

**ERIE COUNTY GAMING REVENUE COMMITTEE
MEETING MINUTES - April 16, 2009**

Call to Order:

A meeting of the Erie County Gaming Revenue Authority was held on April 16, 2009, in the Erie County Council Caucus Room. Legal notice of the meeting was given through an advertisement appearing in the Erie Times News on Friday, March 6, 2009. The meeting was called to order at 11:30 a.m. by Ronald Cleaver, Chairman.

Roll Call:

ECGRA Voting Members Present: Stephanie Freeman; Arthur Smaltz; David Sample; Jennifer Dobbs Woods; Pasquale Bruno, III.

ECGRA Non-Voting Members Present: Chairman Ronald Cleaver;

Others Present: Also present were Joseph F. Giles, Member, Erie County Council; Robert R. Spaulding, Director of Economic Development; Carolyn E. Gold, Esq. Gaming Revenue Manager; Thomas S. Talarico, Esq., Solicitor for Erie County Gaming Revenue Authority.

Hearing of the Public: None

Approval of Minutes:

It was noted for the record that minutes from February 5, 2009; February 10, 2009; February 12, 2009 and February 23, 2009 inadvertently listed for approval at this meeting were previously approved at the meeting held March 19, 2009 and that the minutes from January 29, 2009 were approved at the meeting held on February 23, 2009. A motion to table the approval of outstanding minutes from January 13, 2009 and March 19, 2009 was made and seconded. All were in favor.

Committee Reports:

Budget & Finance: Stephanie B. Freeman, ECGRA Treasurer and Secretary, reported that the 2007 Budget reviewed by Accounting is undergoing revision. It is under consideration that the ECGRA accounts on deposit at Citizens Bank be transferred to Erie Bank. Ms. Freeman reported that the 2007 Uncommitted Funds account balance is \$1,431,737.68. Discussion followed regarding the allocation of legal fees and expenses related to the STIEDA lawsuit, with Joseph Giles advising that the apportionment of legal fees should be 50% unrestricted and 50% restricted funds. Ms. Freeman advised she will re-examine the apportionment of legal expenses issue.

By-laws: Arthur L. Smaltz discussed By-Laws revisions suggestions prepared by By-Laws Committee members Arthur Smaltz and Kathy A. DeSante (a former ECGRA member). The suggestions concerned updating the ECGRA mailing address; a provision about who will serve as chairperson of the authority; and a provision about signatories on checks written from the uncommitted funds account. Additional changes to By-Laws incorporating provisions of Ordinance No. 24 were also discussed, with Solicitor Talarico advising he would prepare revisions to By-Laws to be circulated prior to next meeting. A motion to table the Resolution to Amend By-Laws was made and duly seconded. All were in favor.

Report of Gaming Revenue Manager:

Gaming Revenue Manager Carolyn E. Gold, Esq. submitted the following report. Regarding Restricted Funds, ECGRA's funding recommendations for distribution of 2007 restricted funds gaming revenue were approved at the meeting of Erie County Council on March 31, 2009. Ordinance No. 22 incorporating those recommendations was legislatively enacted by the signature of the County Executive on April 2, 2009. Disposition letters were mailed to all 40 applicants (many applicants submitted duplicate applications on account of confusion about the application process) and award notice letters were sent to the five applicants who were awarded 2007 funds. Checks were issued April 16, 2009 to four of five applicants (three awards paid in full; one award to R-2007-17 for project expenses submitted on reimbursement basis). A check will be issued shortly for R-2007-21 for approx. \$26,218.00 for project expenses submitted on reimbursement basis. Ordinance No. 24 which addressed changes to chairmanship of ECGRA was approved at Meeting of Erie County Council on March 31, 2009.

Regarding Uncommitted Funds, on deposit in an ECGRA Uncommitted Funds account is \$1,431,737.68 as of March 31, 2009. Regarding administrative matters, an administrative assistant to the Gaming Revenue Department was selected. Her name is Deneé Hedges-Pottorf and her start date will be May 4, 2009. There were approximately 30 applicants for the position and five candidates were interviewed on April 9, 2009. Regarding 2008 Unrestricted Funds, approximately 26 Community Assets and 30 Special Events applications are being handled by this office and are pending. The application deadline for the category of Dedicated Assets is approaching.

New Business:

The first order of new business, item 7a under the Agenda "Resolution to Amend By-laws" – Upon motion made and duly seconded and approved, this Resolution was tabled.

The second order of new business, item 7b under the Agenda "Resolution to Amend Municipal Grant Application (MGA)" – Upon motion made and duly seconded and approved, this Resolution was tabled.

The third order of new business, item number 7c under the Agenda "Resolution to Approve Economic Development Application (EDA)" - Upon motion made and duly seconded and approved, this Resolution was tabled. Pasquale Bruno, III, suggested that the criteria for an uncommitted funds application process should not be overly restrictive. Joseph Giles mentioned the possibility of using "The Keystone Principles" as criteria. David Sample mentioned the possibility of creating a non-interest bearing revolving loan program with uncommitted funds. The pros and cons of administering a loan program were discussed.

The fourth order of new business, item number 7d under the Agenda "Other" – Agenda items for next meeting were discussed.

Time Meeting Adjourned: 1:00 p.m.

Next Meeting: April 23, 2009

Minutes submitted by: Carolyn E. Gold, Esq.

NOTE: These minutes were approved at the July 9, 2009, meeting of the Erie County Gaming Revenue Authority. s/Carolyn E. Gold, Esquire; October 16, 2009.