

**Minutes for January 29, 2009 meeting of the Erie County Gaming Revenue Authority**

The meeting was called to order by Chairman Cleaver at 11:32 a.m. in the Caucus Room of Erie County Council. Present also were other Board members Kathy DeSante, Jennifer Dobbs Woods, David Sample, Stephanie Freeman, Arthur Smaltz, Board Solicitor Thomas Talarico, as well as Gaming Revenue Manager Carolyn Gold.

After a roll call of Members, a motion was made by Ms. Woods to accept the minutes of January 22, 2009 which was seconded by Ms. DeSante and unanimously approved. The hearing of the public followed with a statement by Mr. Knight of Presque Isle Downs. Ms. Dobbs Woods had to leave the meeting early and was excused by Chairman Cleaver.

Under new business Chairman Cleaver passed over discussion of the ECGRA Budget in favor of proposed changes in language for the evaluation criteria documents. Solicitor Talarico brought up Article 3b in the criteria document which dealt with the nexus of any project to the operation of the casino and asked members how strongly they thought it should be worded or if it should be removed and used in the ranking documents only. He felt the words “real and substantial” should be taken out and replaced by something else. Ms. Freeman felt it was important not to water the language down too much considering Judge Dunlavey used the words “solely associated” in his decision last year. Attorney Gold opposed using a modifier before “association” since it did not appear in the statute. After some further discussion there was a motion to amend Article 3b by Ms. Freeman, seconded by Ms. DeSante that the words “an association with the operations of licensed facility” should be used. It was approved unanimously.

A discussion followed concerning the Evaluation and Funding Procedures the teams would follow with each application. It was decided that each team would have a main presenter. Teams would be Ms. Freeman & Mr. Paris, Mr. Smaltz & Ms. DeSante and Ms. Dobbs-Woods & Mr. Sample. It was decided that all projects would be examined for eligibility at the next meeting on February 5<sup>th</sup>. The Authority would decide on a final list of eligible projects. Changes were made to the draft documents with the agreement of all. A long discussion followed as to what might constitute funding procedures. Attorney Gold wondered if funding levels should be tied to ranking scores. Members differed on that issue finally deciding that funding levels would be decided after the projects are ranked. Members were asked to give potential funding procedures more thought and consideration and give input at the next meeting.

Chairman Cleaver reported that he was working on the establishment of a budget for Authority matters. The budget could potentially allow the Authority to spend funds without Council approval. Ms. DeSante moved for adjournment; seconded by Mr. Sample.

***NOTE: These minutes were approved at the February 23, 2009, meeting of the Erie County Gaming Revenue Authority. s/Carolyn E. Gold, Esquire; October 16, 2009.***