

**FIREKEEPERS LOCAL REVENUE SHARING BOARD
MEETING MINUTES
FEBRUARY 12, 2010**

Present: Gene Adkins, Emmett Charter Township; Ken Tsuchiyama, City of Battle Creek; Greg Moore, Athens Township; Jim Dyer, City of Marshall; Jamie Stuck, Nottawaseppi Band of Huron Potawatomi; Mike Rae, Calhoun County (by phone)

Also present: Kelli Scott, Calhoun County Administrator/Controller; Richard Lindsey, Calhoun County Corporation Counsel; Bill Brooks, Attorney for Nottawaseppi Band of Huron Potawatomi; Jim Norlander, Counsel for Athens Township; John Macfarlane, Counsel for Emmett Charter Township

1. The meeting of the FireKeepers Local Revenue Sharing Board was called to order at 9:00 a.m.
2. Roll call – all Board members present.
3. Motion by Member Moore, supported by Member Tsuchiyama to approve the FireKeepers LRSB minutes from January 15 and January 22, 2010. On a voice vote, motion carried.
4. The Board held discussion on the bylaws sent out by Richard Lindsey.

Article 1: Definitions

Numbering on Article 1: Definitions should be Article **I**: Definitions.

F. Immediate Vicinity. In the bylaws, Calhoun County was not shown in the list of units in the immediate vicinity.

Discussion on Burlington Village. It was not included in the list of units in the immediate vicinity. After checking the map, it was decided it was left off because it was not within the 5 mile radius agreed upon by the Board.

In the definition of “immediate vicinity” it refers to Section 18 of the Compact. The vicinity is defined for the purpose of the bylaws, not the Compact. Language was changed to read “Pursuant to Section 18(5)(A) of the Compact, for the purposes of Article VI of the bylaws.

Jim Macfarlane stated that Emmett Township would like to discuss the reasoning of having Fredonia Township on the list of units in the immediate vicinity. There is very little of the Township in the 5 mile radius and that area is all farm land. Fredonia does not have a police department, though they do have a volunteer fire department. It is unlikely the casino will have impact on them. Member Dyer stated that the discussion in previous

meetings agreed that the distribution was a 5 mile radius, not impact. The same argument could be made about other entities but the radius was agreed on so everyone could have the opportunity to apply for cost reimbursement. After discussion it was agreed that Fredonia Township would remain on the list.

Article V: Meetings

- A. Richard Lindsey pointed out that the bylaws don't provide for an annual meeting. The Board agreed that Article V. E. Regular and Special Meetings – The FireKeepers Local Revenue Sharing Board will hold an organizational meeting on the second Friday in January, or such other time as may be set by the LRSB. The LRSB will elect its officers and determine its yearly meeting schedule at their annual organizational meeting.
5. Discussion on LRSB administrative services. Member Dyer commented that the Board should discuss if Calhoun County should be compensated for services up to this point. It should be considered a Tier 1 request. Kelli Scott reminded the Board that not only would they need a CPA firm to take over the financial duties but they will also need to have someone to take minutes, prepare agendas and receive applications for reimbursement. John Macfarlane pointed out that the duties discussed are those of Board Members and most should be outsourced but the decisions should wait until officers are elected. Richard Lindsey pointed out that all correspondence to this point has been sent out on County letterhead. The LRSB should have their own. John Macfarlane suggested the Board elect its officers so they can set up a bank account and take over the administrative duties.
6. Motion by Member Tsuchiyama to elect Member James Dyer as Treasurer of the FireKeepers Local Revenue Sharing Board for the year 2010. Supported by Member Adkins. On a roll call vote, all in favor. Motion carried.
7. Motion by Member Adkins to elect Member Greg Moore as Secretary of the FireKeepers Local Revenue Sharing Board for the year 2010. Supported by Member Tsuchiyama. On a roll call vote, all in favor. Motion carried.
8. Motion by Secretary Moore to elect Member Gene Adkins as Vice Chair of the FireKeepers Local Revenue Sharing Board for the year 2010. Supported by Treasurer Dyer. On a roll call vote, all in favor. Motion carried.
9. Motion by Member Tsuchiyama to elect Member Mike Rae as Chairman of the FireKeepers Local Revenue Sharing Board for the year 2010. Supported by Vice Chair Adkins. On a roll call vote, all in favor. Motion carried.
10. Motion by Treasurer Dyer to authorize the Treasurer and Secretary of the FireKeepers Local Revenue Sharing Board to find a financial institute in which to open an account for the FireKeepers LRSB and deposit the funds received from the casino. The Board also authorizes Treasurer Dyer to obtain a federal tax id number and P.O. Box for the LRSB.

11. Jim Macfarlane handed out a proposal for a change in PILT language. The breakdown he used was a replica of Berrien County's. The units are identified and the percentages are set in the bylaws. This allows units to anticipate amounts and plan. Chair Rae stated that all the other LRSBs they have talked to advised taking the percentage approach for distribution. It creates a certainty that local units will receive a percentage. It also allows for quicker distribution.
12. The Board held extensive discussions on Tier 3 allocations. Treasurer Dyer objected to stating percentages in the bylaws. He would like the bylaws to state that the Board will develop a method of distribution but not have the exact method stated in the bylaws because they cannot be changed without a unanimous vote. Vice Chair Adkins stated that he was against not stating percentages in the bylaws. After further discussion the Board decided to reconvene for more discussion at a later date.
13. Chair Rae stated that even though the Board is at a stalemate right now, everyone is committed to making the best decisions. The next meeting was scheduled for March 8 at 9 am at the County building in Marshall
14. Public Comments –
 - A. Legal Counsel for Harper Creek Schools brought up a point of clarification on the PILT in New Buffalo then suggested the Board look at Tier 2 when deciding on Tier 3. He will pass along information to Richard Lindsey.
 - B. Gary Lincoln stated that he originally was concerned when the Compact amendment allowed for a larger Board but after watching the progression believes that there is a removal of politics with a larger board.

The meeting was adjourned at 12:40 p.m.

Respectfully Submitted,

Christine Zuidema, Executive Assistant
Calhoun County Administration