



c/o Manistee County Controller/Administrator's Office
415 Third Street • Manistee, MI 49660
Telephone: (231) 398-3500 • Fax: (231) 723-1795

MEMBERS:

Dennis Bjorkquist, Chairperson
B. Allan O'Shea, Vice-Chairperson
Colleen Kenny, Secretary

MINUTES

Monday, December 8, 2008
5:00 P.M.

Manistee County Road Commission
8946 Chippewa Highway, Bear Lake, MI 49614

Members Present: Dennis Bjorkquist, Chairperson; B. Allan O'Shea, Vice-Chairperson; and Colleen Kenny, Secretary

Others Present: Thomas Kaminski, Administrative Support, Jeri Lyn Prielipp, Recording Secretary, and numerous audience members representing Manistee County, the City of Manistee, Law Enforcement, the Townships, Villages, School Districts, the public, and the media.

The meeting was called to order at 5:00 P.M. Roll call was taken. The Pledge of Allegiance was recited.

The Chairman requested approval of the meeting Agenda.

There was a motion by Ms. Kenny, supported by Mr. O'Shea to approve the Monday, December 8, 2008 Meeting Agenda, as presented. Motion carried.

The Chairman then requested approval of the minutes from the Thursday, November 20, 2008, special meeting of the Manistee Local Revenue Sharing Board.

There was a motion by Mr. O'Shea, supported by Ms. Kenny to approve the Minutes, as presented, from the Special Meeting of the Manistee Local Revenue Sharing Board held on Thursday, November 20, 2008. Motion carried.

Under public comment, Kevin Hughes, Onekama Consolidated Schools Superintendent, addressed the correspondence that the Board had sent to him responding to questions raised by the School District as to the method being used by the Local Revenue Sharing Board to determine grants distributed to local units of government under the Payment in Lieu of Taxes category. Mr. Hughes commented that he disagrees with the Board's position that the 22 acres of property where the water tower and law enforcement center are located should not be considered when assessing P.I.L.T.. Mr. Hughes also stated he was encouraged by the Board's efforts to hire an attorney to help them with their legal issues in this area. Onekama Township Supervisor, David Meister, questioned why the appraisal of the casino has never been depreciated. Board members said they would look into the matter with the Equalization Department. Dendra Best made various requests of the Board on behalf of the League of Women Voters.

The Board next discussed scheduling the 2009-Cycle I grant application deadline.

There was a motion by Mr. O'Shea, supported by Ms. Kenny to set the 2009-Cycle I grant application deadline for Friday, March 6, 2009, and any applications that are not submitted to the County Controller/Administrator's Office, 415 Third Street, Manistee, Michigan, 49660, at or before the 5:00 P.M. deadline, will not be considered. Motion carried.

At the Special Revenue Sharing Board Meeting held on Thursday, November 20, 2008, the Board adopted a definition of public safety and instructed Mr. Kaminski to incorporate that definition into the grant application form and requiring the applicant to explain how their application meets this definition. Attached hereto is a copy of the 2009-Cycle I Grant Application, revised December 4, 2008. Also attached is a copy of the Legal Counsel Request for Proposals that was advertised in the Manistee News Advocate on December 8, December 9 and December 10, 2008. (APPENDIX A)

The Chairperson next requested the Board's consideration to approve payment of 50% of the 2008 administrative fees owed to Manistee County per agreement, in the amount of \$25,000.

There was a motion by Ms. Kenny, supported by Mr. O'Shea, to approve payment of 50% of the annual administrative fee to Manistee County in the amount of \$25,000.

A roll call vote was taken:

Yeas: 3 (Bjorkquist; O'Shea; and Kenny)

Nays: 0

Absent: None

Motion carried.

At the request of the Chairman, Mr. Kaminski reported that the total account balance as of December 7, 2008, totals \$1,905,227.26, but does not include interest earnings from May 1, 2008 to present. However, after deducting the \$25,000 in administrative fees that was just approved, less \$10,000 to remain in the account for operating expenses, plus the projected interest earnings of approximately \$30,560, the balance available for grant distribution this evening is \$1,900,787.26. The minimum amount required for distribution in the form of Public Safety grants is \$116,736.17. Mr. Kaminski further reported that he reduced the P.I.L.T. by 28.01%, for a total of \$1,783,790.01 available for P.I.L.T. distributions.

The Chairman then announced that the Board would proceed to consider authorizing grant payments based upon Cycle II-2008 Grant Applications. Throughout the grant award process, Mr. Kaminski kept track of the funds dispersed and what remained available for distribution this Cycle.

There was a motion by Mr. O'Shea, supported by Ms. Kenny to award \$6,325.00 to the Arcadia Township Fire Department to purchase 20 lengths of 1 3/4" and 3" hose.

A roll call vote was taken:

Yeas: 3 (Bjorkquist; O'Shea; and Kenny)

Nays: 0

Absent: None

Motion carried.

There was a motion by Ms. Kenny, supported by Mr. O'Shea to award \$9,000.00 to the Stronach Township Fire Department to purchase a new ATV rescue sled, emergency lights, siren and radio, which includes overhead warning lights, a gas mounted pump with a 75 gallon water tank, and to fund 50% of the cost for a new Polaris Ranger 500 4x4.

A roll call vote was taken:

Yeas: 3 (Bjorkquist; O'Shea; and Kenny)

Nays: 0

Absent: None

Motion carried.

There was a motion by Ms. Kenny, supported by Mr. O'Shea to award \$15,000.00 to Manistee County as partial funding for a Life Safety Security System upgrade for the County Jail facility.

A roll call vote was taken:

Yeas: 3 (Bjorkquist; O'Shea; and Kenny)

Nays: 0

Absent: None

Motion carried.

There was a motion by Ms. Kenny, supported by Mr. O'Shea to award \$10,230.00 to Manistee County to purchase a police surveillance Groundhog camera system to be used by the SSCENT narcotics team.

A roll call vote was taken:

Yeas: 3 (Bjorkquist; O'Shea; and Kenny)

Nays: 0

Absent: None

Motion carried.

There was a motion by Mr. O'Shea, supported by Ms. Kenny to award \$5,620.00 to the City of Manistee Fire Department to purchase firefighting boots, turn out gear, fiber air cylinders and one hydrant/truck flow test kit.

A roll call vote was taken:

Yeas: 3 (Bjorkquist; O'Shea; and Kenny)

Nays: 0

Absent: None

Motion carried.

There was a motion by Ms. Kenny, supported by Mr. O'Shea to award \$10,500.00 to the Maple Grove Township Fire Department to purchase miscellaneous equipment for the Township's new fire truck.

A roll call vote was taken:

Yeas: 3 (Bjorkquist; O'Shea; and Kenny)

Nays: 0

Absent: None

Motion carried.

There was a motion by Mr. O'Shea, supported by Ms. Kenny to award \$4,370.00 to the Cleon Township Fire Department to purchase ten new tires, including installation, for its tanker fire truck that was donated to them by the DNR, under the stipulation that the money will not be released until any outstanding Expense Reports are submitted to the County Administrator's Office.

A roll call vote was taken:

Yeas: 3 (Bjorkquist; O'Shea; and Kenny)

Nays: 0

Absent: None

Motion carried.

Chairman Bjorkquist requested that the Board consider granting \$75,000 to the Manistee Township Fire Department, to cover 50% of the cost to purchase a 3,000 gallon tanker for tire suppression. Ms. Kenny and Mr. O'Shea felt that a request for \$75,000 was excessive, considering the amount of money that was available.

There was a motion by Ms. Kenny, supported by Mr. O'Shea to grant a partial award of \$50,000 to the Manistee Township Fire Department to partially fund the cost to purchase a 3,000 gallon tanker.

A roll call vote was taken:

Yeas: 3 (Bjorkquist; O'Shea; and Kenny)

Nays: 0

Absent: None

Motion carried.

Mr. Kaminski reported that the Revenue Sharing Board had awarded a total of \$111,045.00 thus far, and that the remaining balance available for Public Safety grants was \$5,691.17. After discussion,

There was a motion by Mr. O'Shea, supported by Ms. Kenny to set aside the remaining \$5,691.17 for 2009-Cycle I Public Safety grants.

A roll call vote was taken:

Yeas: 3 (Bjorkquist; O'Shea; and Kenny)

Nays: 0

Absent: None

Motion carried.

The Chairman then directed the Board's attention to Category II, 2008 Payment in Lieu of Taxes.

There was a motion by Ms. Kenny, supported by Mr. O'Shea to authorize 2008 P.I.L.T. payments in the total amount of \$1,783,790.01 as follows:


West Shore Community College 300 N. Stiles Road, Scottville, MI 49454 (operating 3.0907 mills)	\$154,129.96
Manistee Intermediate School District 225 Ninth Street, Manistee, MI 49660 A) Operating (.2977) = \$14,845.99 B) Special Education voted (1.7896) = \$89,245.47	\$104,091.46
Manistee Area Public Schools = 550 Maple Street, Manistee, MI 49660 A) Non Homestead (18) = \$897,641.04 B) School Debt (2.3800) = \$118,688.09	\$1,016,329.13
Manistee County = 415 Third Street, Manistee, MI 49660 A) County Operating (5.4615) = \$272,359.25 B) County Library (1.0000) = \$49,868.95 C) County Medical Care (.4965) = \$24,759.93 D) County 9-1-1 (.8000) = \$39,895.16 E) Dial-A-Ride (.3276) = \$16,337.07 F) Council on Aging (.2906) = \$14,491.92	\$417,712.28
Manistee Township 410 Holden Street, Manistee, MI 49660 A) Operating (1.4812) = \$73,865.89 B) 1% Admin. Fee (\$2,453,297.27 x 1% = 24,532.97) reduced to \$17,661.29	\$91,527.18

Chairman Bjorkquist announced that the next meeting of the Manistee Local Revenue Sharing Board is the **Biennial Selection Meeting scheduled for Monday, January 12, 2008, at 5:00 P.M.** and the **Organizational Meeting scheduled for Monday, February 9, 2008, at 5:00 P.M.** Both of these meetings will be held at the Manistee County Road Commission building. Mr. Kaminski confirmed that the applications were sent out to all the agencies or entities who may wish to serve on the Manistee Local Revenue Sharing Board as the third eligible local unit most impacted by the Band's casino operations, pursuant to Section 6.6 of the Bylaws. These applications are due back by January 2, 2009.

For final comments, Ms. Kenny stated that she finds it very commendable of those Townships and Villages who returned any unused grant dollars. Mr. O'Shea stated he is glad to see the Board grappling with these difficult issues, is seeking legal counsel and will be holding a special meeting. Mr. Bjorkquist wished everyone a safe and happy holiday season.

There being no further business to come before the Revenue Sharing Board and with no other concerns from Board members, the meeting was adjourned at 6:03 P.M.

Respectfully submitted,



Colleen Kenny, Secretary

**LOCAL REVENUE SHARING BOARD
FOR THE LITTLE RIVER BAND OF OTTAWA INDIANS/
STATE OF MICHIGAN GAMING COMPACT**

**2009-CYCLE I APPLICATION FORM FOR GRANT
OF COMPACT REVENUES**
(Revised December 4, 2008)

INSTRUCTIONS:

- 1. All Applications must be in a typewritten format.**
- 2. Each individual Application must be submitted on a separate application form.**
- 3. Each Applicant must submit five (5) copies of each completed application form.**
- 4. All applications MUST be filled out completely.
(All applicants required to complete questions 1, 2, 3, 4, 5, 6, 7, 12, 13, 14, 16, & 17. All other questions to be completed depending upon grant category).**
- 5. All applications MUST be approved by the Governing Body of the entity with the signature of the Governing Board Chairperson.**
- 6. All applications must be submitted by a government entity.**

Any applications that do not meet these requirements will be REJECTED.

Attach additional pages as necessary. Completed application form at the offices of the Local Revenue Sharing Board for the Little River Band of Ottawa Indians/State of Michigan Gaming Compact ("Local Revenue Sharing Board") located at the Manistee County Controller/Administrator's Office, Manistee County Courthouse, 415 Third Street, Manistee, MI 49660. Grant application envelopes should be plainly marked "**Revenue Sharing Board Grant Applications**". Applications must be filed on the date indicated to remain eligible for grant consideration. Each applicant bears the burden of demonstrating its eligibility to receive a grant pursuant to the Compact and the Local Revenue Sharing Board's bylaws.

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1. Local unit of Government(s) filing the application (City, County, Township, Village, School District):

Name: _____

Mailing Address: _____

City: _____ State: _____

Zip Code: _____

Telephone: _____

Fax: _____

Email address: _____

Contact person: _____ Title: _____

2. Department/Agency making application through local unit of government (Fire Department, Planning Commission, Police Agency, etc.):

Name: _____

Mailing Address: _____

City: _____ State: _____

Zip Code: _____

Telephone: _____

Fax: _____

e-mail address: _____

Contact person: _____ Title: _____

Signature of Contact person completing the application:

3. Project Name: _____
(Police vehicle equipment; roof project; renovation of...., etc.)

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4. Date of application: _____

5. Please check the category of grant sought by applicant. If more than one category applies, file a separate application form for each category. Please refer to the Local Revenue Sharing Board's bylaws for a further description of the categories listed below, as well as the distribution formula mandated by the Compact:

- _____ Local Public Safety Organization ("Public Safety Grant").
- _____ Payment in Lieu of Ad Valorem Property Taxes ("PILT Grant")
- _____ Offset of actual Operating Costs Incurred as a Result of the Development of the Little River Band's Casino ("Offset Grant").
- _____ Other Lawful Local Governmental Purpose ("Other Grant").

6. Amount requested for this Grant Cycle: \$ _____

7. The Bylaws of the Manistee Local Revenue Sharing Board define the Local Unit of Government and Local Public Safety Organization as follows:

Eligible Local Unit of Government. "Eligible Local Unit of Government" means a local unit of government which has a popularly elected governing body and which is in the geographic vicinity of the Band's casino.

Local Public Safety Organization. "Local public safety organization" includes but is not limited to law enforcement agencies maintained by political subdivisions of this State, fire and emergency medical service departments maintained by political subdivisions of this State, and 911 or central dispatch agencies maintained by political subdivisions of this State.

Local Unit of Government. "Local unit of government" means a political subdivision of this State, including a school district, a community college district, an intermediate school district, a city, a village, a township, a county, a road commission, and an authority, if the political subdivision has as its primary purpose the providing of local governmental services for residents in a geographically limited area of this State and has the power to act primarily on behalf of that area.

A) Is the applicant an eligible local unit of government as defined above? Please explain.

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- B) If the applicant is making application on behalf of a non-governmental entity, please explain the connection between the local unit of government and the non-governmental entity.

8. **PUBLIC SAFETY GRANT ONLY.**

Public Safety Definition:

"Public Safety involves the prevention of and protection from events that could endanger the safety of the general public from significant danger, injury/harm or damage, such as crimes or disasters, natural or man-made."

- A) Please explain how your application meets this definition of public safety.
- B) What is the applicant's public safety purpose/function?
- C) Under what legal authority was the applicant formed and/or what local unit of government is it a part of?
- D) What communities and/or local units of government does the applicant serve?
- E) Is the funding application being made to purchase equipment or for a proposed local government project? Please explain. What are the projected start and completion dates?

(GO TO QUESTION #12)

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9. **PILT GRANT ONLY.**

- A) Explain why the applicant would be legally entitled to receive ad valorem property tax revenues if the Little River Band's casino/Class III gaming facility were subject to such taxation:
- B) How many ad valorem property tax mills is the applicant levying as of the application deadline date?

10. **OFFSET GRANT ONLY.**

- A) Please provide a detailed explanation and list of any increase in operating costs incurred as a result of the operation of the Little River Band's casino facility. Itemize each separate category of increased operating costs incurred. Attach supporting documents verified by a Certified Public Accountant or other responsible officer of the local unit of government filing the application.

(GO TO QUESTION #12)

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11. **OTHER GRANT ONLY.**

- A) What communities and/or local units of government does the applicant serve? What function does it perform and/or what services does it provide?
- B) Is the funding application being made to purchase equipment or for a proposed local government project? Please explain. What are the projected start and completion dates?

(GO TO QUESTION #12).

12. Please provide a complete description of the project and/or equipment being requested for funding. In addition, please list the order of priority for spending grant funds in the event that the actual grant is less than the requested amount.

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13. If funding is less than the requested amount, how will reduced funding affect the equipment purchase and/or project?

14.

Total budget for project/equipment:	\$ _____	Other sources:	
Portion funded by applicant:	\$ _____	Organization:	Amount:
Total from other source:	\$ _____	_____	\$ _____
	List Each →	_____	\$ _____
Revenue Sharing Board		_____	\$ _____
Grant funds requested:	\$ _____	_____	\$ _____
			TOTAL \$ _____

15. Additional information (optional):

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16. Has the applicant received prior grants from the Local Revenue Sharing Board? If the answer is yes, have all funds been spent?

17. Project and application authorized by the _____
(Governing Body)
on _____
(Date)

We understand that if all or a partial grant is awarded, we will be required to complete a Grant Award Expense Report and return it to the Local Revenue Sharing Board Office.

(Signature of Governing Board Official)

(Date)

(Printed Name)

(Title)

[m:\grant_applica_form_cycleI_2009]

Appendix A

MEMORANDUM

TO: Manistee News Advocate
FROM: Thomas D. Kaminski, Revenue Sharing Board Administrative Support
DATE: December 4, 2008
RE: Legal Counsel Request for Proposals

Please publish the following Request for Proposals in the Manistee News Advocate on Monday, December 8, 2008; Tuesday, December 9, 2008; and Wednesday, December 10, 2008. Please place a black border around the ad.

MANISTEE LOCAL REVENUE SHARING BOARD
LEGAL COUNSEL REQUEST FOR PROPOSALS

The Manistee Local Revenue Sharing Board is requesting proposals from firms interested in serving as the Board's legal counsel. Proposal shall include information regarding experience, hourly rates, profiles of attorneys who will provide counsel to the Board, a list of representative clients, and any other information you believe is relevant in the decision making process. All proposals should be mailed to the Manistee Local Revenue Sharing Board, c/o Manistee County Controller/Administrator's Office, 415 Third Street, Manistee, MI 49660, no later than 5:00 P.M. on Tuesday, December 30, 2008. Envelope shall be clearly marked "RSB LEGAL COUNSEL PROPOSAL". The Manistee Local Revenue Sharing Board reserves the right to accept or reject any or all proposals without cause.

Thomas D. Kaminski
Revenue Sharing Board Administrative Support

Please bill the Manistee Local Revenue Sharing Board, c/o Thomas D. Kaminski, County Controller/Administrator, 415 Third Street, Manistee, MI 49660.

Thank you.