

**Lake Development Authority (LDA)
Board of Directors Meeting Minutes
Wednesday, February 28, 2024**

Call to Order: Chairperson, Art Lindrose, called to order the regularly scheduled meeting held at the Lake Erie Conference Room in the Lake County Administration Building located at 105 Main Street, Suite A505, Painesville, OH 44077 at 3:01 pm with the pledge of allegiance and roll call. Board members in attendance included Nate Hicks, Bill Martin, John Rampe (Secretary), Wally Siegel, Jim Struna, John Uhran (Vice-chair) and Ronald Wassum. Kevin Freese attended by phone.

Others in attendance: David Anderson, Patty Fulop, Myranda Keister, Patrick Mohorcic, Brandon Dynes, and Chad Felton.

Approval of Minutes: The members of the board were provided with electronic copies of the minutes from the January 24, 2024 meeting in advance. A motion was made by Mr. Siegel and seconded by Mr. Struna to approve the minutes as presented. The motion was approved with a 9-0 vote.

The members of the board were provided with electronic copies of the minutes from the February 2, 2024 special meeting in advance. A motion was made by Mr. Siegel and seconded by Mr. Struna to approve the minutes as presented. The motion was approved with a 9-0 vote.

Reports and Communications of Officers and Committees:

Chairperson's Report – Mr. Lindrose announced that at the April meeting we would have an early meeting beginning at 2pm with our regular board meeting and continuing with a visit from Harry Eaton who will facilitate what the board can do. In October we will have a half-day board retreat with Mike Benz who will facilitate our focus on 2025. Mr. Lindrose thanked Mr. David Anderson; it was a good run with him, and Art was grateful for the opportunity to work with him. His wisdom and experience were wonderful for the Port. The board echoed his comments.

Executive Director's Report – Mr. Anderson had no formal report. He said that this was a great ride for him as well. He had some wonderful experiences and got to meet some great people. He feels comfortable where the LDA is now and the hands, both board and staff, it is in. Mr. Anderson looks forward to some great things coming from this organization. He thanked all for the opportunity.

Public Comments: None

Staff Reports:

Public Finance & Chief Financial Officer – Mr. Mohorcic, Director of Public Finance and CFO, reported that Resolutions 2024-10 increases the bond amount by \$1.3 million for the Mentor Joint Venture project. They are purchasing an additional 5-acres for some outside storage. Similarly, resolution 2024-11 Chagrin River Walk III caught fire a year ago. Loan modifications made by the bank require an amendment to our agreements. Resolution 2024-12 authorizes a change order for Kurtz Bros. on the Dredge Facility Project. We are re-appropriating existing funds from contingencies for a hoop house to be built this summer. The businesses along the Grand River have contacted us to look for dredging for a full 27' foot depth to accommodate the loads and types of ships coming to the harbor. We are working with the Army Corp.

and requesting additional funds. The dredging funds for this year are tied up in the 2024 Congressional Budget and could be delayed. Mr. Wassum asked if there is potential for ships to run aground again. Mr. Mohorcic replied yes and that the Army Corp. is due out to run sonar readings around the sandbar where that happened previously. Mr. Lindrose commented that without deeper dredging the ships cannot run full. Another point he made was that shipping out of Canada is running larger ships and they need the full 27'. Mr. Wassum commented on the negative economic impact that this has on Lake County and surrounding areas. Mr. Mohorcic thanked Mr. Anderson for his work at LDA and he was a great mentor and a second father to him.

Lake County Executive Airport – Mrs. Fulop, Airport Manager, exclaimed that the airport was given the terminal grant. There are a lot of next steps and a tight deadline for the final submission to FAA by June 30th. Bids are due back Friday March 1st for our ODOT PAPI light project. The runway rehab project is all in place, but also caught up in the 2024 federal budget. We are looking to March for appropriation and then can go to bid for that project. The Total Solar Eclipse Watch Party is on track. The number of visitors is hard to project, not having done an event like this before. A variance for the hangar adjacent to our terminal will be heard in Willoughby tonight. This will allow JTV to move an additional 20 ft. to the North. CT Consulting performed a wetland study for the development area at the base of Taxilane A and much of that property is wetland. Our next step is to determine the cost and available wetland banks to draw from.

Coastal Development – Miss Keister, Director of Planning and Development, reported that the Mentor Harbor Channel Wall Revetment Project public bids are due on March 7th. It is a complicated bid, and we held a mandatory pre-bid meeting with a turnout for 10 companies. There is a resolution on the agenda today for a contract change order with Mannik Smith. We did not include construction management fees in the first contract, so this is an expected change and stays within our budget. Our meeting with Mark Smoley provided a game plan for going forward. Mr. Lindrose asked about a projected timeline for construction. Miss Keister expects construction from July to December. There were concerns about boaters and construction equipment both in the same area for the summer. Myranda confirmed that the channel walls are done in pieces, and prior to bidding a plan was spelled out to contractors to allow boaters to have the maximum access available and keep our liability minimal. Mr. Dynes informed the board that we have put in hold harmless and indemnification clauses and the contractor is required to defend us if needed. By statute we have some immunity. The Fairport Harbor Marina Project is currently being permitted and will be bid out around October for the breakwater section. Miss Keister will continue to seek funds and finalize plans for the balance of the project. We are in the talking stages with Carmeuse who is looking for federal grant infrastructure funding for some additional improvements and docks. LDA would be the conduit in that instance and may have more information at our next meeting.

Reports of Committees: Other Economic Development Items – None

Resolutions and Motions:

- a. 2024-08: Resolution of the Board of Directors of the Lake Development Authority Authorizing the Executive Director to Advertise and Accept Bids and Further to Negotiate, Execute and Deliver Contracts to the Successful Bidders for the Fiscal Year 2024 FAA Projects.

A motion was made by Mr. Siegel and seconded by Mr. Struna to approve resolution 2024-08 as presented. The motion was approved with a 9-0 vote.

- b.** 2024-09: Resolution of the Board of Directors of the Lake Development Authority Authorizing the Executive Director to Enter into a Services Agreement Change Order with Mannik Smith Group to Perform Additional Design Consultation and Owner Representation Services for the Lake Development Authority in Support of the Mentor Harbor Channel Wall Revetment Project. A motion was made by Mr. Siegel and seconded by Mr. Struna to approve resolution 2024-09 as presented. The motion was approved with a 9-0 vote.
- c.** 2024-10: Resolution of the Board of Directors of the Lake Development Authority Authorizing the Amendment and Restatement of the Federally Taxable Economic Development Lease Revenue Bonds, Series 2023 (Mentor JV Project) to Increase the Maximum Authorized Bond Amount of the Series 2023 Bonds Authorized to be issued with Respect to the Financing of the Mentor JV Project and Comprising “Port Authority Facilities” within the Meaning of Section 4582.21, Ohio Revised Code; Authorizing Acquisition of a Ground Leasehold Interest in the Expanded Project Site and of any Existing Improvements Located thereon, the Development of Port Authority Facilities on that Site, and the Lease of that Site and those Facilities to Mentor Joint Venture, LLC or an Affiliate; Authorizing the Execution and Delivery of Amendments to the Bond Purchase Agreement, the Addendum to Bond Purchase Agreement and Construction Loan Agreement, Mortgage and Security Agreements, Development Contracts, the Construction Administration Agreement, Ground Lease, Project Lease, and Other Agreements and Instruments, for that Purpose and to Provide for Payment, and Security for the Payment, of Bond Service Charges on the Amended and Restated Series 2023 Bonds; and Authorizing and Approving Related Matters. A motion was made by Mr. Siegel and seconded by Mr. Struna to approve resolution 2024-10 as presented. The motion was approved with a 9-0 vote.
- d.** 2024-11: Resolution of the Board of Directors of the Lake Development Authority Authorizing an Amendment to the Addendum to Bond Purchase Agreement and Construction Loan Agreement Relating to the Federally Taxable Economic Development Lease Revenue Bonds, Series 2021 (Chagrin River Walk III Project) Issued by the Lake Development Authority and Authorizing and Approving Related Matters. A motion was made by Mr. Siegel and seconded by Mr. Struna to approve resolution 2024-11 as presented. The motion was approved with a 9-0 vote.
- e.** 2024-12: Resolution of the Board of Directors of the Lake Development Authority Authorizing a Third Change Order with Kurtz Bros., Inc. for Design and Engineering for the Dredge Facility Project. A motion was made by Mr. Siegel and seconded by Mr. Struna to approve resolution 2024-12 as presented. The motion was approved with a 9-0 vote.
- f.** 2024-13: Resolution of the Board of Directors of the Lake Development Authority Expressing the Appreciation of the Board of Directors of the Lake Development Authority to David E. Anderson for his service as Executive Director for the Lake Development Authority. A motion

was made by Mr. Siegel and seconded by Mr. Struna to approve resolution 2024-13 as presented. The motion was approved with a 9-0 vote.

New Business:

Executive Session

- a. Chairman Lindrose entertained a motion to go into Executive Session pursuant to Ohio Revised Code 121.22(G)(3) relating to a conference with an attorney for the public body concerning disputes involving the public body that are the subject of a pending or imminent court action. A motion was made by Mr. Seigel and seconded by Mr. Struna to enter executive session at 3:39pm. Chairman Lindrose requested a roll call vote, and the result was Mr. Freese – Aye, Mr. Hicks – Aye, Mr. Lindrose – Aye, Mr. Martin – Aye, Mr. Rampe – Aye, Mr. Siegel – Aye, Mr. Struna – Aye, Mr. Uhran – Aye and Mr. Wassum – Aye. The motion passed with a 9-0 vote. Mr. Freese and Mr. Uhran left the meeting at this point.

Attorney Brandon Dynes updated the board with options going forward with the court action taken against the Kennedy Group.

- b. A motion was made by Mr. Siegel and seconded by to return to the public meeting at 3:43pm. Chairman Lindrose requested a roll call vote, and the result was Mr. Hicks – Aye, Mr. Lindrose – Aye, Mr. Martin – Aye, Mr. Rampe – Aye, Mr. Struna – Aye, Mr. Uhran – Aye and Mr. Wassum – Aye. The motion passed with a 7-0 vote. The board returned to the public meeting.

Board Remarks: Mr. Siegel commented on the ceremony at Lake Erie College for the receipt of \$1.5 million from Lake County facilitated by the LDA for the construction of a multipurpose athletic field. The executive director added that the women’s soccer team thanked LDA one by one. Construction should begin this summer and they hope to be done by fall. Lake Erie College is still working on the upper floors on the housing renovation project.

Mr. Rampe advised the board that there will be a groundbreaking on March 7, 2024 for the new engineering building at Lakeland Community College.

Adjournment: A motion was made by Mr. Siegel and seconded by Mr. Struna to adjourn the public meeting at 3:48pm. The meeting was adjourned by consensus.

Respectfully submitted by:
Patty Fulop
Administrative Assistant