



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

AGENDA

Monday, February 8, 2010
5:00 P.M.

Manistee County Courthouse
Board of Commissioners Meeting Room
415 Third Street, Manistee, MI 49660

- 1) Call to order by the Chairperson.
- 2) Pledge of Allegiance.
- 3) Roll call.
- 4) Approval of Meeting Agenda.
- 5) Election of Officers pursuant to Article IV of the Revenue Sharing Board Bylaws, as amended.
 - A) Chairperson
 - B) Vice-Chairperson
 - C) Secretary and/or non-member Recording Secretary

(A copy of selected Bylaw pages regarding the election of officers and meeting requirements is attached to the agenda under APPENDIX A.)

- 6) Establish meeting dates, times and locations for the 2010 year, pursuant to Article VI Section 6.6, Section 6.7b and Section 6.8 of the Revenue Sharing Bylaws, as amended.

It has been common practice of the Board to meet on the second Monday of each month at 5:00 P.M. at the Manistee County Road Commission building. If this practice continues, the remaining monthly meetings would occur on the following dates:

Monday, March 8, 2010
Monday, April 12, 2010 (Cycle I-2010 Verbal Presentation Meeting)
Monday, May 10, 2010
Monday, June 14, 2010 (Cycle I-2010 Grant Award Meeting)
Monday, July 12, 2010
Monday, August 9, 2010
Monday, September 13, 2010
Monday, October 11, 2010 (Cycle II-2010 Verbal Presentation Meeting)
Monday, November 8, 2010
Monday, December 13, 2010 (Cycle II-2010 Grant Award Meeting)
Monday, January 10, 2011 (Biennial Selection Meeting pursuant to Section 6.6 of the Bylaws, as amended)
Monday, February 14, 2011 (Annual Organizational Meeting pursuant to Section 6.7 of the Bylaws, as amended)

(A 2010 calendar is attached to this agenda under APPENDIX B.)

- 7) Schedule 2010-Cycle I verbal presentation meeting date and 2010-Cycle I grant award meeting date. (Note: 2010-Cycle I grant application deadline is Friday, March 5, 2010 at 5:00 P.M.)
- 8) Approval of the Special Meeting Minutes from Wednesday, January 13, 2010.
- 9) Consideration to approve payment of outstanding invoices:
 - A) Legal fees invoice #1317664; dated 1/19/10 from Dykema Gossett PLLC for December 2009 = \$10,772.65 (APPENDIX C)
- 10) Public Comment.
- 11) Miscellaneous Board Member Comment.
- 12) Adjournment.

- E. If a Member has a conflict of interest or incompatibility of office regarding a proposed distribution of Compact Revenues, the Board shall immediately suspend further consideration of the proposed distribution until the popularly elected governing body of the appropriate local unit of government appoints a new Member.

ARTICLE IV: OFFICERS

- * 4.1 Identity of Officers. At the Annual Organizational Meeting held pursuant to Section 6.7 of these Bylaws, the Board shall select from its membership a Chair, a Vice-Chair and a Secretary.
- * 4.2 Election of Officers. Officers shall be elected by a majority vote (2) of the total membership of the Board. All officers are eligible for re-election.
- * 4.3 Term. The Chair, Vice-Chair and Secretary shall take office at the Annual Organizational Meeting held pursuant to Section 6.7 of these Bylaws, and shall hold office for the remainder of the calendar year. Provided further that the Board may at any time during the term of a duly elected secretary appoint a non-member recording secretary pursuant to Section 4.4 of these Bylaws. A non-member recording secretary appointed in this manner shall perform the duties of the Secretary for the remainder of the unexpired term.
- * 4.4 Appointment of a Non-Member Recording Secretary. As an alternative to electing a Secretary from its membership, the Board may appoint a non-member recording secretary who shall, under the control and supervision of the Board, perform the functions of the Secretary as provided in these Bylaws. A non-member recording secretary, if any, shall be an appointed official, an elected official or a full-time employee of either Manistee County or Manistee Township. A non-member recording secretary, if any, shall serve at the pleasure of the Board. The Board may enter into an agreement with the appropriate local unit of government for reimbursement of services provided by a non-member recording secretary.
- 4.5 Succession of Officers. In the event the office of the Chair becomes vacant due to death, resignation or otherwise, the Vice-Chair shall succeed to this office until the Board duly elects a successor for the remainder of the unexpired term. In the event that the office of Vice-Chair becomes vacant due to death, resignation or otherwise, the Secretary (Member Secretary only) or a remaining Member shall succeed to this office until the Board duly elects a successor for the remainder of the unexpired term. In the event the office of the Secretary becomes vacant, the Board shall elect (if the successor is to be a Member Secretary) or appoint (if the successor is to be a non-member recording secretary) a successor to the office of Secretary for the unexpired term. No votes or appointments shall take place under this section unless Manistee County, Manistee Township and the popularly elected governing body of the third

(A-2)

on that eligible local unit of government's behalf prior to the selection. Selection of a third eligible local unit of government shall be made by a unanimous vote of the Members representing Manistee County and Manistee Township.

2. Schedule the next meeting of the Board which shall serve as the first Annual Organizational Meeting pursuant to Section 6.7 of these Bylaws. The first Annual Organizational Meeting shall not take place until after the third eligible local unit of government selected for representation on the Board has been given a reasonable opportunity to appoint its designated Member pursuant to Section 3.1(C) of these Bylaws.

B. Each eligible local unit of government seeking representation on the Board shall bear the burden of demonstrating that it is the eligible local unit of government most impacted by the Band's casino in terms of projected or actual operating costs incurred as a result of the Band's casino operations. To the greatest extent possible, an eligible local unit of government seeking representation on the Board shall bear its burden by presenting documentary evidence in accordance with generally accepted accounting principles.

C. To remain eligible for selection, each presumptively eligible local unit of government shall comply with the application forms, materials and procedures promulgated by the Board.



6.6 Subsequent Biennial Selection Meetings. After the first Biennial Selection Meeting required in Section 6.5 of these Bylaws and upon receiving written notice by no later than December 31 of any even-numbered year that an eligible local unit of government other than the eligible local unit of government selected at the immediately preceding Biennial Selection Meeting seeks representation on the Board, the Board shall hold a Biennial Selection Meeting on the second Monday in January of each succeeding odd-numbered year. If the Board does not receive such written notice by December 31 of any even-numbered year, it shall not hold a Biennial Selection Meeting and the eligible local unit of government selected at the immediately preceding Biennial Selection Meeting shall remain represented on the Board for the next succeeding two year term.

A. If a meeting is held, two shall be a quorum and only the Members representing Manistee County and Manistee Township shall be eligible to participate in the meeting as Members.

B. If a meeting is held, the only item of business shall be to select a third eligible local unit of government to be represented on the Board due to its status as the most impacted by the Band's casino operations under the procedure specified in Section 6.5 of these Bylaws.

- * 6.7 Annual Organizational Meeting. The Board shall hold an Annual Organizational Meeting. The first Annual Organizational Meeting shall be the first regularly scheduled meeting of the Board after the first Biennial Selection Meeting held pursuant to Section 6.5 of these Bylaws. The Annual Organizational Meeting shall thereafter be held on the second Monday of February in each succeeding year. Prior to consideration of any other items on the agenda at each Annual Organizational Meeting the Board shall:
- * A. Elect officers pursuant to Section 4.2 of these Bylaws.
 - * B. Establish meeting dates for the remainder of the year in accordance with Section 6.8 of these Bylaws.
- * 6.8 Regular and Special Meetings. The Board shall hold a regular meeting, not including a Biennial Selection Meeting held pursuant to Sections 6.5 and 6.6 of the Bylaws or the Annual Organizational Meeting held pursuant to Section 6.7 of these Bylaws, twice every calendar year or as needed at a time and place to be designated by the Board at its Annual Organizational Meeting. Special meetings may be called by the Chair or by two (2) Members upon written request to the Chair.
- 6.9 Meeting Notices. The Board shall provide public notice for all regular or special meetings in compliance with the Open Meetings Act.
- 6.10 Agenda. The Secretary shall prepare an agenda for each meeting in a format to be determined by the Board. An agenda may provide for the inclusion of consensus items as the Board deems appropriate.
- 6.11 Delivery of Agenda. The Secretary shall mail an agenda and accompanying documentation to each Member at least one week prior to the next scheduled meeting date.
- 6.12 Parliamentary Procedure. Parliamentary procedure for Board meetings shall be informal. However, if it is deemed necessary by the Chair, a meeting may be governed by Roberts Rules of Order for issues not specifically covered by these Bylaws.
- 6.13 Motions. Motions shall be restated by the Chair before a vote is taken.
- 6.14 Voting. Voting shall be by voice and shall be recorded as passing or failing. Roll call votes will be recorded only upon request by a Member of the Board and shall be recorded as “yes”, “no”, or “abstain”. A Member must be present to cast a vote. Voting by proxy is prohibited.

Calendar for year 2010 (United States)

January						
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December						
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(APPENDIX C)

MANISTEE LOCAL REVENUE SHARING BOARD

CLIENT-MATTER NO. 105518-0001
GENERAL REPRESENTATION
INVOICE NO. 1317664
PAGE NO. 6

JANUARY 19, 2010

FEES.....	\$ 10,660.00
DISBURSEMENTS.....	112.65
TOTAL AMOUNT DUE.....	\$ <u>10,772.65</u>

DYKEMA GOSSETT PLLC

DYKEMA GOSSETT PLLC
6904 PAYSHERE CIRCLE
CHICAGO, IL 60674

CLIENT CHECK INFORMATION
PLEASE COMPLETE:

THIS INVOICE IS PAYABLE UPON RECEIPT.

CHECK #: _____ DATE: _____ AMOUNT: _____
PLEASE RETURN THIS PAGE WITH YOUR REMITTANCE.

FOR FIRM USE:

RECEIVED DATE: _____

For Billing Inquiries Contact:
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SODell@dykema.com