

The Board of Directors of the Portage County Port Authority met in the Portage County Regional Planning Commission Conference Room located at 124 North Prospect Street in Ravenna, Ohio on Tuesday, March 2, 2010 at 2:05 PM with the following members present:

T.N. Bhargava                      Thomas V. Chema                      Neil Mann, Jr.  
James A. Wyatt                      Steven P. McDonald

Absent: Directors Dix and Kohl

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Also Present: Portage County Department of Economic Development Director Bill Ulik; Attorney Denise Smith; Frank Hairston and Bryan Smith of PARTA; Dave Ruller, Gary Locke and Dan Smith of the city of Kent; Portage County Commissioner Charles W. Keiper II; Secretary-Treasurer Deborah Mazanec; Assistant Secretary Diana Fierle

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**APPROVAL OF OFFICIAL MINUTES**

Motion by Steven P. McDonald to approve the December 1, 2009 meeting minutes, as presented. Seconded by Neil Mann, Jr. All in favor, motion carries.

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**REPORTS AND COMMUNICATIONS**

- A. Chairman T.N. Bhargava had no report at this time
  
- B. Secretary-Treasurer Deborah Mazanec  
The Secretary-Treasurer presented the Bank Reconciliations for the Checking Account showing a balance of \$25,050.91 and the Money Market Account showing a balance of \$129,594.04 as of January 31, 2010.

**Port Authority Audit**

Ms. Mazanec advised the Board of Directors that Director McDonald and the State Auditor both evaluated the two firms (Charles E. Harris and Associates and Ciuni & Panichi) that responded to the RFP. Charles E. Harris & Associates was awarded the Portage County Port Authority Audit at a cost not to exceed \$9,619.00 for the fiscal period ending December 31, 2007 and two subsequent biennial periods. The audit begins on March 8, 2010. Director McDonald noted that the fees were drastically different in that Charles E. Harris was under \$10,000 and Ciuni & Panichi was about \$75,000. He added that local companies did not bid since government work is much more time consuming. No Board of Directors action is required today.

- C. PCDED Director Bill Ulik  
**Ohio Port Authority Council**  
Mr. Ulik attended the January 28, 2010 Ohio Port Authority Council meeting and listened to a Squire Sanders/Ohio Ethics Commission presentation on Ohio Ethics Law as they relate to

Port Authorities. Mr. Ulik will get copies of the summary of decisions and the presentation to the Board of Directors.

The Ohio Port Authority Council is in the process of becoming a more formal organization outside of the Ohio Department of Development. Dues will rise significantly and the bylaws will change.

Ohio Department of Transportation gave an update including the name of JoAnn Pinkerton as the person dedicated to Ohio Department of Transportation projects that are related to economic development.

#### **Portage Development Board**

The Portage Development Board will hold its orientation meeting this week; some of the Directors will be participating. The proposed bylaws and articles of incorporation will be presented for this 501 (C) (3) organization. The Stark Development Board President will make a presentation to the group as to what is possible for this organization.

#### **Recovery Zone Bonds**

Portage County dedicated its economic development bonds entirely to NEOUCOM. The \$9.3 million in facility bonds was committed to an Aurora project, which is not moving forward. The state will take back any unused allocation and reallocate the funds statewide. There is a 30 day window from March 1, 2010 to resubmit a project for the \$9.3 million available and unused. Within the next 30 days, the Director will work with the city of Kent about the downtown revitalization project. The state does want a serious commitment such as closing dates, evidence of escrow and other financial commitments to the project, etc. Portage County may be able to access additional funds available from other counties for economic development and facility bonds.

Director Chema asked what projects the funds could be used for. Mr. Ulik responded any private sector activity except for working capital; there are no requirements that the projects be job related and any area of the county is eligible. This is not a grant but the project must be eligible. Director Bhargava asked if the PARTA multi-modal project would qualify for funds. Mr. Ulik responded that he is not sure that the parking deck would be an eligible project but it may be.

D. Legal Counsel Denise Smith had nothing to report at this time

E. Representative to the Ohio Port Authority Council (February 28, 2009 meeting)

- a. Director Thomas V. Chema did not attend
- b. Director Jack Kohl is absent

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#### **CONSIDERATION OF NEW RESOLUTIONS AND MOTIONS**

1. Resolution to amend the 2010 appropriation to allow payment to Charles E. Harris & Associates for the Port Authority audit/10-001

2. The Board of Directors authorized PCDED Director Bill Ulik to attend the Ohio Port Authority Council meetings and receive reimbursement for travel in 2010/10-002.

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## DISCUSSION

- A. Kent City Manager Dave Ruller updated the Board of Directors on the Downtown Kent Revitalization Project. Mr. Ruller noted that the city anticipates a fall 2012 grand opening for the entire project although both corporate tenants would like to be in place by the fall 2011. Mr. Ruller applauded the cooperation between all parties involved. Director of Economic Development Director Dan Smith also noted that success generates success and now is the time for all of to work together. This project will bring between 500 and 700 full time jobs to Portage County.

When asked by Director McDonald what projects the Port Authority might be able to assist with, Mr. Ruller responded that the second and third levels of the PARTA parking area have not yet been funded. The city is getting close to finishing the Proforma and will look at the best financing package available.

- B. PARTA's Director of Marketing and EEO Frank Hairston and Director of Planning Bryan Smith attending today to update the Board of Directors on the Kent Central Gateway Project. Mr. Smith noted that PARTA received \$20 million in the TIGER grant; only 50 of 1459 applications were funded. The construction will start as early in 2011 as possible with the site work starting in late 2010. PARTA is working on the necessary land acquisition at this time. The \$20 million TIGER grant cannot pay for the upper two parking levels, although the Port Authority may be able to assist in that project.

Mr. Hairston stated that he is very pleased with the partnership between the county, city, Kent State and PARTA and added that this is a good Portage County opportunity for jobs both in construction and full/part-time jobs.

Dave Ruller stated that the hotel/conference center will be a two stage process with a Declaration of Collective Intent to be by signed by all parties, attorneys are working on the preparation of the necessary agreements. Mr. Ruller added that the university is the main driver of this project.

- C. Portage County Commissioner Chuck Keiper updated the Board of Directors on the Kent Courthouse Project noting that the county should break ground for this facility within the next 12-14 months. The site has not yet been identified but once it is, there will be a 9 month design time and then a 12 month construction period. The Commissioner noted that the Board of Commissioners is looking at using a Project Labor Agreement (PLA) or something very similar for the Kent Courthouse project that will guarantee that the work done to build using county dollars will meet certain basic standards, will be built using local workers when possible, paid a fair and legitimate wages and will work in fair conditions. Bryan Smith noted that PARTA will build their building using prevailing

wages and all contractors will have to pay the same rate whether they are union or not. Director Chema noted that a PLA was used on the Gateway Project in Cleveland in the 1990s.

- D. At the December 1, 2009 meeting, Director Ulik advised that his budget has been cut by one-third and he will not be able to fill the vacant position. Chairman Bhargava wondered if the Port Authority could provide additional funding for the office. The Board of Directors agreed to discuss this issue at the March meeting. Director Ulik noted that the Port Authority committed \$15,000 toward the Portage Development Board, which has not been paid yet. Commissioner Keiper stated that the hope for the PDB is to materialize a public/private partnership for economic development with other agencies committing funds for that purpose. The County intends to turn over its economic development budget to this organization. Because of the benefit package the county is able to offer the Commissioners think it is important to maintain the employees as county employees, at the direction of this umbrella. Ultimately, if the Portage Development Board chooses a different direction, the Board of Commissioners will still commit our dollars. Director Chema suggested that the Board of Directors wait until the PDB gets organized before determining if the Board of Directors will commit additional funding.

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**CORRESPONDENCE**

The Board of Directors received the Certificate of the County Auditor that the Total Appropriations from Each Fund do not exceed the Official Estimate of Resources, as presented by the Portage County Budget Commission.

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Director Chema advised the Directors that Hiram College is requesting federal funding for a study of an addition to the Hiram Extension of the Headwaters Trail to the Regional Transportation Plan. The proposed Hike and Bike Trail will connect the Hiram College Campus to the College Biological Field Station on Wheeler Road then continue south to the existing Headwaters Trail, involving the Portage Park District in the process. The college will own a 150 acre parcel that abuts the Trail by midsummer.

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**RESOLUTION NO. 10-001 - RE: AMEND PORTAGE COUNTY PORT AUTHORITY APPROPRIATION FOR YEAR 2010, APPROVED BY RESOLUTION 09-009 ON DECEMBER 1, 2009.**

It was moved by, seconded by that the following Resolution be adopted:

**WHEREAS,** the Board of Directors adopted Resolution No. 09-009 on December 1, 2009 to set aside funds for Port Authority expenditures during 2010; and

**WHEREAS,** the Portage County Port Authority Board of Directors desires to amend the 2010 Budget to allow payment to Charles E. Harris & Associates, Inc for the audit of the Portage County Port Authority in an amount not to exceed \$10,000; now therefore be it

**RESOLVED,** that the Board of Directors approves the Amended 2010 Budget as follows as Exhibit "A", changing the Contract Services line from \$600.00 to \$10,600.00; and be it further

**RESOLVED,** that the Board of Directors finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

Voice Vote as Follows:

T.N. Bhargava, yea;	Thomas V. Chema, yea;
David Dix, absent;	Jack Kohl, absent;
Neil Mann, Jr., yea;	Steven P. McDonald, yea
James A. Wyatt, Jr., yea	

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**Exhibit "A"**  
**Resolution 10-001**

**PORTAGE COUNTY PORT AUTHORITY**  
**2010 Amended Budget**

	<b>2010 Original Budget Amount</b>	<b>2010 Amended Budget</b>
<b><u>Estimated Beginning Balance</u></b>		
Checking Account	\$9,000.00	\$9,000.00
Money Market Account	<u>\$129,600.00</u>	<u>\$129,600.00</u>
Total Estimated Balance	\$138,600.00	\$138,600.00
 <b>Description</b>		
<b><u>Revenues</u></b>		
May 2010 - Cascades Admin. Fees	\$2,937.50	\$2,937.50
Nov. 2010 - Cascades Admin. Fees	<u>\$2,937.50</u>	<u>\$2,937.50</u>
Total Revenues	\$5,875.00	\$5,875.00
 <b>Total Estimated Resources</b>	 <b>\$144,475.00</b>	 <b>\$144,475.00</b>

**Expenses**

Employee Full-time Salaries	\$0.00	\$0.00
PERS	\$0.00	\$0.00
Medicare	\$0.00	\$0.00
Workers Compensation	\$0.00	\$0.00
Health Benefits	\$0.00	\$0.00
Contract Services	\$600.00	\$10,600.00
Training/Meeting Expenses	\$500.00	\$500.00
Transportation	\$500.00	\$500.00
Membership Dues	\$15,950.00	\$15,950.00
Advertising/Marketing	\$2,000.00	\$2,000.00
Telephone	\$0.00	\$0.00
Postage	\$0.00	\$0.00
Rent	\$0.00	\$0.00
Professional & Technical Services	\$500.00	\$500.00
Other Services	\$300.00	\$300.00
Materials & Supplies	\$200.00	\$200.00
Photocopy & Printing Supplies (Copier)	\$0.00	\$0.00
Food Supplies	<u>\$400.00</u>	<u>\$400.00</u>
<b>Total Expenses</b>	<b>\$20,950.00</b>	<b>\$30,950.00</b>

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**RESOLUTION NO. 10-002**

**RE: AUTHORIZE PORTAGE COUNTY DEPARTMENT OF ECONOMIC DEVELOPMENT DIRECTOR/PORT AUTHORITY EX OFFICIO MEMBER WILLIAM ULIK TO ATTEND OHIO PORT AUTHORITY COUNCIL MEETING IN 2010 AND RECEIVE REIMBURSEMENT.**

It was moved by Thomas V. Chema, seconded by James A. Wyatt, Jr. that the following Resolution be adopted:

**RESOLVED,** that the Board of Directors authorizes Portage County Department of Economic Development Director/Port Authority Ex Officio member William Ulik to travel to Columbus for regular and special meetings of the Ohio Port Authorities Council throughout 2010 on their behalf. The Board of Directors also authorizes the Director Ulik to spend the night prior to the meetings when the meetings begin prior to 10:00 AM in the morning and authorizes reimbursement of the Director's travel expenses in accordance with the Port Authorities' Travel and Expense Reimbursement Policy; and be it further

**RESOLVED,**

that the Board of Directors finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in a meeting open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

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Voice vote was as follows:

T.N. Bhargava, Yea  
David Dix, Absent;  
Neil Mann, Jr., Yea;  
James A. Wyatt, Jr. Yea;

Thomas V. Chema, Yea;  
Jack Kohl, Absent;  
Steven P. McDonald, Yea;

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**SCHEDULED MEETING DATES**

The next Regular Meeting and FY 2011 Tax Budget Public Hearing will be held on Tuesday, June 1, 2010 beginning at 2:00 PM

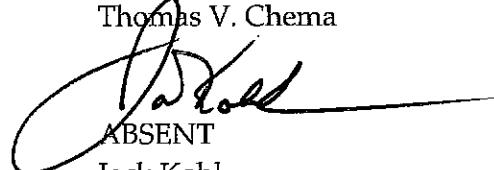
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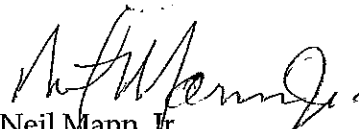
We do hereby certify that the foregoing is a true and correct record of the Portage County Port Authority Board of Directors' meeting on **March 2, 2010**. There being no further business to come before the Board, the official meeting of **March 2, 2010** adjourned at 3:20 PM.

  
T.N. Bhargava

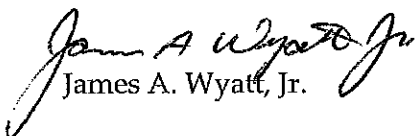
  
Thomas V. Chema


  
ABSENT  
David Dix

  
ABSENT  
Jack Kohl

  
Neil Mann, Jr.

  
Steven P. McDonald

  
James A. Wyatt, Jr.

  
Deborah Mazanec  
Secretary-Treasurer

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