\$3,366,109.77	\$110,619.88	\$2,982,130.27	\$1,169,459.62	\$261,705.74	\$907,753.88

Last reconciled to bank: 09/30/2022 – Total other adjusting factors: \$200.00

LORAIN PORT AUTHORITY, LORAIN COUNTY  
**Revenue Summary**  
 September 2022

	Final Budget	Month To Date Revenue	Year To Date Revenue	Budget Variance Favorable (Unfavorable)	YTD % Received
<b>1000 General</b>					
Property and Other Local Taxes	\$840,104.00	\$0.00	\$706,500.60	(\$133,603.40)	84.097%
Intergovernmental	\$18,100.00	\$109.48	\$92,283.07	\$74,183.07	509.851%
Charges for Services	\$403,282.02	\$227,177.40	\$380,356.77	(\$22,925.25)	94.315%
Miscellaneous	\$24,341.00	\$3,027.00	\$28,090.97	\$3,749.97	115.406%
Other Financing Sources					
Transfers - In	\$0.00	\$0.00	\$0.00	\$0.00	0.000%
Advances - In	\$0.00	\$0.00	\$0.00	\$0.00	0.000%
Total Other Financing Sources	\$0.00	\$0.00	\$0.00	\$0.00	
<b>Total 1000 General</b>	<b>\$1,285,827.02</b>	<b>\$230,313.88</b>	<b>\$1,207,231.41</b>	<b>(\$78,595.61)</b>	
<b>2901 Inclusive Project Planning</b>					
Intergovernmental	\$0.00	\$0.00	\$0.00	\$0.00	0.000%
Miscellaneous	\$20,900.00	\$0.00	\$0.00	(\$20,900.00)	0.000%
Other Financing Sources					
Transfers - In	\$0.00	\$0.00	\$0.00	\$0.00	0.000%
Advances - In	\$0.00	\$0.00	\$31,800.00	\$0.00	0.000%
Total Other Financing Sources	\$0.00	\$0.00	\$31,800.00	\$0.00	
<b>Total 2901 Inclusive Project Planning</b>	<b>\$20,900.00</b>	<b>\$0.00</b>	<b>\$31,800.00</b>	<b>(\$20,900.00)</b>	
<b>4201 Grant Construction KIFBL</b>					
Intergovernmental	\$585,664.73	\$0.00	\$585,664.73	\$0.00	100.000%
Miscellaneous	\$1,634,858.05	\$0.00	\$1,494,300.79	(\$140,557.26)	91.402%
<b>Total 4201 Grant Construction KIFBL</b>	<b>\$2,220,522.78</b>	<b>\$0.00</b>	<b>\$2,079,965.52</b>	<b>(\$140,557.26)</b>	
<b>4202 Port &amp; Parks Bike Trail Station</b>					
Intergovernmental	\$70,126.79	\$0.00	\$2,436.60	(\$67,690.19)	3.475%
Other Financing Sources					
Transfers - In	\$0.00	\$0.00	\$0.00	\$0.00	0.000%
Total Other Financing Sources	\$0.00	\$0.00	\$0.00	\$0.00	
<b>Total 4202 Port &amp; Parks Bike Trail Station</b>	<b>\$70,126.79</b>	<b>\$0.00</b>	<b>\$2,436.60</b>	<b>(\$67,690.19)</b>	

LORAIN PORT AUTHORITY, LORAIN COUNTY  
**Revenue Summary**  
 September 2022

	Final Budget	Month To Date Revenue	Year To Date Revenue	Budget Variance Favorable (Unfavorable)	YTD % Received
<hr/>					
9902 Rockin' on the River					
Miscellaneous	\$0.00	\$14,965.66	\$44,676.24	\$0.00	0.000%
Total 9902 Rockin' on the River	\$0.00	\$14,965.66	\$44,676.24	\$0.00	
<hr/>					
9903 Energy Special Improvement District					
Charges for Services	\$0.00	\$0.00	\$0.00	\$0.00	0.000%
Total 9903 Energy Special Improvement District	\$0.00	\$0.00	\$0.00	\$0.00	
<hr/>					
Report Total:	\$3,597,376.59	\$245,279.54	\$3,366,109.77	(\$307,743.06)	

Revenue Status

By Fund

As Of 9/30/2022

Fund: 1000 General

Account Code	Account Name	Final Budget	Revenue	Budget Balance	YTD % Received
1000-110-0000	General Property Tax - Real Estate	\$840,104.00	\$706,500.60	\$133,603.40	84.097%
1000-490-0500	Other - Intergovernmental{ODNR Submerged Land Lease}	\$18,100.00	\$0.00	\$18,100.00	0.000%
1000-490-0800	Other - Intergovernmental{Miscellaneous}	\$0.00	\$1,456.25	-\$1,456.25	0.000%
1000-490-9000	Other - Intergovernmental{Homestead and Rollback}	\$0.00	\$90,826.82	-\$90,826.82	0.000%
1000-523-0000	Recreation Entry Fees	\$12,000.00	\$13,097.79	-\$1,097.79	109.148%
1000-531-8500	Sale of Lots{Real Estate}	\$217,500.00	\$211,688.55	\$5,811.45	97.328%
1000-590-0100	Other - Charges for Services{Oasis Lease}	\$53,045.00	\$53,000.00	\$45.00	99.915%
1000-590-0600	Other - Charges for Services{Lumen Leases}	\$3,000.00	\$3,000.00	\$0.00	100.000%
1000-590-0700	Other - Charges for Services{Black River Landing}	\$15,000.00	\$13,981.64	\$1,018.36	93.211%
1000-590-0800	Other - Charges for Services{Miscellaneous}	\$0.00	\$50.00	-\$50.00	0.000%
1000-590-2000	Other - Charges for Services{Economic Development}	\$10,000.00	\$10,000.00	\$0.00	100.000%
1000-590-4201	Other - Charges for Services{KIFBL}	\$80,237.02	\$75,538.79	\$4,698.23	94.145%
1000-590-7200	Other - Charges for Services{Lighthouse}	\$12,500.00	\$0.00	\$12,500.00	0.000%
1000-820-0000	Contributions and Donations	\$12,500.00	\$12,500.00	\$0.00	100.000%
1000-820-4300	Contributions and Donations{Stage Project}	\$0.00	\$1,260.50	-\$1,260.50	0.000%
1000-820-5500	Contributions and Donations{Bonaminio Family}	\$0.00	\$0.00	\$0.00	0.000%
1000-891-0000	Other - Miscellaneous Operating	\$11,841.00	\$14,330.47	-\$2,489.47	121.024%
1000-892-0750	Other - Miscellaneous Non-Operating{Rockin' on the River}	\$0.00	\$0.00	\$0.00	0.000%
1000-931-0000	Transfers - In	\$0.00	\$0.00	\$0.00	0.000%
1000-941-0000	Advances - In	\$0.00	\$0.00	\$0.00	0.000%
Fund 1000 Sub-Total:		\$1,285,827.02	\$1,207,231.41	\$78,595.61	93.888%

Revenue Status

By Fund

As Of 9/30/2022

Fund: 2901 Inclusive Project Planning

Account Code	Account Name	Final Budget	Revenue	Budget Balance	YTD % Received
2901-490-6500	Other - Intergovernmental{City of Lorain}	\$0.00	\$0.00	\$0.00	0.000%
2901-841-6600	Capital Contributions{JobsOhio}	\$20,900.00	\$0.00	\$20,900.00	0.000%
2901-931-6700	Transfers - In{Inclusive Project Planning}	\$0.00	\$0.00	\$0.00	0.000%
2901-941-6700	Advances - In{Inclusive Project Planning}	\$0.00	\$31,800.00	\$0.00	0.000%
Fund 2901 Sub-Total:		\$20,900.00	\$31,800.00	\$20,900.00	152.153%

Fund: 4201 Grant Construction KIFBL

Account Code	Account Name	Final Budget	Revenue	Budget Balance	YTD % Received
4201-411-0000	Federal - Restricted	\$585,664.73	\$585,664.73	\$0.00	100.000%
4201-841-0000	Capital Contributions	\$1,634,858.05	\$1,494,300.79	\$140,557.26	91.402%
Fund 4201 Sub-Total:		\$2,220,522.78	\$2,079,965.52	\$140,557.26	93.670%

Fund: 4202 Port & Parks Bike Trail Station

Account Code	Account Name	Final Budget	Revenue	Budget Balance	YTD % Received
4202-411-6300	Federal - Restricted{Port & Parks BikeTrail Station}	\$50,000.00	\$2,436.60	\$47,563.40	4.873%
4202-490-6400	Other - Intergovernmental{Metro Parks}	\$20,126.79	\$0.00	\$20,126.79	0.000%
4202-931-6300	Transfers - In{Port & Parks BikeTrail Station}	\$0.00	\$0.00	\$0.00	0.000%
Fund 4202 Sub-Total:		\$70,126.79	\$2,436.60	\$67,690.19	3.475%



Revenue Status  
 By Fund  
 As Of 9/30/2022

Fund: 9902 Rockin' on the River

Account Code	Account Name	Final Budget	Revenue	Budget Balance	YTD % Received
9902-892-0750	Other - Miscellaneous Non-Operating{Rockin' on the River}	\$0.00	\$44,676.24	\$0.00	0.000%
Fund 9902 Sub-Total:		\$0.00	\$44,676.24	\$0.00	0.000%

Fund: 9903 Energy Special Improvement District

Account Code	Account Name	Final Budget	Revenue	Budget Balance	YTD % Received
9903-590-2100	Other - Charges for Services{PACE}	\$0.00	\$0.00	\$0.00	0.000%
Fund 9903 Sub-Total:		\$0.00	\$0.00	\$0.00	0.000%
Report Total:		\$3,597,376.59	\$3,366,109.77	\$307,743.06	93.571%

LORAIN PORT AUTHORITY, LORAIN COUNTY

Appropriation Summary

September 2022

	Reserved for Encumbrance 12/31 Less Adjustment	Final Appropriation	Total Appropriations	Month To Date Expenditures	Year to Date Expenditures	Current Reserve for Encumbrance	Unencumbered Balance	YTD % Expenditures
1000 - General								
Security of Persons and Property								
Other Security of Persons and Property								
Contractual Services	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.000%
Total Other Security of Persons and Property	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Total Security of Persons and Property	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Leisure Time Activities								
Recreation								
Contractual Services	\$0.00	\$17,000.00	\$17,000.00	\$3,331.25	\$13,718.75	\$3,043.75	\$237.50	80.699%
Supplies and Materials	\$0.00	\$15,000.00	\$15,000.00	\$1,000.00	\$8,650.79	\$6,003.39	\$345.82	57.672%
Total Recreation	\$0.00	\$32,000.00	\$32,000.00	\$4,331.25	\$22,369.54	\$9,047.14	\$583.32	
Total Leisure Time Activities	\$0.00	\$32,000.00	\$32,000.00	\$4,331.25	\$22,369.54	\$9,047.14	\$583.32	
Basic Utility Services								
Billing - Electric								
Contractual Services	\$2,500.00	\$40,000.00	\$42,500.00	\$2,526.44	\$28,855.25	\$13,644.75	\$0.00	67.895%
Total Billing - Electric	\$2,500.00	\$40,000.00	\$42,500.00	\$2,526.44	\$28,855.25	\$13,644.75	\$0.00	
Billing - Gas								
Contractual Services	\$180.00	\$7,500.00	\$7,680.00	\$521.40	\$4,429.21	\$750.79	\$2,500.00	57.672%
Total Billing - Gas	\$180.00	\$7,500.00	\$7,680.00	\$521.40	\$4,429.21	\$750.79	\$2,500.00	
Billing - Water								
Contractual Services	\$849.96	\$12,000.00	\$12,849.96	\$1,218.12	\$8,491.46	\$4,358.50	\$0.00	66.082%
Total Billing - Water	\$849.96	\$12,000.00	\$12,849.96	\$1,218.12	\$8,491.46	\$4,358.50	\$0.00	
Total Basic Utility Services	\$3,529.96	\$59,500.00	\$63,029.96	\$4,265.96	\$41,775.92	\$18,754.04	\$2,500.00	
General Government								
Boards and Commissions								
Personal Services	\$8,303.00	\$329,837.48	\$338,140.48	\$23,291.15	\$236,678.59	\$6,203.81	\$95,258.08	69.994%
Employee Fringe Benefits	\$7,724.33	\$164,629.99	\$172,354.32	\$10,386.41	\$115,528.08	\$38,181.84	\$18,644.40	67.029%
Contractual Services	\$16,202.92	\$254,203.38	\$270,406.30	\$7,843.10	\$163,961.57	\$76,572.54	\$29,872.19	60.635%
Supplies and Materials	\$6,403.86	\$202,500.00	\$208,903.86	\$24,902.75	\$152,043.34	\$54,638.82	\$2,221.70	72.781%
Total Boards and Commissions	\$38,634.11	\$951,170.85	\$989,804.96	\$66,423.41	\$668,211.58	\$175,597.01	\$145,996.37	
Auditor of State Fees								
Contractual Services	\$184.50	\$9,676.00	\$9,860.50	\$0.00	\$9,573.50	\$287.00	\$0.00	97.089%

LORAIN PORT AUTHORITY, LORAIN COUNTY

Appropriation Summary

September 2022

	Reserved for Encumbrance 12/31 Less Adjustment	Final Appropriation	Total Appropriations	Month To Date Expenditures	Year to Date Expenditures	Current Reserve for Encumbrance	Unencumbered Balance	YTD % Expenditures
Total Auditor of State Fees	\$184.50	\$9,676.00	\$9,860.50	\$0.00	\$9,573.50	\$287.00	\$0.00	
Total General Government	\$38,818.61	\$960,846.85	\$999,665.46	\$66,423.41	\$677,785.08	\$175,884.01	\$145,996.37	
Capital Outlay								
Capital Outlay								
Capital Outlay	\$0.00	\$80,998.73	\$80,998.73	\$4,590.26	\$39,862.88	\$24,616.39	\$16,519.46	49.214%
Total Capital Outlay	\$0.00	\$80,998.73	\$80,998.73	\$4,590.26	\$39,862.88	\$24,616.39	\$16,519.46	
Total Capital Outlay	\$0.00	\$80,998.73	\$80,998.73	\$4,590.26	\$39,862.88	\$24,616.39	\$16,519.46	
Other Financing Uses								
Transfers - Out	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.000%
Advances - Out	\$0.00	\$0.00	\$0.00	\$0.00	\$31,800.00	\$0.00	\$0.00	0.000%
Total Other Financing Uses	\$0.00	\$0.00	\$0.00	\$0.00	\$31,800.00	\$0.00	\$0.00	
Total 1000 - General	\$42,348.57	\$1,133,345.58	\$1,175,694.15	\$79,610.88	\$813,593.42	\$228,301.58	\$165,599.15	
<hr/>								
2061 - Marine Patrol Program								
Security of Persons and Property								
Police Enforcement								
Personal Services	\$55.92	\$0.00	\$55.92	\$0.00	\$55.92	\$0.00	\$0.00	100.000%
Employee Fringe Benefits	\$0.00	\$14.79	\$14.79	\$0.00	\$14.79	\$0.00	\$0.00	100.000%
Supplies and Materials	\$0.00	\$1.32	\$1.32	\$0.00	\$0.00	\$0.00	\$1.32	0.000%
Total Police Enforcement	\$55.92	\$16.11	\$72.03	\$0.00	\$70.71	\$0.00	\$1.32	
Total Security of Persons and Property	\$55.92	\$16.11	\$72.03	\$0.00	\$70.71	\$0.00	\$1.32	
Total 2061 - Marine Patrol Program	\$55.92	\$16.11	\$72.03	\$0.00	\$70.71	\$0.00	\$1.32	
<hr/>								
2901 - Inclusive Project Planning								
Community Environment								
Community Planning and Zoning								
Contractual Services	\$0.00	\$41,800.00	\$41,800.00	\$0.00	\$30,241.00	\$11,559.00	\$0.00	72.347%
Total Community Planning and Zoning	\$0.00	\$41,800.00	\$41,800.00	\$0.00	\$30,241.00	\$11,559.00	\$0.00	
Total Community Environment	\$0.00	\$41,800.00	\$41,800.00	\$0.00	\$30,241.00	\$11,559.00	\$0.00	
Other Financing Uses								
Advances - Out	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.000%

LORAIN PORT AUTHORITY, LORAIN COUNTY  
**Appropriation Summary**  
 September 2022

	Reserved for Encumbrance 12/31 Less Adjustment	Final Appropriation	Total Appropriations	Month To Date Expenditures	Year to Date Expenditures	Current Reserve for Encumbrance	Unencumbered Balance	YTD % Expenditures
Total Other Financing Uses	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Total 2901 - Inclusive Project Planning	\$0.00	\$41,800.00	\$41,800.00	\$0.00	\$30,241.00	\$11,559.00	\$0.00	
<hr/>								
4201 - Grant Construction KIFBL								
Capital Outlay								
Capital Outlay								
Contractual Services	\$0.00	\$119,571.77	\$119,571.77	\$0.00	\$114,626.79	\$0.00	\$4,944.98	95.864%
Capital Outlay	\$0.00	\$2,100,951.05	\$2,100,951.05	\$0.00	\$1,965,338.77	\$0.00	\$135,612.28	93.545%
Total Capital Outlay	\$0.00	\$2,220,522.82	\$2,220,522.82	\$0.00	\$2,079,965.56	\$0.00	\$140,557.26	
Total Capital Outlay	\$0.00	\$2,220,522.82	\$2,220,522.82	\$0.00	\$2,079,965.56	\$0.00	\$140,557.26	
Total 4201 - Grant Construction KIFBL	\$0.00	\$2,220,522.82	\$2,220,522.82	\$0.00	\$2,079,965.56	\$0.00	\$140,557.26	
<hr/>								
4202 - Port & Parks Bike Trail Station								
Capital Outlay								
Capital Outlay								
Capital Outlay	\$0.00	\$95,126.79	\$95,126.79	\$13,583.34	\$13,583.34	\$21,845.16	\$59,698.29	14.279%
Total Capital Outlay	\$0.00	\$95,126.79	\$95,126.79	\$13,583.34	\$13,583.34	\$21,845.16	\$59,698.29	
Total Capital Outlay	\$0.00	\$95,126.79	\$95,126.79	\$13,583.34	\$13,583.34	\$21,845.16	\$59,698.29	
Total 4202 - Port & Parks Bike Trail Station	\$0.00	\$95,126.79	\$95,126.79	\$13,583.34	\$13,583.34	\$21,845.16	\$59,698.29	
<hr/>								
9902 - Rockin' on the River								
Fiduciary Distributions								
Other Distributions								
Contractual Services	\$0.00	\$0.00	\$0.00	\$17,425.66	\$44,676.24	\$0.00	\$0.00	0.000%
Total Other Distributions	\$0.00	\$0.00	\$0.00	\$17,425.66	\$44,676.24	\$0.00	\$0.00	
Total Fiduciary Distributions	\$0.00	\$0.00	\$0.00	\$17,425.66	\$44,676.24	\$0.00	\$0.00	
Total 9902 - Rockin' on the River	\$0.00	\$0.00	\$0.00	\$17,425.66	\$44,676.24	\$0.00	\$0.00	
<hr/>								
9903 - Energy Special Improvement District								
Fiduciary Distributions								
Other Distributions								
Contractual Services	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.000%

LORAIN PORT AUTHORITY, LORAIN COUNTY

Appropriation Summary

September 2022

	Reserved for Encumbrance 12/31 Less Adjustment	Final Appropriation	Total Appropriations	Month To Date Expenditures	Year to Date Expenditures	Current Reserve for Encumbrance	Unencumbered Balance	YTD % Expenditures
Total Other Distributions	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Total Fiduciary Distributions	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Total 9903 - Energy Special Improvement District	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Report Totals:	<u>\$42,404.49</u>	<u>\$3,490,811.30</u>	<u>\$3,533,215.79</u>	<u>\$110,619.88</u>	<u>\$2,982,130.27</u>	<u>\$261,705.74</u>	<u>\$365,856.02</u>	

LORAIN PORT AUTHORITY, LORAIN COUNTY

Appropriation Status

By Fund

As Of 9/30/2022

Fund: General  
 Pooled Balance: \$1,130,646.04  
 Non-Pooled Balance: \$0.00  
 Total Cash Balance: \$1,130,646.04

Account Code	Account Name	Reserved for Encumbrance 12/31	Reserved for Encumbrance 12/31 Adjustment	Final Appropriation	Current Reserve for Encumbrance	YTD Expenditures	Unencumbered Balance	YTD % Expenditures
1000-190-349-0000	Other - Professional and Technical Services	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.000%
1000-310-349-7000	Other - Professional and Technical Services{Shuttle Boats}	\$0.00	\$0.00	\$17,000.00	\$3,043.75	\$13,718.75	\$237.50	80.699%
1000-310-391-7100	Dues and Fees{Ferry Boat}	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.000%
1000-310-490-7000	Other - Supplies and Materials{Shuttle Boats}	\$0.00	\$0.00	\$15,000.00	\$6,003.39	\$8,650.79	\$345.82	57.672%
1000-512-311-0000	Electricity	\$2,500.00	\$0.00	\$40,000.00	\$13,644.75	\$28,855.25	\$0.00	67.895%
1000-522-313-0000	Natural Gas	\$180.00	\$0.00	\$7,500.00	\$750.79	\$4,429.21	\$2,500.00	57.672%
1000-532-312-0000	Water and Sewage	\$1,000.00	\$150.04	\$12,000.00	\$4,358.50	\$8,491.46	\$0.00	66.082%
1000-735-132-0000	D Salaries - Administrator's Staff	\$6,299.46	\$0.00	\$320,000.00	\$6,203.81	\$226,021.21	\$94,074.44	69.268%
1000-735-132-2000	D Salaries - Administrator's Staff{Economic Development}	\$2,003.54	\$0.00	\$9,837.48	\$0.00	\$10,657.38	\$1,183.64	90.004%
1000-735-211-0000	D Ohio Public Employees Retirement System	\$0.00	\$0.00	\$44,392.92	\$0.00	\$30,867.42	\$13,525.50	69.532%
1000-735-211-2000	D Ohio Public Employees Retirement System{Economic Developmen}	\$0.00	\$0.00	\$1,986.93	\$0.00	\$1,986.93	\$0.00	100.000%
1000-735-213-0000	D Medicare	\$0.00	\$0.00	\$4,597.84	\$0.00	\$3,300.77	\$1,297.07	71.790%
1000-735-213-2000	D Medicare{Economic Development}	\$0.00	\$0.00	\$249.47	\$0.00	\$249.47	\$0.00	100.000%
1000-735-221-0000	Medical/Hospitalization	\$6,677.10	\$0.00	\$90,776.00	\$30,258.00	\$67,193.10	\$2.00	68.949%
1000-735-221-2000	Medical/Hospitalization{Economic Development}	\$887.40	\$0.00	\$0.00	\$0.00	\$887.40	\$0.00	100.000%
1000-735-222-0000	Life Insurance	\$33.00	\$0.00	\$500.00	\$132.00	\$297.00	\$104.00	55.722%
1000-735-225-0000	D Workers' Compensation	\$0.00	\$0.00	\$1,000.00	\$0.00	\$734.00	\$266.00	73.400%
1000-735-228-0000	D Health Care Reimbursement	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.000%
1000-735-229-0000	Other - Insurance Benefits	\$0.00	\$0.00	\$5,000.00	\$3,953.81	\$1,046.19	\$0.00	20.924%
1000-735-229-2000	Other - Insurance Benefits{Economic Development}	\$126.83	\$0.00	\$126.83	\$0.00	\$126.83	\$126.83	50.000%
1000-735-240-0000	D Unemployment Compensation	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.000%
1000-735-252-0000	Travel and Transportation	\$0.00	\$0.00	\$15,034.86	\$3,838.03	\$7,873.83	\$3,323.00	52.370%
1000-735-252-2000	Travel and Transportation{Economic Development}	\$0.00	\$0.00	\$965.14	\$0.00	\$965.14	\$0.00	100.000%
1000-735-321-0000	Telephone	\$800.00	\$800.00	\$13,500.00	\$5,148.49	\$8,351.51	\$0.00	61.863%
1000-735-329-0000	Other-Communications, Printing & Advertising	\$152.95	\$0.00	\$20,480.00	\$1,199.32	\$18,698.79	\$734.84	90.626%
1000-735-329-8000	Other-Communications, Printing & Advertising{Other Promotio}	\$0.00	\$0.00	\$3,620.00	\$0.00	\$3,558.24	\$61.76	98.294%
1000-735-329-8800	Other-Communications, Printing & Advertising{Fireworks}	\$0.00	\$0.00	\$22,075.00	\$0.00	\$22,075.00	\$0.00	100.000%

LORAIN PORT AUTHORITY, LORAIN COUNTY

Appropriation Status

By Fund

As Of 9/30/2022

Account Code	Account Name	Reserved for Encumbrance 12/31	Reserved for Encumbrance 12/31 Adjustment	Final Appropriation	Current Reserve for Encumbrance	YTD Expenditures	Unencumbered Balance	YTD % Expenditures
1000-735-330-0000	Rents and Leases	\$367.97	\$0.00	\$5,000.00	\$1,103.91	\$3,680.70	\$583.36	68.568%
1000-735-330-6000	Rents and Leases{ODNR Lease}	\$0.00	\$0.00	\$36,005.00	\$36,003.32	\$0.00	\$1.68	0.000%
1000-735-330-6100	Rents and Leases{CORPS Engineer Lease}	\$0.00	\$0.00	\$16,843.00	\$12,970.00	\$2,030.00	\$1,843.00	12.052%
1000-735-341-0000	Accounting and Legal Fees	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.000%
1000-735-341-2000	Accounting and Legal Fees{Economic Development}	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.000%
1000-735-343-0000	Uniform Accounting Network Fees	\$0.00	\$0.00	\$3,792.00	\$948.00	\$2,844.00	\$0.00	75.000%
1000-735-344-0000	D Tax Collection Fees	\$0.00	\$0.00	\$22,000.00	\$0.00	\$17,728.09	\$4,271.91	80.582%
1000-735-346-0000	Engineering Services	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.000%
1000-735-347-0000	Planning Consultants	\$0.00	\$0.00	\$7,900.00	\$3,500.00	\$0.00	\$4,400.00	0.000%
1000-735-347-2000	Planning Consultants{Economic Development}	\$0.00	\$0.00	\$2,500.00	\$2,500.00	\$0.00	\$0.00	0.000%
1000-735-349-0000	Other - Professional and Technical Services	\$14,052.00	\$0.00	\$14,052.00	\$50.50	\$14,251.50	\$13,802.00	50.710%
1000-735-353-0000	Liability Insurance Premiums	\$0.00	\$0.00	\$65,000.00	\$10,210.00	\$54,790.00	\$0.00	84.292%
1000-735-391-0000	Dues and Fees	\$130.00	\$0.00	\$13,600.00	\$1,439.00	\$9,617.36	\$2,673.64	70.046%
1000-735-391-2000	Dues and Fees{Economic Development}	\$1,500.00	\$0.00	\$1,905.20	\$1,500.00	\$405.20	\$1,500.00	11.899%
1000-735-391-8500	Dues and Fees{Real Estate}	\$0.00	\$0.00	\$5,931.18	\$0.00	\$5,931.18	\$0.00	100.000%
1000-735-410-0000	Office Supplies and Materials	\$33.90	\$0.00	\$6,000.00	\$2,776.33	\$2,962.74	\$294.83	49.102%
1000-735-431-0000	Repairs and Maintenance of Buildings and Land	\$6,569.96	\$200.00	\$195,000.00	\$51,431.46	\$148,605.84	\$1,332.66	73.797%
1000-735-431-5300	Repairs and Maintenance of Buildings and Land{GOOSE DOG}	\$0.00	\$0.00	\$1,500.00	\$431.03	\$474.76	\$594.21	31.651%
1000-745-342-0000	Auditing Services	\$184.50	\$0.00	\$9,676.00	\$287.00	\$9,573.50	\$0.00	97.089%
1000-745-342-2000	Auditing Services{Economic Development}	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.000%
1000-800-540-0000	Machinery, Equipment and Furniture	\$0.00	\$0.00	\$5,000.00	\$0.00	\$2,293.80	\$2,706.20	45.876%
1000-800-590-0000	Other - Capital Outlay	\$0.00	\$0.00	\$75,998.73	\$24,616.39	\$37,569.08	\$13,813.26	49.434%
1000-910-910-0000	D Transfers - Out	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.000%
1000-920-920-0000	D Advances - Out	\$0.00	\$0.00	\$0.00	\$0.00	\$31,800.00	\$0.00	0.000%
General Fund Total:		\$43,498.61	\$1,150.04	\$1,133,345.58	\$228,301.58	\$813,593.42	\$165,599.15	69.201%

Fund: Marine Patrol Program

Pooled Balance: \$1.32

Non-Pooled Balance: \$0.00

Total Cash Balance: \$1.32

LORAIN PORT AUTHORITY, LORAIN COUNTY

Appropriation Status

By Fund

As Of 9/30/2022

Account Code	Account Name	Reserved for Encumbrance 12/31	Reserved for Encumbrance 12/31 Adjustment	Final Appropriation	Current Reserve for Encumbrance	YTD Expenditures	Unencumbered Balance	YTD % Expenditures
2061-110-132-0000	D Salaries - Administrator's Staff	\$55.92	\$0.00	\$0.00	\$0.00	\$55.92	\$0.00	100.000%
2061-110-211-0000	D Ohio Public Employees Retirement System	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.000%
2061-110-213-0000	D Medicare	\$0.00	\$0.00	\$14.79	\$0.00	\$14.79	\$0.00	100.000%
2061-110-400-0000	Supplies and Materials	\$0.00	\$0.00	\$1.32	\$0.00	\$0.00	\$1.32	0.000%
Marine Patrol Program Fund Total:		\$55.92	\$0.00	\$16.11	\$0.00	\$70.71	\$1.32	98.167%

Fund: Inclusive Project Planning

Pooled Balance: \$22,459.00  
 Non-Pooled Balance: \$0.00  
 Total Cash Balance: \$22,459.00

Account Code	Account Name	Reserved for Encumbrance 12/31	Reserved for Encumbrance 12/31 Adjustment	Final Appropriation	Current Reserve for Encumbrance	YTD Expenditures	Unencumbered Balance	YTD % Expenditures
2901-410-347-6700	Planning Consultants{Inclusive Project Planning}	\$0.00	\$0.00	\$41,800.00	\$11,559.00	\$30,241.00	\$0.00	72.347%
2901-920-920-6700	D Advances - Out{Inclusive Project Planning}	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.000%
Inclusive Project Planning Fund Total:		\$0.00	\$0.00	\$41,800.00	\$11,559.00	\$30,241.00	\$0.00	72.347%

Fund: Grant Construction KIFBL

Pooled Balance: \$0.00  
 Non-Pooled Balance: \$0.00  
 Total Cash Balance: \$0.00

Account Code	Account Name	Reserved for Encumbrance 12/31	Reserved for Encumbrance 12/31 Adjustment	Final Appropriation	Current Reserve for Encumbrance	YTD Expenditures	Unencumbered Balance	YTD % Expenditures
4201-800-346-0000	Engineering Services	\$0.00	\$0.00	\$39,334.75	\$0.00	\$39,088.00	\$246.75	99.373%
4201-800-391-0000	Dues and Fees	\$0.00	\$0.00	\$80,237.02	\$0.00	\$75,538.79	\$4,698.23	94.145%
4201-800-590-0000	Other - Capital Outlay	\$0.00	\$0.00	\$2,100,951.05	\$0.00	\$1,965,338.77	\$135,612.28	93.545%
Grant Construction KIFBL Fund Total:		\$0.00	\$0.00	\$2,220,522.82	\$0.00	\$2,079,965.56	\$140,557.26	93.670%

Fund: Port & Parks Bike Trail Station

Report reflects selected information.



LORAIN PORT AUTHORITY, LORAIN COUNTY

Appropriation Status

By Fund

As Of 9/30/2022

Pooled Balance: \$13,853.26  
 Non-Pooled Balance: \$0.00  
 Total Cash Balance: \$13,853.26

Account Code	Account Name	Reserved for Encumbrance 12/31	Reserved for Encumbrance 12/31 Adjustment	Final Appropriation	Current Reserve for Encumbrance	YTD Expenditures	Unencumbered Balance	YTD % Expenditures
4202-800-500-6300	Capital Outlay{Port & Parks Bike Trail Station}	\$0.00	\$0.00	\$95,126.79	\$21,845.16	\$13,583.34	\$59,698.29	14.279%
	Port & Parks Bike Trail Station Fund Total:	\$0.00	\$0.00	\$95,126.79	\$21,845.16	\$13,583.34	\$59,698.29	14.279%

Fund: Rockin' on the River

Pooled Balance: \$0.00  
 Non-Pooled Balance: \$0.00  
 Total Cash Balance: \$0.00

Account Code	Account Name	Reserved for Encumbrance 12/31	Reserved for Encumbrance 12/31 Adjustment	Final Appropriation	Current Reserve for Encumbrance	YTD Expenditures	Unencumbered Balance	YTD % Expenditures
9902-889-399-0000	Other - Other Contractual Services	\$0.00	\$0.00	\$0.00	\$0.00	\$44,676.24	\$0.00	0.000%
	Rockin' on the River Fund Total:	\$0.00	\$0.00	\$0.00	\$0.00	\$44,676.24	\$0.00	0.000%

Fund: Energy Special Improvement District

Pooled Balance: \$2,500.00  
 Non-Pooled Balance: \$0.00  
 Total Cash Balance: \$2,500.00

Account Code	Account Name	Reserved for Encumbrance 12/31	Reserved for Encumbrance 12/31 Adjustment	Final Appropriation	Current Reserve for Encumbrance	YTD Expenditures	Unencumbered Balance	YTD % Expenditures
9903-889-349-2100	Other - Professional and Technical Services{PACE}	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.000%
	Energy Special Improvement District Fund Total:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.000%
	Report Total:	\$43,554.53	\$1,150.04	\$3,490,811.30	\$261,705.74	\$2,982,130.27	\$365,856.02	84.403%

LORAIN PORT AUTHORITY, LORAIN COUNTY

Bank Reconciliation

Reconciled Date 9/30/2022

Posted 10/3/2022 11:15:52 AM

Prior UAN Balance:		\$1,034,799.96
Receipts:	+	\$249,379.54
Payments:	-	\$114,719.88
Adjustments:	+	\$0.00
Current UAN Balance as of 09/30/2022:		\$1,169,459.62
Other Adjusting Factors:	+	\$0.00
Adjusted UAN Balance as of 09/30/2022:		<u>\$1,169,459.62</u>
Entered Bank Balances as of 09/30/2022:		\$1,187,115.21
Deposits in Transit:	+	\$0.00
Outstanding Payments:	-	\$17,855.59
Outstanding Adjustments:	+	\$0.00
Other Adjusting Factors:	+	\$200.00
Adjusted Bank Balances as of 09/30/2022:		<u>\$1,169,459.62</u>

Balances Reconciled

Reconciliation Notes

Deflating Bank Errors: \$200.00  
 Petty Cash.

Governing Board Signatures

\_\_\_\_\_  
 \_\_\_\_\_

There are no outstanding receipts as of 09/30/2022.

There are no outstanding adjustments as of 09/30/2022.

## LORAIN PORT AUTHORITY, LORAIN COUNTY

10/3/2022 11:35:08 AM

## Bank Balances

UAN v2022.3

Reconciled Date 9/30/2022

Posted 10/3/2022 11:15:52 AM

<u>Type</u>	<u>Name</u>	<u>Number</u>	<u>Prior Bank Balance</u>	<u>Calculated Bank Balance</u>	<u>Entered Bank Balance</u>	<u>Difference</u>
Primary	PRIMARY		\$1,038,322.46	\$1,187,115.21	\$1,187,115.21	\$0.00
		Total:	<u>\$1,038,322.46</u>	<u>\$1,187,115.21</u>	<u>\$1,187,115.21</u>	<u>\$0.00</u>

## LORAIN PORT AUTHORITY, LORAIN COUNTY

10/3/2022 11:35:08 AM

## Outstanding Payments

UAN v2022.3

Reconciled Date 9/30/2022

Posted 10/3/2022 11:15:52 AM

Account	Type	Payment #	Post Date	Vendor / Payee	Amount
PRIMARY	Warrant	14667	08/12/2022	LORAIN INTERNATIONAL ASSOCIATION	\$1,000.00
PRIMARY	Warrant	14692	09/01/2022	CITY OF LORAIN, LORIAN POLICE AUXILIARY	\$500.00
PRIMARY	Warrant	14718	09/21/2022	FRED V. OSTRANDER	\$262.50
PRIMARY	Warrant	14722	09/21/2022	MIDWAY TROPHIES, K & A MIDWAY, INC.	\$10.00
PRIMARY	Warrant	14727	09/27/2022	COLUMBIA GAS OF OHIO	\$248.68
PRIMARY	Warrant	14728	09/27/2022	CSX TRANSPORTATION	\$100.00
PRIMARY	Warrant	14729	09/27/2022	FRED V. OSTRANDER	\$100.00
PRIMARY	Warrant	14731	09/27/2022	MURRAY RIDGE PRODUCTION CENTER	\$800.00
PRIMARY	Warrant	14733	09/27/2022	SUGAR RIDGE INC.	\$175.00
PRIMARY	Warrant	14734	09/27/2022	TERMINAL READY MIX	\$500.00
PRIMARY	Warrant	14735	09/27/2022	US BANK	\$367.97
PRIMARY	Warrant	14736	09/27/2022	William E. Lehner	\$118.75
PRIMARY	Warrant	14737	09/28/2022	Graber Manufacturing, Inc.	\$2,924.00
PRIMARY	Warrant	14738	09/28/2022	PREMIER POLYSTEEL	\$7,331.00
PRIMARY	Warrant	14739	09/29/2022	CITY OF LORAIN UTILITIES DEPT.	\$12.24
PRIMARY	Warrant	14740	09/29/2022	FLIGNER'S SUPERMARKET & CATERING	\$45.45
PRIMARY	Warrant	14741	09/29/2022	LORAIN COUNTY CHAMBER OF COMMERCE	\$700.00
PRIMARY	Warrant	14742	09/29/2022	PARKER MARINE, INC.	\$1,000.00
PRIMARY	Warrant	14743	09/29/2022	RICH'S TOWING & SERVICE, INC.	\$660.00
PRIMARY	Warrant	14744	09/30/2022	Cleveland Dragon Boat Assoc., Inc.	\$1,000.00
					\$17,855.59

## LORAIN PORT AUTHORITY, LORAIN COUNTY

10/3/2022 11:35:08 AM

## Cleared Payments

UAN v2022.3

Reconciled Date 9/30/2022

Posted 10/3/2022 11:15:52 AM

Account	Type	Payment #	Post Date	Vendor / Payee	Amount
PRIMARY	Electronic	179-2022	09/09/2022	THOMAS E BROWN	\$2,764.78
PRIMARY	Electronic	180-2022	09/09/2022	KELSEY LEAH LEYVA	\$1,038.38
PRIMARY	Electronic	181-2022	09/09/2022	TIFFANY A MCCLELLAND	\$2,124.42
PRIMARY	Electronic	182-2022	09/09/2022	IDA YVONNE SMITH	\$1,623.89
PRIMARY	Electronic	184-2022	09/12/2022	MICHAEL E. BROSKY	\$1,256.76
PRIMARY	Electronic	186-2022	09/13/2022	Emily N Rice	\$426.05
PRIMARY	Electronic	188-2022	09/12/2022	US TREASURY	\$2,276.36
PRIMARY	Electronic	189-2022	09/09/2022	OHIO TREASURER OF STATE	\$514.69
PRIMARY	Electronic	190-2022	09/09/2022	CITY OF LORAIN DEPT. OF TAXATION	\$590.37
PRIMARY	Electronic	191-2022	09/09/2022	OHIO PUBLIC EMPLOYEES DEFERRED	\$655.00
PRIMARY	Electronic	192-2022	09/13/2022	OHIO PUBLIC EMPLOYEES RETIREMENT SYSTEM	\$3,183.60
PRIMARY	Electronic	193-2022	09/23/2022	THOMAS E BROWN	\$2,764.78
PRIMARY	Electronic	194-2022	09/23/2022	KELSEY LEAH LEYVA	\$1,038.38
PRIMARY	Electronic	195-2022	09/23/2022	TIFFANY A MCCLELLAND	\$2,032.66
PRIMARY	Electronic	196-2022	09/23/2022	IDA YVONNE SMITH	\$1,705.05
PRIMARY	Electronic	198-2022	09/23/2022	OHIO PUBLIC EMPLOYEES DEFERRED	\$655.00
PRIMARY	Electronic	199-2022	09/15/2022	HUNTINGTON NATIONAL BANK	\$100.46
PRIMARY	Warrant	14644	08/04/2022	LORAIN LIGHTHOUSE FOUNDATION, INC.	\$380.00
PRIMARY	Warrant	14645	08/04/2022	Juan A. Rodriguez	\$180.00
PRIMARY	Warrant	14673	08/15/2022	LOCO YAKS	\$2,000.00
PRIMARY	Warrant	14675	08/22/2022	FRED V. OSTRANDER	\$162.50
PRIMARY	Warrant	14686	09/01/2022	Lorain City School Dist., Board of Education	\$1,000.00
PRIMARY	Warrant	14687	09/01/2022	LORAIN GROWTH CORP. BREWFEST	\$1,000.00
PRIMARY	Warrant	14688	09/01/2022	COLUMBIA GAS OF OHIO	\$233.77
PRIMARY	Warrant	14689	09/01/2022	JOHN MICHAEL LANE	\$381.25
PRIMARY	Warrant	14690	09/01/2022	MURRAY RIDGE PRODUCTION CENTER	\$800.00
PRIMARY	Warrant	14691	09/01/2022	US BANK	\$367.97
PRIMARY	Warrant	14693	09/08/2022	Chris Haynes	\$1,000.00
PRIMARY	Warrant	14694	09/08/2022	CITY OF LORAIN UTILITIES DEPT.	\$1,205.88
PRIMARY	Warrant	14695	09/08/2022	GERGELY'S MAINTENANCE KING	\$54.57
PRIMARY	Warrant	14696	09/08/2022	JOHN MICHAEL LANE	\$312.50
PRIMARY	Warrant	14697	09/08/2022	REPUBLIC SERVICES, INC.	\$724.15

## LORAIN PORT AUTHORITY, LORAIN COUNTY

10/3/2022 11:35:08 AM

## Cleared Payments

UAN v2022.3

Reconciled Date 9/30/2022

Posted 10/3/2022 11:15:52 AM

Account	Type	Payment #	Post Date	Vendor / Payee	Amount
PRIMARY	Warrant	14698	09/08/2022	TREASURER OF STATE, AUDITOR	\$948.00
PRIMARY	Warrant	14699	09/08/2022	Wave Rhino, LLC	\$93.75
PRIMARY	Warrant	14700	09/08/2022	William E. Lehner	\$250.00
PRIMARY	Warrant	14701	09/08/2022	Roy A. DeVore	\$600.00
PRIMARY	Warrant	14702	09/09/2022	FALLS RIVER CONCERTS LLC	\$17,425.66
PRIMARY	Warrant	14703	09/09/2022	LORAIN COUNTY TREASURER	\$840.50
PRIMARY	Warrant	14704	09/09/2022	LORAIN COUNTY TREASURER	\$7,564.50
PRIMARY	Warrant	14705	09/09/2022	LORAIN COUNTY TREASURER	\$33.00
PRIMARY	Warrant	14706	09/13/2022	Daniel Stark	\$100.00
PRIMARY	Warrant	14707	09/13/2022	Lorain County Organized Labor Festival	\$1,000.00
PRIMARY	Warrant	14708	09/14/2022	Brian Lehner, dba Lehner Marine Services	\$487.50
PRIMARY	Warrant	14709	09/14/2022	GERGELY'S MAINTENANCE KING	\$336.63
PRIMARY	Warrant	14710	09/14/2022	HULL & ASSOCIATES, INC.	\$217.50
PRIMARY	Warrant	14711	09/14/2022	JAN-PRO CLEANING SYSTEMS	\$272.00
PRIMARY	Warrant	14712	09/14/2022	MURRAY RIDGE PRODUCTION CENTER	\$800.00
PRIMARY	Warrant	14713	09/14/2022	TERMINAL READY MIX	\$4,000.00
PRIMARY	Warrant	14714	09/14/2022	Tiffany McClelland	\$50.63
PRIMARY	Warrant	14715	09/21/2022	ANDREW CARDEN	\$250.00
PRIMARY	Warrant	14716	09/21/2022	Brian Lehner, dba Lehner Marine Services	\$325.00
PRIMARY	Warrant	14717	09/21/2022	COLUMBIA GAS OF OHIO	\$38.95
PRIMARY	Warrant	14719	09/21/2022	JOHN MICHAEL LANE	\$150.00
PRIMARY	Warrant	14720	09/21/2022	LORAIN COUNTY CHAMBER OF COMMERCE	\$900.00
PRIMARY	Warrant	14721	09/21/2022	Lumen	\$719.95
PRIMARY	Warrant	14723	09/21/2022	MTC HORTICULTUREAL SERVICES LLC	\$18,101.26
PRIMARY	Warrant	14724	09/21/2022	OHIO EDISON	\$2,000.32
PRIMARY	Warrant	14725	09/21/2022	TERRY GINN ADVERTISING, LLC	\$256.82
PRIMARY	Warrant	14726	09/21/2022	US BANK ONE CARD	\$7,473.48
PRIMARY	Warrant	14730	09/27/2022	JAN-PRO CLEANING SYSTEMS	\$272.00
PRIMARY	Warrant	14732	09/27/2022	OHIO EDISON	\$526.12
					\$100,586.79

## LORAIN PORT AUTHORITY, LORAIN COUNTY

10/3/2022 11:35:08 AM

## Cleared Receipts

UAN v2022.3

Reconciled Date 9/30/2022

Posted 10/3/2022 11:15:52 AM

Account	Type	Ticket #	Receipt #	Post Date	Source	Amount
PRIMARY	Standard		175-2022	09/01/2022	PEEK PRO TICKETING SYSTEM	\$510.00
PRIMARY	Standard		176-2022	09/02/2022	PEEK PRO TICKETING SYSTEM	\$2,493.99
PRIMARY	Standard		177-2022	09/06/2022	OASIS MARINAS AT PORT LORAIN	\$10,600.00
PRIMARY	Standard		178-2022	09/06/2022	ARIEL ON BROADWAY	\$10,000.00
PRIMARY	Standard		179-2022	09/06/2022	PEEK PRO TICKETING SYSTEM	\$1,229.97
PRIMARY	Standard		180-2022	09/07/2022	Brad Mullins	\$2,500.00
PRIMARY	Standard		181-2022	09/07/2022	PEEK PRO TICKETING SYSTEM	\$6,897.00
PRIMARY	Standard		182-2022	09/08/2022	PEEK PRO TICKETING SYSTEM	\$4,362.69
PRIMARY	Standard		183-2022	09/08/2022	CITY OF LORAIN AUDITORS OFFICE	\$42.36
PRIMARY	Standard		185-2022	09/09/2022	PEEK PRO TICKETING SYSTEM	\$40.01
PRIMARY	Standard		184-2022	09/12/2022	Lorain County Organized Labor Festival	\$140.82
PRIMARY	Standard		186-2022	09/12/2022	BUCKEYE COMMUNITY BANK	\$367.00
PRIMARY	Standard		187-2022	09/16/2022	PEEK PRO TICKETING SYSTEM	\$159.99
PRIMARY	Standard		188-2022	09/19/2022	Cleveland Dragon Boat Assoc., Inc.	\$1,400.00
PRIMARY	Standard		189-2022	09/20/2022	PEEK PRO TICKETING SYSTEM	\$20.00
PRIMARY	Standard		190-2022	09/21/2022	Multiple donors	\$160.00
PRIMARY	Standard		192-2022	09/21/2022	PEEK PRO TICKETING SYSTEM	\$120.02
PRIMARY	Standard		191-2022	09/22/2022	1st Nationwide Title Agency, Ltd.	\$206,688.55
PRIMARY	Standard		193-2022	09/23/2022	PEEK PRO TICKETING SYSTEM	\$80.02
PRIMARY	Standard		194-2022	09/23/2022	Lumen Technologies Service Group, LLC	\$1,500.00
PRIMARY	Standard		195-2022	09/26/2022	CITY OF LORAIN AUDITORS OFFICE	\$67.12
						\$249,379.54

## Payment Listing

September 2022

Payment Advice #	Post Date	Transaction Date	Type	Vendor / Payee	Amount	Status
179-2022	09/09/2022	09/07/2022	EP	THOMAS E BROWN	\$2,764.78	C
180-2022	09/09/2022	09/07/2022	EP	KELSEY LEAH LEYVA	\$1,038.38	C
181-2022	09/09/2022	09/07/2022	EP	TIFFANY A MCCLELLAND	\$2,124.42	C
182-2022	09/09/2022	09/07/2022	EP	IDA YVONNE SMITH	\$1,623.89	C
184-2022	09/12/2022	09/08/2022	EP	MICHAEL E. BROSKY	\$1,256.76	C
186-2022	09/13/2022	09/08/2022	EP	Emily N Rice	\$426.05	C
188-2022	09/12/2022	09/09/2022	EW	US TREASURY	\$2,276.36	C
189-2022	09/09/2022	09/09/2022	EW	OHIO TREASURER OF STATE	\$514.69	C
190-2022	09/09/2022	09/09/2022	EW	CITY OF LORAIN DEPT. OF TAXATION	\$590.37	C
191-2022	09/09/2022	09/09/2022	EW	OHIO PUBLIC EMPLOYEES DEFERRED	\$655.00	C
192-2022	09/13/2022	09/09/2022	EW	OHIO PUBLIC EMPLOYEES RETIREMENT S	\$3,183.60	C
193-2022	09/23/2022	09/20/2022	EP	THOMAS E BROWN	\$2,764.78	C
194-2022	09/23/2022	09/20/2022	EP	KELSEY LEAH LEYVA	\$1,038.38	C
195-2022	09/23/2022	09/20/2022	EP	TIFFANY A MCCLELLAND	\$2,032.66	C
196-2022	09/23/2022	09/20/2022	EP	IDA YVONNE SMITH	\$1,705.05	C
198-2022	09/23/2022	09/21/2022	EW	OHIO PUBLIC EMPLOYEES DEFERRED	\$655.00	C
199-2022	09/15/2022	10/03/2022	CH	HUNTINGTON NATIONAL BANK	\$100.46	C
14686	09/01/2022	09/01/2022	RW	Lorain City School Dist., Board of Education	\$1,000.00	C
14687	09/01/2022	09/01/2022	RW	LORAIN GROWTH CORP. BREWFEST	\$1,000.00	C
14688	09/01/2022	09/01/2022	AW	COLUMBIA GAS OF OHIO	\$233.77	C
14689	09/01/2022	09/01/2022	AW	JOHN MICHAEL LANE	\$381.25	C
14690	09/01/2022	09/01/2022	AW	MURRAY RIDGE PRODUCTION CENTER	\$800.00	C
14691	09/01/2022	09/01/2022	AW	US BANK	\$367.97	C
14692	09/01/2022	09/01/2022	AW	CITY OF LORAIN, LORIAN POLICE AUXILIA	\$500.00	O
14693	09/08/2022	09/08/2022	AW	Chris Haynes	\$1,000.00	C
14694	09/08/2022	09/08/2022	AW	CITY OF LORAIN UTILITIES DEPT.	\$1,205.88	C
14695	09/08/2022	09/08/2022	AW	GERGELY'S MAINTENANCE KING	\$54.57	C
14696	09/08/2022	09/08/2022	AW	JOHN MICHAEL LANE	\$312.50	C
14697	09/08/2022	09/08/2022	AW	REPUBLIC SERVICES, INC.	\$724.15	C
14698	09/08/2022	09/08/2022	AW	TREASURER OF STATE, AUDITOR	\$948.00	C
14699	09/08/2022	09/08/2022	AW	Wave Rhino, LLC	\$93.75	C
14700	09/08/2022	09/08/2022	AW	William E. Lehner	\$250.00	C
14701	09/08/2022	09/08/2022	AW	Roy A. DeVore	\$600.00	C
14702	09/09/2022	09/09/2022	AW	FALLS RIVER CONCERTS LLC	\$17,425.66	C
14703	09/09/2022	09/09/2022	WH	LORAIN COUNTY TREASURER	\$840.50	C
14704	09/09/2022	09/09/2022	AW	LORAIN COUNTY TREASURER	\$7,564.50	C
14705	09/09/2022	09/09/2022	AW	LORAIN COUNTY TREASURER	\$33.00	C
14706	09/13/2022	09/13/2022	RW	Daniel Stark	\$100.00	C
14707	09/13/2022	09/13/2022	RW	Lorain County Organized Labor Festival	\$1,000.00	C
14708	09/14/2022	09/14/2022	AW	Brian Lehner, dba Lehner Marine Services	\$487.50	C
14709	09/14/2022	09/14/2022	AW	GERGELY'S MAINTENANCE KING	\$336.63	C
14710	09/14/2022	09/14/2022	AW	HULL & ASSOCIATES, INC.	\$217.50	C
14711	09/14/2022	09/14/2022	AW	JAN-PRO CLEANING SYSTEMS	\$272.00	C
14712	09/14/2022	09/14/2022	AW	MURRAY RIDGE PRODUCTION CENTER	\$800.00	C
14713	09/14/2022	09/14/2022	AW	TERMINAL READY MIX	\$4,000.00	C
14714	09/14/2022	09/14/2022	AW	Tiffany McClelland	\$50.63	C



## Payment Listing

September 2022

Payment Advice #	Post Date	Transaction Date	Type	Vendor / Payee	Amount	Status
14715	09/21/2022	09/21/2022	AW	ANDREW GARDEN	\$250.00	C
14716	09/21/2022	09/21/2022	AW	Brian Lehner, dba Lehner Marine Services	\$325.00	C
14717	09/21/2022	09/21/2022	AW	COLUMBIA GAS OF OHIO	\$38.95	C
14718	09/21/2022	09/21/2022	AW	FRED V. OSTRANDER	\$262.50	O
14719	09/21/2022	09/21/2022	AW	JOHN MICHAEL LANE	\$150.00	C
14720	09/21/2022	09/21/2022	AW	LORAIN COUNTY CHAMBER OF COMMERC	\$900.00	C
14721	09/21/2022	09/21/2022	AW	Lumen	\$719.95	C
14722	09/21/2022	09/21/2022	AW	MIDWAY TROPHIES, K & A MIDWAY, INC.	\$10.00	O
14723	09/21/2022	09/21/2022	AW	MTC HORTICULTUREAL SERVICES LLC	\$18,101.26	C
14724	09/21/2022	09/21/2022	AW	OHIO EDISON	\$2,000.32	C
14725	09/21/2022	09/21/2022	AW	TERRY GINN ADVERTISING, LLC	\$256.82	C
14726	09/21/2022	09/21/2022	AW	US BANK ONE CARD	\$7,473.48	C
14727	09/27/2022	09/27/2022	AW	COLUMBIA GAS OF OHIO	\$248.68	O
14728	09/27/2022	09/27/2022	AW	CSX TRANSPORTATION	\$100.00	O
14729	09/27/2022	09/27/2022	AW	FRED V. OSTRANDER	\$100.00	O
14730	09/27/2022	09/27/2022	AW	JAN-PRO CLEANING SYSTEMS	\$272.00	C
14731	09/27/2022	09/27/2022	AW	MURRAY RIDGE PRODUCTION CENTER	\$800.00	O
14732	09/27/2022	09/27/2022	AW	OHIO EDISON	\$526.12	C
14733	09/27/2022	09/27/2022	AW	SUGAR RIDGE INC.	\$175.00	O
14734	09/27/2022	09/27/2022	AW	TERMINAL READY MIX	\$500.00	O
14735	09/27/2022	09/27/2022	AW	US BANK	\$367.97	O
14736	09/27/2022	09/27/2022	AW	William E. Lehner	\$118.75	O
14737	09/28/2022	09/28/2022	AW	Graber Manufacturing, Inc.	\$2,924.00	O
14738	09/28/2022	09/28/2022	AW	PREMIER POLYSTEEL	\$7,331.00	O
14739	09/29/2022	09/29/2022	AW	CITY OF LORAIN UTILITIES DEPT.	\$12.24	O
14740	09/29/2022	09/29/2022	AW	FLIGNER'S SUPERMARKET & CATERING	\$45.45	O
14741	09/29/2022	09/29/2022	AW	LORAIN COUNTY CHAMBER OF COMMERC	\$700.00	O
14742	09/29/2022	09/29/2022	AW	PARKER MARINE, INC.	\$1,000.00	O
14743	09/29/2022	09/29/2022	AW	RICH'S TOWING & SERVICE, INC.	\$660.00	O
14744	09/30/2022	09/30/2022	RW	Cleveland Dragon Boat Assoc., Inc.	\$1,000.00	O
Total Payments:					\$114,719.88	
Total Conversion Vouchers:					\$0.00	
Total Less Conversion Vouchers:					\$114,719.88	

Type: AM - Accounting Manual Warrant, AW - Accounting Warrant, IM - Investment Manual Warrant, IW - Investment Warrant, PM - Payroll Manual Warrant, PR - Payroll Warrant, RW - Reduction of Receipt Warrant, SW - Skipped Warrant, WH - Withholding Warrant, WM - Withholding Manual, WS - Special Warrant, CH - Electronic Payment Advice, IL - Investment Loss, EP - Payroll EFT Voucher, CV - Payroll Conversion Voucher, SV - Payroll Special Voucher, EW - Withholding Voucher, POS ADJ - Positive Adjustment, NEG ADJ - Negative Adjustment, POS REAL - Positive Reallocation, NEG REAL - Negative Reallocation

Status: O - Outstanding, C - Cleared, V - Voided, B - Batch

\* Asterisked amounts are not included in report totals. These transactions occurred outside the reported date range but are listed for reference.

LORAIN PORT AUTHORITY, LORAIN COUNTY  
Purchase Order Listing  
Year 2022

Purchase Order #	Type	Issue Date	Transaction Date	Expire Date	Vendor	Status	Amount Encumbered	Amount Charged	Amount Adjusted	Amount Overspent	Available Balance
254-2022	PO Reg	09/01/2022	09/01/2022		CITY OF LORAIN, LORIAN POLICE AUXILIARY	C	\$500.00	\$500.00	\$0.00	\$0.00	\$0.00
255-2022	PO Reg	09/01/2022	09/01/2022		GREAT LAKES PUBLISHING	O	\$500.00	\$0.00	\$0.00	\$0.00	\$500.00
256-2022	PO Reg	09/01/2022	09/01/2022		US BANK ONE CARD	O	\$500.00	\$500.00	\$0.00	\$0.00	\$0.00
257-2022	PO Reg	09/02/2022	09/02/2022		GERGELY'S MAINTENANCE KING	O	\$500.00	\$80.41	\$0.00	\$0.00	\$419.59
258-2022	PO ThnNw	09/08/2022	09/08/2022		Roy A. DeVore	C	\$318.75	\$318.75	\$0.00	\$0.00	\$0.00
259-2022	PO Reg	09/09/2022	09/09/2022		FALLS RIVER CONCERTS LLC	C	\$17,425.66	\$17,425.66	\$0.00	\$0.00	\$0.00
260-2022	PO Reg	09/09/2022	09/09/2022		LORAIN COUNTY CHAMBER OF COMMERCE	O	\$500.00	\$500.00	\$0.00	\$0.00	\$0.00
261-2022	PO Reg	09/09/2022	09/09/2022		BCT ALARM SERVICES, INC.	O	\$2,216.39	\$0.00	\$0.00	\$0.00	\$2,216.39
262-2022	PO Reg	09/12/2022	09/12/2022		US BANK ONE CARD	O	\$23.22	\$0.00	\$0.00	\$0.00	\$23.22
263-2022	PO Reg	09/12/2022	09/12/2022		US BANK ONE CARD	O	\$13.59	\$0.00	\$0.00	\$0.00	\$13.59
264-2022	PO Reg	09/13/2022	09/13/2022		MIDWAY TROPHIES, K & A MIDWAY, INC.	O	\$10.00	\$10.00	\$0.00	\$0.00	\$0.00
265-2022	PO Reg	09/15/2022	09/15/2022		LORAIN COUNTY CHAMBER OF COMMERCE	O	\$400.00	\$400.00	\$0.00	\$0.00	\$0.00
266-2022	PO ThnNw	09/19/2022	09/19/2022		SUGAR RIDGE INC.	O	\$175.00	\$175.00	\$0.00	\$0.00	\$0.00
267-2022	PO Reg	09/21/2022	09/21/2022		THE MORNING JOURNAL	O	\$272.40	\$0.00	\$0.00	\$0.00	\$272.40
268-2022	PO ThnNw	09/22/2022	09/22/2022		PREMIER POLYSTEEL	O	\$3,328.34	\$3,328.34	\$0.00	\$0.00	\$0.00
269-2022	PO Reg	09/22/2022	09/22/2022		TERMINAL READY MIX	O	\$250.00	\$0.00	\$0.00	\$0.00	\$250.00
270-2022	PO Reg	09/23/2022	09/23/2022		RICH'S TOWING & SERVICE, INC.	C	\$300.00	\$0.00	\$300.00	\$0.00	\$0.00
271-2022	PO Reg	09/23/2022	09/23/2022		TERMINAL READY MIX	O	\$500.00	\$500.00	\$0.00	\$0.00	\$0.00
272-2022	PO Reg	09/27/2022	09/27/2022		CSX TRANSPORTATION	O	\$100.00	\$100.00	\$0.00	\$0.00	\$0.00
273-2022	PO Reg	09/27/2022	09/27/2022		US BANK ONE CARD	O	\$1,718.37	\$0.00	\$0.00	\$0.00	\$1,718.37
274-2022	PO ThnNw	09/27/2022	09/27/2022		RICH'S TOWING & SERVICE, INC.	O	\$660.00	\$660.00	\$0.00	\$0.00	\$0.00
275-2022	PO Reg	09/27/2022	09/27/2022		TREE PRO LANDCLEARING & TREE CARE, INC.	O	\$3,600.00	\$0.00	\$0.00	\$0.00	\$3,600.00

## LORAIN PORT AUTHORITY, LORAIN COUNTY

## Purchase Order Listing

Year 2022

Purchase Order #	Type	Issue Date	Transaction Date	Expire Date	Vendor	Status	Amount Encumbered	Amount Charged	Amount Adjusted	Amount Overspent	Available Balance
276-2022	PO Reg	09/28/2022	09/28/2022		US BANK ONE CARD	C	\$2,924.00	\$0.00	\$2,924.00	\$0.00	\$0.00
277-2022	PO Reg	09/28/2022	09/28/2022		Graber Manufacturing, Inc.	O	\$2,924.00	\$2,924.00	\$0.00	\$0.00	\$0.00
278-2022	PO Reg	09/28/2022	09/28/2022		PREMIER POLYSTEEL	O	\$7,331.00	\$7,331.00	\$0.00	\$0.00	\$0.00
279-2022	PO Reg	09/28/2022	09/28/2022		PARKER MARINE, INC.	O	\$3,309.40	\$1,000.00	\$0.00	\$0.00	\$2,309.40
Total for selected purchase orders:							<u>\$50,300.12</u>	<u>\$35,753.16</u>	<u>\$3,224.00</u>	<u>\$0.00</u>	<u>\$11,322.96</u>

Status: O - Open, C - Closed, B - Batch

# Lorain Port Authority ByLaws Rules and Regulations

Style Definition: TOC 2: Tab stops: 6.99", Right,Leader: ...



~~January-October 110,~~  
2021

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## Office Location

### Principal Office

Lorain Port Authority, 319 Black River Lane, Lorain, Ohio 44052 or such other location as may be designated from time to time by the Board of Directors.

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### Remote Work

The Executive Director may allow remote work from time to time in order to further the purposes of the Lorain Port Authority and the efficiency of its operations.

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### Sub Offices

The Board of Directors may establish sub offices at such other places, within or without the state of Ohio, as shall be designated from time to time by the Board of Directors in order to further the purposes of the Lorain Port Authority and the efficiency of its operations.

## Board Members

### Organization of Board of Directors

A port authority created in accordance with section 4582.02 of the Revised Code shall be governed by a board of directors. Members of a board of directors of a port authority created by the exclusive action of a municipal corporation shall consist of the number of members it considers necessary and shall be appointed by the mayor with the advice and consent of the council.

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Each successor shall serve for a term of four years, except that any person appointed to fill a vacancy shall be appointed to only the unexpired term and any director is eligible for reappointment.

A majority of the directors shall have been qualified electors of, or shall have had their businesses or places of employment in, one or more political subdivisions within the area of the jurisdiction of the port authority, for a period of at least three years next preceding their appointment.

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## Officers

~~The officers of the LPA shall be a chairperson, a vice chairperson, a secretary and such assistant secretaries as the Board of Directors of the LPA may designate, provided that only the chairperson and vice chairperson need to be members of the Board. The directors shall elect one of their membership as chairperson and another as vice-chairperson and shall designate their terms of office, and shall appoint a secretary who need not be a director.~~

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### Chairperson

The Chairperson shall preside at all meetings of the Board and shall be the chief executive officer of the Lorain Port Authority. He/she shall perform all duties commonly incident to the position of presiding officer of a board or commission and all duties commonly incident to the position of chief executive officer of a board, commission, or business organization, and shall exercise supervision over the business of the Lorain Port Authority, its officers and employees. He/she shall have authority without impairment of any authority specifically granted by the Board to other person to sign all contracts, releases, notes, bonds and other instruments and documents to be executed on behalf of the Lorain Port Authority. He/she shall be the chief officer of the Lorain Port Authority for the purpose of service of civil process and is authorized to accept such service on behalf of the Lorain Port Authority. He/she shall perform such other duties as prescribed by the laws of the State of Ohio and have such other authority as may be provided from time to time by the Board.

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### Vice Chairperson

The Vice Chair shall be a member of the Board of Directors. He/She shall perform the duties and have the authority of the chair during the absence and disability of the chair, and shall preside at the meetings of the Board of Directors when and while the Chair shall vacate the chair. The Vice Chair shall perform such other duties and have such other authority as may be assigned to him/her from time to time by the Board of Directors or Chair. At the request of the Chair, or in his/her absence or disability, have all the powers of the chair. The authority of the Vice Chair to sign in the name of the Port Authority all contracts, releases, bonds, notes and

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other instrument and documents to be executed on behalf of the Port Authority shall be coextensive of the Chair.

### ~~Secretary and Fiscal Officer~~

~~If the secretary is not a member of the Board,~~The secretary shall also be the fiscal officer of the Lorain Port Authority but need not be a member of the Board of Directors. He/she shall receive such compensation, as the Board shall provide. ~~The secretary shall also be the fiscal officer of the Lorain Port Authority but need not be a member of the Board of Directors.~~ Before entering upon his/her duties, the secretary shall give a surety bond to the Lorain Port Authority in the penal; sum of \$25,000; such bond to be conditioned upon the faithful performance of the duties of the office, to be executed by sureties satisfactory to the Lorain Port Authority. The cost of such bond and any other bonds required by these rules and regulations shall be paid by the Lorain Port Authority.

- ~~1.~~ He/she shall attend all meetings of the Board of Directors and shall keep accurate records of the proceedings at such meetings, including agency journals, which shall be attested by him/her. He/she shall have such authority and perform such duties as are provided by law and such as may, at any time and from time to time, be delegated to him/her by the Board of Directors.

A.

- ~~2.~~ He/she shall cause to be kept accurate books of account of all transactions on behalf of the Lorain Port Authority.

B.

- ~~3.~~ He/she shall have the care and custody of the funds of the Lorain Port Authority and may on behalf of the Lorain Port Authority endorse for deposit or collection all drafts, checks, notes and other instruments and orders for the payment of money to the Lorain Port Authority or its order, and to sign receipts thereof.

C.

- ~~4.~~ He/she shall have authority to sign, on behalf of the Lorain Port Authority, all vouchers for payments to be made by the Lorain Port Authority, and checks, drafts, notes and other obligations of the Lorain Port Authority for the payment of money by the Lorain Port Authority in the manner and to the extent provided in these Rules and Regulations.

D.

- ~~5.~~ He/she shall, from time to time, with the approval of the Board of Directors, allocate and reallocate the funds of the Lorain Port Authority into inactive funds, active funds and special funds, as provided or permitted by law.

E.

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~~6.~~ He/she shall prepare and submit to the Board his/her proposals for the annual budget and appropriations; shall maintain operations and expenditures within the budget and appropriations; and shall establish budget procedures and maintain supervision over budget control.

F.

~~G. 7.~~ He/she shall be secretary to all committees, and when directed by the chairperson of any committee, shall cause minutes of each meeting to be kept.

H. 8. The secretary shall be deemed to have discharged his/her responsibilities under these rules and regulations if he/she shall have caused the same to be discharged by an ~~assistant or~~ employee properly authorized or assigned to the secretary by the Board of Directors, except as to any duties which under the law can be discharged only by the secretary or fiscal officer of a port authority, pursuant to the applicable provisions of Chapter 4582 of the Revised Code of Ohio.

The secretary shall have the authority to delegate any and all of the duties or authorities listed above to members of the LPA staff, or others as appropriate.

The secretary shall have authority to sign, on behalf of the port authority, powers of attorney required by the Department of Treasury, United States Customs Service, for the purpose of continuing operations in the Foreign Trade Zone, or for other purposes as may be necessary.

#### **Assistant Secretary**

~~The Board of Directors may appoint one or more persons as Assistant Secretary, each of whom shall be and assistant secretary and assistant fiscal officer, who need not be a member of the Board of Directors. Each assistant secretary may, unless otherwise specified by the laws of Ohio, these Rules and Regulations, the Board of Directors or the secretary, perform any and all duties of the secretary, which customarily and ordinarily designated to the office of the secretary, and to the extent permitted by law, may perform such further duties as may be assigned from time to time by the Board of Directors or the secretary.~~

~~Before entering upon the duties, each assistant secretary shall file with the Port authority a surety bond similar to the bond prescribed for the Fiscal Officer, in the penal sum of \$25,000.~~

#### **Assistant and Sub-ordinate Officers**

~~The Board of Directors may appoint such assistant and subordinate officers or employees and hire such professional consultants or advisors as it may deem desirable or necessary, who shall~~

~~hold office or employment, or be employed as independent contractors, at the pleasure of the Board of Directors and perform such duties as the Board of Directors may prescribe. The Board of Directors may authorize any officer to appoint and remove subordinate officers or employees, to prescribe their authority and duties, and to fix their compensation within amounts appropriated by the Board of Directors.~~

~~There is reserved to the Board of Directors of the authority at all times to delegate, transfer, assign and reassign duties to the extent permitted by law.~~

### *Terms of Office*

All officers elected prior to adoption of these bylaws shall continue to hold office until such time of their term expiration and their successors are elected. The term of each officer shall be one year and until his successors are elected. Officers shall be elected annually at the meeting of the Board of Directors in the month of April and shall take office at the next regularly scheduled meeting of the Board in May. If any officer who was a member or employee of the Board of Directors or the Lorain Port Authority when elected to his office, shall cease to hold such office if he shall cease to be a member or employee of the Lorain Port Authority.

### *Resignation*

Any officer may resign by giving written notice to the Secretary, or in event of resignation of the Secretary, by giving written notice to the Chairman. Resignation shall be effective as of the date stated in such resignation or, if not therein stated, upon the appointment of a successor. Notice of resignation shall be transmitted by the officer receiving same to all members of the Board of Directors, but no such resignation shall require acceptance by the Board.

### *Removal of an Officer*

All officers shall serve at the pleasure of the Board and shall be subject to removal by the Board at any time by a majority of the Board of Directors at a duly called meeting.

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*Vacancies*

Vacancies in all offices shall be filled by the Board of Directors and may be filled by the vote of a majority of those present at any regular or special meeting at which a quorum is present.

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*Delegation of Duties*

Execution of Instruments Deeds, Leases, Contracts and Other Agreements Deeds, leases, contracts agreements and all other documents excepting those referred to in paragraph (2) below, shall be signed by the person or officer specified in any pertinent statute as the person, or officer required to execute such instrument. If no statutory requirement exists, such instruments shall be signed by the Chairperson or vice chairperson, and by the secretary or an assistant secretary, but the Board may at any time or from time designate one or more of its members or any other employee or officer to execute any such instrument for and on behalf of the Lorain Port Authority.

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*Qualified Immunity*

In addition to any other immunity provided under Ohio law, no member of the Board of Directors shall be personally liable for any monetary damages that arise from actions taken in the performance of his or her official duties, except for acts or omissions that are not in good faith or that involve intentional misconduct or a knowing violation of law, or any transaction from which the director derived an improper personal benefit.

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*Compensation*

Each Director shall serve without compensation, although expenses incurred by any Director may be paid or reimbursed as the Board may approve.

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### *Reimbursement of Expenses*

All Directors, officers, professional consultants or advisors or employees of the LPA, who properly incur expenses in the course of their official duties, shall be reimbursed for such expenses incurred, upon vouchers approved by the chair-person, vice chairperson or secretary.

### *Removal of Director*

Any Director who fails to attend three (3) consecutive regular meetings of the Board (such Director being hereinafter referred to as the "Director to be removed") may be removed from the Board. Any Director may be removed for misfeasance, nonfeasance or malfeasance.

### *Ethics Statement*

The ethical actions and behavior of members of the Lorain (City) Port Authority are described in and controlled by Ohio law (R.C. 102.01-.99). Under the Ohio Revised Code, Board Members are Public Officials. Proper ethical behavior draws its basis from the fiduciary duty that board members (public officials) of public agencies in Ohio acknowledge and adhere to.

A primary responsibility of port board members is to adhere to their fiduciary duty to the citizens of the city. The citizens have over a number of years consistently and voluntarily agreed to contribute money in the form of a property tax levy to provide for the operating cost of this Port Authority. Without the support of these contributions, the Port Authority could not exist.

Fiduciary duty is a legal obligation of one party (the Board members) to act in the best interest of another (the taxpayers). The obligated party is typically a fiduciary, that is, someone entrusted with the care of money or property.

Under Ohio Ethics Law, the Port Authority is defined as a public agency and the Board members as public officials. This elevates the fiduciary duty to a level that should be considered in all official actions taken by the Board, not only to avoid a conflict of interest, but also to avoid any perception of a conflict of interest.

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A public official may not participate in any matters (including voting as a Board member or discussing these matters with other Board members privately) that involve his own financial interests or those of his family or business associates. A public official may not use or authorize the use of his public position to benefit himself or others in circumstances that create a conflict of interest where his objectivity could be impaired. In addition, a public official is prohibited from soliciting or accepting anything of value that would create any influence upon the public official in his public duties. These provisions prohibit a public official from soliciting or accepting gifts, travel expenses, consulting fees, or any other thing of value from any party that is interested in, regulated by, or doing or seeking to do business with the public agency. A public official is prohibited from having any financial or fiduciary interest in a public contract approved by the Board upon which he sits.

As a Board member, if any questions regarding ethics or fiduciary duty arise, I will contact the Port Authority's legal counsel through the executive director and seek advice.

\_\_\_\_\_  
Members Name, Board of Director

\_\_\_\_\_  
Date

## Board Meetings

### *Quorum*

~~A majority of the members of the board then duly appointed and serving shall constitute a quorum for the transaction of business, but a lesser number may adjourn any meeting, provided, however, if the Board is constituted of less than its full nine members a quorum shall never be less than five members of the Board of Directors duly appointed and serving. An affirmative vote of all the Directors shall be necessary to pass any resolution, a majority of the Board shall be necessary to pass any motion or to conduct any other business which may come before the meeting.~~

### *Robert's Rules of Order*

The rules contained in Robert's Rules of Order shall govern the Port Authority in all cases to which they are applicable and in which they are not inconsistent with these By-Laws and any special rules of order the Board of Directors may adopt.

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### *Place of Meeting*

All meetings shall be at its principal office, or at such other place designated by the Board at a preceding meeting, or designated in the notice of the meeting as hereinafter provided. At the discretion of the Executive Director and Chairperson, the board of directors may hold a meeting by interactive video conference or teleconference as provided in section 4582.60 of Revised Code.

### *Regular Meetings*

It is the intention of the Board of Directors that meetings shall be held at least once each month, on such date and at such time and place as shall be designated from time to time by the Chair. Notice of such meetings shall be given to the Directors at least 48 hours before the time of such meeting.

### *Special Meetings*

Subject to the requirements set forth previously, special meetings may be called at any time by the Chair, the vice chair, or any three directors, upon at least 24 hours notice given to each director.

### *Notice of Meetings*

The secretary of the Board shall establish a procedure which shall provide for public notice of meetings of the Board of Directors and committees of the Board of the Lorain Port Authority, which notice shall contain the time, place and date of any meeting. Said procedure shall comply fully with the provisions of Section 121.22 of the Ohio Revised Code and a statement of such procedures shall be open to public inspection at all reasonable times.

### *Quorum*

A majority of the members of the board then duly appointed and serving shall constitute a quorum for the transaction of business, but a lesser number may adjourn any meeting. If the Board is constituted of less than its full nine members a quorum shall never be less than five members of the Board of Directors duly appointed and serving. An affirmative vote of five of the Directors shall be necessary to pass any resolution, a majority of the Board shall be



necessary to pass any motion or to conduct any other business which may come before the meeting.

At the discretion of the Executive Director and Chairperson, a member of the Board of Directors may be considered present and have the ability to cast a vote if they are attending in person at the designated meeting location, virtually through a video conferencing platform or called in via telephone.

### *Executive Session*

The Board of Directors may hold an executive session only after a majority of a quorum of the Board determines, by a roll call vote, to hold an executive session and only at a regular or special meeting for the sole purpose of the consideration of any of the following matters and any other matter allowed by Ohio law:

- 1-A. To consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of a public employee or official, or the investigation of charges or complaints against a public employee, official, licensee, or regulated individual requests a public hearing. If the Board of Directors holds an executive session for one of these purposes, the motion and vote to hold the executive session must state the approved purpose for the executive session, but need not indicate the name of the person to be considered at the meeting.
- 2-B. To consider the purchase of property for public purposes, or for the sale of property at competitive bidding, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public interest.
- 3-C. Conferences with an attorney for the Port Authority concerning disputes involving the Port Authority that are the subject of pending or imminent court action.
- 4-D. Preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment.
- 5-E. Matters required to be kept confidential by federal law or regulations or state statutes.
- F. Specialized details of security arrangements if disclosure of the matters discussed might reveal information that could be used for the purpose of committing, or avoiding prosecution for a violation of the law.
- 6-G. To consider confidential information related to the marketing plans, specific business strategy, production techniques, trade secrets, or personal financial statements of an applicant for economic development assistance, or to negotiations

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with other political subdivisions respecting requests for economic development assistance.

If the Port Authority holds an executive session to consider any matters listed above, the motion and vote to hold that executive session must state which one or more of the approved matters are to be considered at the executive session.

In the event of an emergency, the secretary shall, on behalf of the Chairperson or directors calling the special meeting shall notify the news media that have requested notification immediately of the time, place and purpose of the special meeting.

### *Action of the Board*

Action of the Board shall be by resolution or motion.

#### **Resolutions**

Resolutions shall be in written form. On passage of each resolution, the vote of each member present shall be entered in the minutes of the meeting.

#### **Motions**

Motions shall be presented, seconded and acted upon in accordance with recognized parliamentary procedures. Upon request of any member, any motion shall be reduced in writing. Any motion may be withdrawn by the maker with the consent of the second, before it has been amended or voted upon. All motions which have been entertained by the presiding member shall be entered upon the minutes of the meeting.

### *Public Meetings*

All meetings of the Board of Directors shall be open to the public.

### *Journals*

Minutes of all meetings shall be recorded in books which shall be designated as the Journal of the Port Authority. With respect to each meeting, there shall be shown the date and place, the members present, a summary of things done, and a record of each vote taken. Resolutions adopted may be set forth in full in the minutes or identified by appropriate reference.

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A separate Journal designated as the Resolutions Journal shall be kept, which shall set forth the full text of each resolution adopted by the Board of Directors together with identification by appropriate numbering system, and a record of the date and of the vote upon its adoption.

All Journals shall be open to public inspection during normal business hours.

### Conduct of Meetings

Until otherwise provided, meetings of the Board shall be conducted in accordance with Robert’s Rules of Order.

Meetings of the Board shall be conducted in accordance with the following procedures:

**1. Vote:**

**A.** Any member of the Board shall be permitted to change his vote until roll call has been verified and result declared. Motions for reconsideration on any vote may be made by any member who was in the majority on such vote. Such motion must be made not later than the next meeting, whether regular or special, following such vote.

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**2. Absent Member:**

**B.** Any member who was unavoidably absent from a meeting may be permitted to have his vote recorded upon any question acted upon during his absence; provided that such vote shall not be counted, and such member shall not be entitled to move a reconsideration of the question to be voted upon.

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**3. Division of Question:**

**C.** If any question contains two or more divisible propositions, the presiding member may, upon request of a member shall, divide the same

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**4. Order of Business:**

- D.** The business of regular meetings of the Board of Directors shall be transacted in the following order:
- a. Roll call
  - b. Submission of minutes of preceding meetings
  - c. Reports and communications from officers
  - d. Other Reports and communications
  - e. Reports of standing committees
  - f. Reports of special committees

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- g. Consideration of pending resolutions and motions
- h. Introduction of new resolutions and motions
- i. Other business
- j. Public Comments
- ~~k. Adjournment~~
- ~~—~~
- ~~k. —~~

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### *Acting Chair*

In the absence of the Chair or Vice Chair, a quorum of the Board being present, the meeting shall be called to order by the Secretary ~~or an Assistant Secretary~~ for the sole purpose of entertaining a motion to nominate an Acting Chair. An Acting Chair shall then be selected by a majority vote of the members present.

## **Committees**

### *Standing Committees*

The Chairperson may appoint members of the Board to the following standing Committees and name of the members thereof:

- Contract Management
- Strategic Development Plan
- Public Affairs and Marketing Committee
- Financial Planning and Audit
- Bylaws and Personnel

Note: All members are welcome to attend any committee meeting. However, only designated committee members will have voting power.

### *Other Committees*

In the absence of a chairperson, a quorum of any committee being present, a temporary chairperson shall be selected by a majority vote of the members present. Each committee may establish a procedure for calling and giving notice of committee meetings, the conduct of such meetings, the undertaking of committee activities, and the preparation of committee reports.

### *Committees*

The Board of Directors may, from time to time, create committees or subcommittees, the members and chairs of which shall be appointed by the Chair, unless otherwise provided by the Board. The Chair in his/her discretion may appoint citizens with special expertise to serve as ex-officio members of one or more committees or sub-committees. The role of such ex-officio members, who shall serve at the pleasure of the chair, is restricted. Committees and sub-committees are creatures of the Board, vested only with such authority as is expressly conferred upon them by the Board. As such, committees or sub-committees can be created or eliminated by the Board at any time and from time to time.

### *Committee Meetings*

Committees shall meet when requested to do so by the Chair of the Board of Directors, the Executive Director or his/her designee or the chair or vice chair, if any of the committees, in the absence of a chair or vice chair, a quorum of any committee being present, a temporary chair shall be selected by the members present.

### *Authority of Committees*

Except as expressly provided in this section, committees shall not have decision making authority. The role of committees is to review and comment upon proposals which will ultimately be submitted to the Board of Directors for its deliberation, debate and action, or regarding matters upon which the Board has delegated to the Executive Director full power to act under or pursuant to these Rules and Regulations. Unless expressly authorized by the Board, committees are not empowered to and shall not, take any formal action on, or otherwise make decisions with respect to, staff proposals for Board action, proposed actions by the Executive Director or actions proposed by a board member. Committees are intended to engage in an exchange of ideas during the fact finding or investigatory stage of problem analysis but are empowered to engage in deliberations, which result in a resolution, rule, motion or decision of a substantive nature.

In exceptional circumstances the Board of Directors may delegate to a committee authority to make a decision on a particular matter. Such delegation can only occur if the Board has defined a specific matter upon which it decides to delegate such authority and if the Board has, at a regular or special meeting of the Board, voted to do so delegate such decision making on that particular matter to a special committee. Any actions purported to be taken or decisions purported to be made by any committee or sub-committee in the absence of such express authorization by the Board shall be null and void. Committees or sub-committees shall be

empowered to take a vote on, and register all votes for, recommending matters to the full Board.

Notwithstanding the committees or sub-committees vote on recommendation, any Board member shall have the right at a Board meeting to raise an issue for deliberation, debate and action by the Board. In those instances in which the Board has delegated to a committee or sub-committee decision making authority ex officio committee or sub-committee members shall have no voting privileges.

### Appropriations, Contracts, and Expenditures

No money shall be appropriated except by resolution. Except as otherwise specifically limited, the adoption of a resolution appropriating money shall be deemed to include authorization to make expenditures, enter into contracts, and to perform such other acts as are necessary and incidental thereto.

#### Contracts

The Executive Director or his/her designee shall be authorized to select the provider of goods, equipment, material and services and to contract for the purchase thereof in an amount up to \$150,000.00 provided that monies thereof have been appropriated and remain unencumbered for the current fiscal year. ~~and that competitive proposals or bids shall be~~ are sought for projects that exceed \$1500,000.00 and as required by Ohio law.

Furthermore, the Executive Director and his/her designee shall adhere to the following standards in selecting such providers, which standards may be amended by the Board from time to time:

A. \_\_\_\_\_

A. For projects where the payment amount is reasonably expected to be less than \$10,000.00, verbal quotes shall be sought.

B. Any project that falls under this paragraph where the payment amount is reasonably expected to be \$10,000 or higher is subject to review and recommendation by the Contract Management Committee. Prior to such project being awarded and any contract being executed, the proposed contract will be referred thereafter to the full Board for approval. Allowance may be made in limited situations whereby the review and approval process may be expedited as necessary and appropriate, which allowance shall be determined jointly by the Executive Director and the Board Chairman or Vice Chairman.

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C. For projects where the payment amount is greater than \$10,000.00, but does not exceed \$150,000.00, three (3) written quotes shall be sought. Written documentation shall be kept in the Port Authority's files regarding the scope of work (or description of the goods, equipment or materials requested) that was communicated to each provider and the results of the quotes received back from such providers. Email quote requests with the scope of work and emailed quotes received in return shall constitute a written quote.

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D. For ongoing projects whereby services are expected to be used on a periodic basis throughout the year such that the aggregate fees to be paid in a twelve (12) month period will exceed \$10,000.00, written quotes shall be obtain in accordance with the process set forth in paragraph B above.

~~A. For projects where the payment amount is reasonably expected to be less than \$5,000.00, three (3) verbal quotes shall be sought. Written documentation shall be kept in the Port Authority's files regarding the scope of work (or description of the goods, equipment or materials requested) that was communicated to each provider and the results of the quotes (whether verbal or written) received back from such providers.~~

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~~B. For projects where the payment amount is greater than \$5,000.00, but does not exceed \$50,000.00, three (3) written quotes shall be sought. Written documentation shall be kept in the Port Authority's files regarding the scope of work (or description of the goods, equipment or materials requested) that was communicated to each provider and the results of the quotes received back from such providers. Email quote requests with the scope of work and emailed quotes received in return shall constitute a written quote. Furthermore, any project that falls under this paragraph B where the payment amount is reasonably expected to be \$10,000 or higher is subject to review and recommendation/approval by the Contract Management Committee prior to such project being awarded to a provided and any contract being executed. With respect to such projects the Port Authority must be submit its recommendation and all supporting documentation to the Contract Management Committee for review and, if recommended by such committee, the proposed contract will be referred thereafter to the full Board for approval. Allowance may be made in limited situations whereby the review and approval process may be expedited as necessary and appropriate, which allowance shall be determined jointly by the Executive Director and the Board Chairman or Vice Chairman.~~

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~~C. Copies of all quote requests for projects reasonably expected to be greater than \$5,000.00 shall be provided to the current Chairperson of the Contract Management Committee. Emailed requests for quotes may be provided to the Chairperson by copying such individual on the email(s).~~

D. ~~For ongoing projects whereby services are expected to be used on a periodic basis throughout the year such that the aggregate fees to be paid in a twelve (12) month period will exceed \$5,000.00, written quotes shall be obtain in accordance with the process set forth in paragraph B above.~~

E. ~~The Port Authority staff shall prepare a monthly list of all contracts (regardless of dollar amounts) entered into by the Port Authority during the month since the prior Board of Directors meeting, and include such list in the Board's meeting packet. Additionally, the Port Authority staff shall prepare a list of projects (regardless of dollar amounts) that the staff anticipates contracting for in the coming 30, 60 and 90 days, and include such list in the Board's meeting packet.~~

F. ~~A calendar or schedule of annual contracts shall be prepared for the Board to review on an annual basis.~~

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### *Checks, Drafts, Electronic Transactions.*

#### *Etc.*

Checks, drafts, notes, bonds and other instruments requiring the payment of sums of money of \$10,000.00 or more shall be executed by two of the following authorized signatories: the chairperson, ~~or~~ vice chairperson, secretary, executive director or assistant director, ~~and the secretary or an assistant secretary~~. Any such instrument involving the payment of lesser sums may be executed by any one of such officers. Disbursements, transfers, and other instruments for the purpose of investing excess operating or capital funds are not considered payments of sums of money and may be executed by the secretary consistent with the investment policy of the Board of Directors.

Any transactions requiring electronic transfer of monies of the port authority or on deposit with the port authority in the amount of Ten Thousand dollars \$10,000 or more shall be approved in writing by two of the following authorized signatories: the Executive Director, assistant director, Chairperson, or Vice Chairperson, and or the Secretary or Assistant Secretary. Any such transaction for less than \$10,000 shall be approved by any officer one authorized signatory.

The Board of Directors may at any time or from time to time designate one or more of its members or any other employee or officer to execute any such instrument for and on behalf of the LPA.



~~Facsimile~~ **Digital electronic** signatures are hereby authorized and permitted to be used to the extent permitted by law.

## *Releases*

The Executive Director shall have the authority to settle, adjust and release any claim of the port authority against any person or corporation for damage to its properties where the amount received in settlement claim is within ninety-five percent (95%) of the original claim.

## ~~*Electronic Transactions*~~

~~Any transactions requiring electronic transfer of monies of the port authority or on deposit with the port authority in the amount of Ten Thousand dollars \$10,000 or more shall be approved in writing by the Executive Director, Chair or Vice Chair and the Secretary or Assistant Secretary. Any such transaction for Less than \$10,000 shall be approved by any officer.~~

## *Construction and Separability*

Each Rule and Regulation herein set forth shall be construed, if possible, in a manner consistent with the laws of Ohio, if and to the extent that any Rule and Regulation shall be deemed in conflict with any such law, such Rule and Regulation shall be void, but each Rule and Regulation shall be deemed separable from every other Rule and regulation and its invalidity shall not affect any other Rule and Regulation.

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## Staff

### Administration

#### 1. Executive Director

- A. The Executive Director shall be the Administrative officer of the Port Authority. Subject to the provisions of the laws of Ohio, to these Rules and Regulations, and to the control and direction of the Board of Directors, he/she shall perform the duties assigned to him/her hereby and by the Board of Directors.
- B. The Executive Director may also be the Secretary ~~and Fiscal Officer~~ and in such event, shall perform all the functions and fulfill all the duties of said offices as set forth in these Rules and Regulations or as may be required by the Board of Directors.
- C. The Executive Director shall report to the Board of Directors on all matters for which he/she has responsibility.
- D. Without limitation of the foregoing powers and duties, the Executive Director shall:
  1. Have supervisory control over all employees of the Port Authority, and, subject to approval by the Chair may employ or discharge employees. The Executive Director or Chair may seek comments from an appropriate committee upon such decisions of the Executive Director.
  2. Develop the planning program of the Port Authority and in connection therewith submit preliminary plans and programs for the development of its Maritime Industry, Seaport and Economic Development Divisions and their activities, to the Board of Directors; provide the necessary background material, facts, statistics and records; and coordinate and supervise the work and recommendations of consultants employed by the Port Authority.
  3. Develop a program for the promotion and public relations of the Port Authority. He/She shall submit promotional programs for the approval of the Board, and shall carry out the programs authorized by the Board of Directors or special committees thereof, including the preparation and presentation of necessary statistical studies, market analyses and other information. He/She shall be the primary liaison official between the Port Authority and public and industrial representatives, and shall provide proper representation at meetings for the promotion of the Port Authority.
  4. Develop and carry out a program to promote and publicize the advantages of the Port of Lorain to railroads, shipping lines, exporters and importers, and other agencies using port facilities, both domestic and overseas. Plan a program to

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provide information on shipping rates to and from the Port of Lorain; arrange for proper representation of the Port of Lorain at all pertinent rate hearings; maintain schedules of ship movements, overseas rates, railroad and truck freight tariffs to and from the Port of Lorain; and provide such other rate and traffic services as are directed or approved by the Board of Directors.

5. Develop and carry out a program to promote and publicize the facilities and services of the Port Authority aviation facilities to commercial travelers, air cargo shippers, and the general public. Arrange for proper representation of the Port Authority at pertinent proceedings and hearings before the all appropriate Federal, State and other agencies.
6. Develop and carry out a program to promote and publicize the economic development programs and services provided by the Port Authority or otherwise available to businesses located in, moving to or considering locating in the City of Lorain, the County of Lorain and the areas within the jurisdiction of the Port Authority; arrange for proper representation of the Port Authority at all pertinent proceedings before all appropriate agencies, Federal, State and other relating to such programs and services; and coordinate the economic development programs and services provided by the Port Authority with the City of Lorain, the County of Lorain, the State of Ohio, the Federal Government and other public bodies and the private sector including, without limitation, the Chamber of Commerce, relevant utilities, and banks, and other area businesses including for-profit and not-for-profit.
7. Maintain a ~~liaison~~ liaison with officials and employees of the City of Lorain, the County of Lorain, the State of Ohio, and the Federal Government, and other officials whose functions and capacities are related to the operations of the Port Authority; coordinate the programs of the Port Authority with the programs of other public commissions, authorities and public bodies and of the private sector, seek, obtain and supervise the administration of grants, loans and other financial assistance from federal, State and local sources to enhance Port Authority programs, facilities and services; maintain a working relationship with the U.S. Army Corps of Engineers, the Federal Aviation Administration, the Ohio Department of Development and Transportation, the Small Business Administration, USEDA, the Chamber of Commerce, and other agencies and organizations that may be deemed appropriate.
8. Purchase, keep in effect, and supervise such insurance as may be necessary or proper, and process and adjust any insurance claims.
9. Supervise the administration of all departments or divisions of the Port Authority and all other administrative officers, together with the Secretary, develop and maintain all Port Authority budgets and financial plans and supervise investment programs and, subject to the approval of the Board of Directors, all matters

pertaining to the fixing of a tax rate, the appropriation of money, the issuance of bonds, the allocation of moneys among the funds maintained by the Port Authority and the creation of any liabilities on the part of the Port Authority for the payment of money.

9.

### *Personnel Issue Policy*

Require that if a Board Member has an issue regarding Agency personnel that the issue be presented in written form to the Executive Director for review and consideration.

### *Salary—Executive Director*

A salary increase for the Executive Director must be recommended by the Bylaws and Personnel Committee to the Board of Directors. Recommendations for a salary increase must be submitted to the Board before the first meeting in January.

The Executive Director has the authority to recommend an increase in salary for the staff if funds are available in the budget with approval from the Board of Directors.

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### *Departments*

The Board of Directors may establish, for the convenience of operation of the Port Authority, such departments and staff positions as it may from time to time deem necessary, all of which departments and staff positions shall, subject to appropriation therefore by the Board of Directors, be under the supervision and direction of the Executive Director and shall be staffed as he/she may determine, with the approval of the Chair.

### *Equal Opportunity*

It is the policy of the Port Authority to recruit, hire, train and promote persons in all job titles on the basis of individual merit and ability without regard to race, color, religion, sex, national origin, sexual orientation, age, disability, status as a Veteran, disabled Veteran or Veteran of the Vietnam era.

## **Amendment**

These Rules and Regulations may at any time and from time to time be amended or supplemented by majority vote of the Board of Directors. Any formal action taken by the Board of Directors that may be inconsistent with these Rules and Regulations shall be deemed permitted hereby, so long as such action is taken in accordance herewith and with the laws of Ohio and is otherwise consistent with applicable law.

## **Miscellaneous**

Each rule herein set forth shall be construed, if possible, in a manner consistent with the laws of Ohio. To the extent that any rule shall be deemed in conflict with the law, such rule shall be void with the other rules remaining in effect. The Board of Directors may amend these By-Laws by majority of the Board. Any formal action taken by the Board that maybe inconsistent with the By-Laws shall be deemed permitted hereby, so long as such action is taken in accordance with the laws of Ohio and is otherwise consistent with applicable law.