



Erie County Gaming Revenue Authority

Minutes of the Board of Directors' Meeting

January 18, 2024

CALL TO ORDER

The Board of Directors' Meeting of the Erie County Gaming Revenue Authority was held on January 18, 2024 in the Board Room; 5240 Knowledge Parkway; Erie, PA 16510. Legal Notice of the meeting was given through an advertisement appearing in the Erie Times-News. The meeting was called to order by the Chair at 8:33 am.

ROLL CALL

Ms. Amatangelo, Mr. Barney, Mr. Cleaver, Ms. Loll, Mr. Oberlander, and Mr. Winschel are present in person. Ms. Hess is present via zoom. Mr. Wachter and Dr. Wood are present in person. Guests in the audience include County Executive Davis, Councilman Bayle, Councilwoman Shauerman, and Chris Carroll.

APPROVAL OF THE AGENDA

Mr. Cleaver makes a motion to approve the agenda as presented. Ms. Amatangelo seconds the motion.

Mr. Winschel: Can we have some discussion on that?

Mr. Barney: Sure.

Mr. Winschel: I just want to ask Tim a question. On the agenda, I know that recent changes were made. On Friday, we received the original agenda, which is great because we never got the agenda until late, so that was great. When I was reviewing it over the weekend, and I saw that the agenda item was for the contract, I scrolled down and I didn't see the contract on the email from Friday. So, I did reach out to Tammi over the weekend and she forwarded it to me; I don't know if she forwarded it to the other Board members or not. But, on there was the contract. That was Tuesday which is plenty of time, 48 hours roughly – more than 24 less than 48, right – and the contract was the same contract, we'll talk more about that later I'm sure, the same contract that a year ago, Tim, you had sent out with the things. It had the wrong dates on there because it was from earlier, but . . . so then yesterday about noon or so, an email came out, "Hey, I inadvertently sent out the wrong contract; here's the current one." Okay. If it was just the dates that would be one thing. But the term of the

contract went from four years to five years. So, I know with the recent things about 24 hours, the agenda per se item never changed, but the attachment had changed on that, right. In the spirit of the law that this change, it's clearly, it's de minimis, but it's not; it's linked to a contract so it's not. So, I just wanted to ask you your opinion. The agenda technically didn't change, but the component of that agenda which I would consider changed pretty substantially.

Mr. Wachter: The Sunshine Law obligation is that the agenda be posted at least 24 hours prior to the meeting for the purpose of giving the public notice of what it is that is going to be discussed.

Mr. Winschel: Correct.

Mr. Wachter: The actual details of the documentation could be delivered at the meeting. The backup documentation, the supporting documentation to the Board members, under the Sunshine Law, could be delivered at the meeting. There is no requirement for any time period relative to that.

Mr. Winschel: So, things to be discussed could be changed right up to the minute or during the meeting itself as long as the agenda item . . .

Mr. Wachter: As long as the agenda item is there. The recommendation is to not put what specific motion is or which direction things are anticipated to go in terms of agenda items because if you were to do that, then the argument could be that you'd be locked into going that direction and it would take the discretion away from the Board. So, you don't want to have a motion to approve "x, y, z" listed there. Instead, what you do there, is you list the actual subject that is to be discussed and then under the Sunshine Law, you're able to go in whichever direction you want with that item.

Ms. Loll: So, you're saying us Board members might have to wait until the last minute to . . .

Mr. Wachter: I'm saying that it's not a Sunshine Law issue. Legally, there is nothing preventing us from moving forward.

Ms. Loll: But that's not 24 hours. Did you see what time it went over? It wasn't 24 hours.

Mr. Wachter: The agenda?

Ms. Loll: No, the change.

Mr. Wachter: The agenda never changed.

Ms. Loll: The public has a right to know what we're voting on; they really do. And if they, and, and, but the contract did. That changed.

Mr. Wachter: So, the law says that the agenda needs to be set at least 24 hours prior to the meeting. Merely the, just this document (holds up the paper agenda). Any of the supporting documentation behind it does not have to be posted beforehand. That could be delivered to you, legally, it could be delivered to you at the meeting. Do I suggest that's a good practice? No, but it could be delivered to you at this meeting and still be compliant with the Sunshine Law; the terms of the contract.

Ms. Loll: I don't agree . . . well, maybe that's the law but I don't agree that's the way it should be done because we have to do our homework on this stuff.

County Executive Davis: So, just a question, Tim. So, you're saying that Resolution 3 was advertised publicly where, cuz that's the question. The most recent precedence is Coleman v Parkland School District that we're all now looking at the way we operate, every county meeting, as long as that Resolution 3 was publicly advertised, then you're legally. . . he's saying that the meeting, especially, specifically a contract, I mean, the public is not necessarily privy to personnel matters. I mean that would be one exception to the Sunshine Law.

C. E. Davis and Mr. Wachter speak at the same time, so it's not clear what is said.

Mr. Wachter: So long as these items were on the agenda at least 24 hours prior to the meeting, then we have no problems.

C. E. Davis: And publicly advertised, because that's . . .

Mr. Wachter: No, you do not publicly advertise, we don't publish the agenda in the paper. The meetings are publish . . .

C. E. Davis: So, where else is it published?

Mr. Wachter: It's on the website and hanging – it was hanging on the front door as you come in. So, the Sunshine Law says that you publish it on your website, . . .

C. E. Davis: It wasn't on the website yesterday, so I guess that was the question. I don't even know if it is now.

Dr. Wood: It's on the website now.

C. E. Davis: So, when was it published to the website, because it wasn't yesterday?

Dr. Wood: Tammi, when did you . . .

C. E. Davis: It wasn't yesterday at the end of the work day.

Some murmuring amongst people.

C. E. Davis: I mean, that would be my question. We would be in violation of Coleman v Parkland if it isn't publicly advertised.

Ms. Michali: Well, then the only thing we're in violation of is Resolution 3.

C. E. Davis: Just to stay on the safe side . . .

Ms. Michali: It was posted on the website on Friday when everybody received it the initial time. I neglected to update it on the website after adding Resolution 3 to the agenda.

C. E. Davis: So, Resolution 3 would be in violation of the Sunshine Law if we were to vote on it today.

Mr. Wachter: If it wasn't published on the website within 24 hours of the meeting, we would not be able to move forward with Resolution 3.

C. E. Davis: So then Resolution 1 and 2 are good, but today 3 is not.

Mr. Wachter: Correct. Number 3, we would not be able to take action on today. So, if you're going to approve the agenda, you'll have to approve the agenda with the exception of item 13c.

Mr. Barney: Can I get a motion to amend the agenda to exclude Resolution 3 from the agenda?

Ms. Loll makes a motion to amend the agenda to exclude Resolution 3 from the agenda for today.
Mr. Oberlander seconds the motion. There is no further discussion. Motion carries 7-0.

APPROVAL OF MINUTES – December 2023

Mr. Cleaver makes a motion to approve the minutes as presented. Mr. Winschel seconds the motion. There is no discussion on the minutes. Motion carries 7-0.

DIRECTOR'S COMMENTS

There are no comments by any of the directors at this time.

COMMENTS BY THE CHAIR

Mr. Barney: I'd like to make a comment because there is one Board member that is no longer with us and if you see him, or if he's watching, I'd like to thank Dominic for his service over the last several years. We haven't seen him over the last several months due to health reasons, but I'd like to commend him; it's not an easy task. Sometimes unthoughtful but one that's definitely needed.

I'd also like to welcome Angie to the Board. I'm looking forward to working with you going forward for a long time. And like I said, it's not always a thankful job and it's not necessarily an easy one, but it is definitely one that is needed. So, welcome to the Board.

Ms. Amatangelo: Thank you. I'm happy to be here.

Mr. Barney: Later in the meeting, I will thank the County Executive and those in attendance. It's truly a pleasure to see this many interested individuals.

PUBLIC COMMENT

There is no public comment.

PRESENTATIONS

There are no presentations.

COMMITTEE REPORTS

a. Treasurer's Report

Mr. Cleaver: Thank you, Mr. Chairman. I reviewed the budget; everything seems to be up to snuff. I had a question I had asked and I have no comments other than I would recommend the Board's approval.

There is no discussion of the Treasurer's Report. Mr. Winschel makes a motion to accept the Treasurer's Report as presented. Ms. Amatangelo seconds the motion. Motion carries 7-0.

b. Strategic Planning Committee

Dr. Wood: Strategic Planning met on Thursday, January 11th in Knowledge Park to review three agenda items. The first was a Pilot Program; a representative from Erie City Moms was present to answer questions about that pilot. It was considered by the Board and the consensus at the time from the committee was to move forward with funding on it.

Then, two grant programs were reviewed – Anchor Building and Community Assets: Parks, Fields, & Trails. You'll see those two reflected in Resolution Number 1, 2024 and Resolution Number 2, 2024 based on the consensus reached by the committee at the time. I'd be more than happy to answer any questions on behalf of the committee for those who were not present at the review.

Mr. Barney: Are there any questions pertaining to the Strategic Planning meeting and what occurred? Hearing none, we'll move along to County Council.

c. Update from County Council

Mr. Bayle: I am not the Chairman for County Council; that's Mr. Scutella. I'm Mr. Bayle and I figured since Mr. Scutella is not here, if it's alright, I'll take his time and take the opportunity to thank you. I know that ECGRA does a lot of great things within the community and that isn't overlooked by Council or the community members. I think there are some areas of concern, one of which we addressed this morning and that was one of the reasons I am here.

Talking about the agenda and talking about not going to address Resolution 3 because of that, but the website – Tammi, where is it published on there? It seems to be very difficult to find on there and if we're trying to be transparent and open to the community as well, I think it needs to be front and foremost, like, I just don't think it's user friendly. I know that we pay Parker Philips a good amount of money through all our agencies throughout the County, so I think we could make it a little more user-friendly. I just think it's difficult.

Even, where is the time published because I had to ask Mr. Oberlander, he's my appointee. I didn't see a time; I saw a location but I didn't even see a time so I had to ask about the time. I don't, I mean, we should know a time, date, location. I just think that that's important and I didn't see that listed. I mean, maybe it is and I just missed it, but if it isn't there, I don't think it's as friendly as it should be for the public if I can't seem to find it. And I know these are things that we get beat up on Council for, transparency, so maybe we should be even across the board.

And I think those changes to the contract should be open and out there for the public and it's something that they should get to see. This is an organization for them, and the gaming dollars are meant for the taxpayers and relief for them so they should have the

ultimate say; they should have the ultimate amount of knowledge provided to them for this. I think that that's not doing them a service.

As far as Resolution 3 goes, again I know that it's not going to be voted on today, but I have some areas of concern. Again, there are some changes, but again, I don't think that, I think there's plenty that ECGRA does but I think I have to question when we have directors making more than say, the County Executive . . . County Council and more than County Council members combined. I mean, we deal with a \$600 Million budget in the County; if I was sitting on a Fortune 500 company, or the County Executive was sitting on a Fortune 500 company, managing \$600 Million, it would be substantially more pay. I'm not in it for the pay; if I was in it for the pay, I wouldn't be here. I'm fortunate enough to retired early and be able to take this time to give back to my community, which is what it should be about. This organization should be about giving back to the community. I don't know if we've lost some sight of that; hopefully not. But I just think that there's still some talks that need to be had and the public is going to want to be involved in this. It shouldn't be just here with this organization; it shouldn't be kept away from them. I think you're going to have a few more people that will start attending, I think you'll have a few more people that feel that they need to be more involved and I think we'll see that moving forward.

Thank you.

Mr. Barney: Thank you.

Mr. Bayle: You're welcome.

Mr. Barney: Does anyone have any questions of Mr. Bayle?

Ms. Loll: I just think he has a point.

d. Update from County Executive's Office

County Executive Davis: I'm going to hand out a few things here if you want to take these and pass them down. I'll just echo what Charlie said. I'm just pulling up the ECGRA website; so, right now when you look under meetings and events, I mean, I just pulled it up and it says January 2024 – There are no scheduled events this month – is what's currently coming up on the website. So, if that's the case, I mean, before anything can be voted on today, I think we need to make sure we're not in violation of the Sunshine Law. That's first and foremost. Then I have several other matters that should be of public record so I think until we figure out and get an opinion from the Solicitor, I would feel more comfortable if you could verify that we're 100% not in violation of the Sunshine Law based on the requirements with being on the website.

Mr. Wachter: I'm looking at the website right now and it's under Resources where the Board meeting is listed . . .

C.E. Davis: Then there must be two or there must be something different when it's a cell phone.

Mr. Winschel: Just go through the browser . . .

Mr. Wachter: Go down to the bottom to Resources and then where you see right there . . .

C.E. Davis: It might interact differently on a cell phone. So, if you look at it on a cell phone, it's not coming up at all.

Mr. Cleaver: Whose fault is that?

C.E. Davis: It's our fault; we have to make sure that . . .

Ms. Michali: Right here – and Resolution Number 3, 2024 is on the website. Right there. It says Erie County Gaming Revenue Authority.

C.E. Davis: That would just be a matter then of when it was updated.

Ms. Michali: That would have been Tuesday, when everybody else got the updated information.

C.E. Davis: So, Resolution 3 was on the website?

Ms. Michali: It's on there.

Mr. Wachter: So, with that said, we took a motion to amend the agenda on the basis that it wasn't properly advertised. However, it was properly advertised. So, it would be appropriate to put it back on the agenda, if you so desire.

Mr. Cleaver: You're talking about the Resolution . . .

Mr. Wachter: Resolution for Erie City Moms.

Mr. Cleaver: I move that we, as long as it was on there, I move that we vote on it.

Mr. Barney: It's been moved that Resolution Number 3 get put back on the agenda due to the fact that it was properly posted. It's been moved; can I get a second.

Ms. Hess: I'll second that.

Dr. Wood: Let's be clear; this is a motion to put, under New Business, Resolution Number 3, 2024 - Resolution to Adopt Erie City Moms Pilot Program, back on the agenda.

Mr. Wachter: Yes. If I just may make a comment on one thing. Should this pass, I'm going to ask that you reopen Public Comment to see if anyone else wants to make a comment regarding this particular resolution because we are also obligated, under the Sunshine Law, to give people an opportunity to comment on it before we take action. Thank you very much.

Mr. Barney: It's been moved and seconded. Can I get a roll call vote?

That motion does not pass, as Ms. Hess, Ms. Amatangelo, and Mr. Barney vote in the affirmative and Ms. Loll, Mr. Winschel, and Mr. Oberlander vote in the negative.

Mr. Barney: That resolution has been put back on the agenda.

Mr. Wachter: Now, public comment specifically for Resolution 3 regarding the Resolution to Adopt the Erie City Moms Pilot Program.

Mr. Cleaver: I'll make a comment. The fact that they were here and presented and they had a great presentation a week ago, I don't think they should be (inaudible). If it was a mistake on our part, fine, but I certainly support it. I mean, I moved to put it back on.

Mr. Wachter: So, this would be an opportunity for any members of the public that are here – and nobody is online - to make a comment on Resolution Number 3 regarding Erie City Moms Pilot Program.

Ms. Loll: I'd like to make a comment.

Mr. Wachter: If I may just clarify – each Board member will get an opportunity to comment when we get to the agenda item. This is just for public comment. Not to cut you off, but you'll have your opportunity.

Ms. Loll: Okay.

Mr. Wachter: Mr. Barney, it appears there is no public comment regarding this particular resolution, so the agenda stands as originally submitted. We are at the Update from the County Executive's Office. Sir, you may go back to that.

C.E. Davis: I appreciate that. I think now that we've specifically clarified that we are on public record, everything was appropriately advertised, so now I feel much more comfortable with moving forward with the rest of the meeting.

So, there have been a lot of discussions, with myself and Doug Smith through the last year, have made several inquiries and several reports about the direction that the County is looking at going with ECGRA, specifically, as an Authority. What we know and what may not be public knowledge is that we are the only county of 67 that operates with a gaming revenue Authority. The others allocate their gaming revenue as a single line item under the county.

Now, I would echo what Councilman Bayle said about just the simple costs. You look at the cost of the executive directors and all of the things, so we just did a quick little scrub, only of operational costs; and these are the bar graphs that are in front of you. In 2021, ECGRA's costs were at \$387,018. Then it jumped to \$430,755, and last year we were up to \$515,721. I mean, look at that. That is a significant cost. We're getting nearly close to almost double within a three-year period. So you look at, again, the amount of cost that this costs us to operate a \$4.5 Million budget . . . We have single line items in county government that are operated by directors that make sixty, seventy, eighty thousand dollars a year and manage ten times the staff. So, I mean, you look at the discussions.

Then the other thing is this, ECGRA was meant, one – it was a promise to taxpayers to keep our taxes low. Well, it's no secret, we had to do a significant tax increase this year; there's no way around it. The laws of math and economics don't lie. We had to increase taxes. But what else is alarming is that ECGRA is sitting on \$17.4 million in savings. This money from casino gaming revenue was meant to make an investment annually in our community. And sitting on \$17.4 million, in discussion with Chairman Scutella, members of Council that are here, we agree on the fact that we need to look and see what is the plan in

the next quarter to get that \$17.4 million out to our community. It does nobody any good, number one, for it to sit in a bank account.

Number two, on that resolution that people voted for in 2008 when this was created, it was meant to keep their taxes low. How can we, in good conscience, significantly raise taxes and we're sitting on a savings account of \$17.4 million? That, to me, those are things that we need to look at. These are things that we're considering in the coming months what direction we're looking at going, whether we continue with this authority model to delve out the casino gaming revenue money or we put a vote up to the agenda to dissolve the Authority and bring those monies back underneath County Council. So, those are serious discussions that we're having. Just to be clear, that all we need to do that is four votes on County Council to legally dissolve this and return that back to the county-governed model.

Those are some several concerns. You look at that kind of money, number one the operating expenses that are ballooning far beyond any other thing that we have to compare in any of our other departments.

And lastly would be the discussion of Mr. Wood's salary. You know, obviously we know this has been on the agenda for a long time. So, if you look historically, in 2020, the salary was \$97,100; now in 2024, the proposal is over \$137,000. So, we're talking a \$40,000 pay raise in four years. Where on earth does that make sense? During a time when we're raising taxes on people, we can't afford the staff that we have at the county to pay an appropriate wage. Again, Councilman Bayle brings up a great point. My salary is only \$107,000; I mean, I do this for public service much like Councilman Bayle does. But to pay a director of an Authority that manages three personnel and \$4.5 million a year? We have single line items in our county budget that are managed by one or two people that make, maybe a third of this.

I mean, so to me, this is greatly alarming. You know, and there's not too many times, there's not too many times, and I'll read a comment from former Executive Dahlkemper; I mean her and I are about as politically different as oil and water. But I can tell you, we are 1,000% in agreement. So, in 2020, she made a statement to the Erie Times News, and she stated, "As far as I can discern, there are no additional duties added to the position in this agreement, nor is there any additional staff to manage. I'm unclear of the justification for such an increase, as these are public funds belonging to the citizens of Erie County. I must express that I am not in agreement with this proposed compensation increase." She goes on and says, "I find I need to express my deep concern when I disagree with the dispensing of Erie County funds with what appears to be the lack of facts to justify the expenditure." And she closes, and it states, "It's not the first time Wood and the ECGRA Board have faced questions about Wood's compensation. In 2017, elected officials questioned some of the ECGRA Board's operating expenses, including its practice of reimbursing Wood for tuition to pursue a doctorate. The practice ended later that year after members of Erie's State House delegation briefly considered legislation that would have defunded ECGRA."

I mean this issue, it seems to be a recurring theme. And this is across political lines. It's across two different Administrations. And then you see the interruption of the State delegation. Senator Laughlin and folks that also have a pathway to defund ECGRA. So, to me, I think we need to really think long and hard about the direction that we're going and the current state of our community when we're considering these things. And our concern, I mean, you look at – you look at the contract. I mean, not only a \$40,000 pay increase over four years, which is lunacy, you look at a twelve-month severance clause. Twelve months. If this is dissolved, we gotta pay Perry Wood \$140,000 for a year to walk away? Where does that exist anywhere? There's not a single employee, elected official, or anyone, anywhere in Erie County that would have such a package.

So, to me, we definitely, this Board needs to examine one – its operating cost because they were a concern in 2017 and again in 2020 and every year thereafter. I mean, we're nearly doubling – I mean I don't know what it was, and we can look at what the costs were in 2017, but I'll betcha they're double in that amount of time. The costs to operate this Authority are ballooning, skyrocketing. And it doesn't devalue the work. I will echo what Councilman Bayle says – there's a lot of great work that is done with these monies. But these monies can be doled out the same way. We operate pots of money and planning. Our municipal gap funding alone – a single line item – Community Development Block grants – far more money than this entire budget; it's managed by one person that manages multiple programs. So, we have one grant manager in county government that manages probably three to four times plus what ECGRA does as an Authority. And that's a single person. Far less money. That equates to more money, more investment on the street and in programs that need it.

So, ECGRA, I mean, I really implore the Board to take an honest look at the direction that it's going because I can tell you my Administration in lockstep with the representatives of county government, we're also looking at that. The direction that you all move as an Authority, if you continue to move in ways that cost the taxpayer, we'll have NO other option other than to dissolve this Authority and bring it all back in under county government to let Council manage it, like they do the other half of the gaming revenue. I mean, mind you, we manage a larger portion of the gaming revenue entitled to the taxpayers and it doesn't cost us any more money to do so. So, I mean, this savings, this half a million dollars, could go back to the tax base where it's entitled.

I mean, there's other concerns aside from when you go through this employment contract. I mean, this is something that seriously needs to look at; a five-year contract. How is that performance based? Five years. Nowhere. Like, I can't even enter into a five-year contract with an entity without the approval of County Council. To me, we need to look out for the best interest of the taxpayers. And again, I'll echo former County Executive Dahlkemper's words – I'm not in agreeance with this. I think the cost of ECGRA has skyrocketed to the point where it's no longer beneficial to the taxpayer. I think we can continue this work.

Now, if ECGRA wants to continue to operate, I think in good faith, we need to reorganize. I've talked to some members of the Board about a reorganization of how we continue to operate. Why do we need an office in Penn State Behrend? Why do we, how can we cut some of these costs? What is the justification for paying an executive director \$140,000 when our grant managers in the county do the exact same work for \$55,000 a year? When Carolyn Gold, I think former Councilwoman Loll was on Council when it was Carolyn Gold; it was a single office, under County Council's pervue, in county government, and all that money went through a single point, a single source.

So, I implore ECGRA to look. I don't think you should be considering a five-year contract with these kind of ballooning costs. I mean, I just want to give you complete and full notice of the direction that Council and my office is looking at this to give you every opportunity to maybe reduce our operating expenses. We have available space; Mr. Winschel came and did a tour not long ago. So, if you look at the offices that we have available in the county, we could reduce our overhead, we can bring the Authority in underneath the County umbrella and still operate independently. I think you need to reduce your overhead; you need to reduce your personnel and get more money on the street. This can be done with a single person, as it rightfully should be done so.

So, in closing, it's the operating expenses, it's all the things, it's the salary; it's the same things that Executive Dahlkemper said in 2017 and again in 2020 that I now echo in 2024. So, I implore this Board to take this under advisement that these are the considerations and the things that we're looking to do. I mean, a five-year contract that's not performance based and

with the full and complete knowledge that we could dissolve this Authority if we don't reign in our spending.

With that in mind, entering into a contract with Mr. Wood, potentially, that could pay him \$140,000 to walk away is lunacy. Nowhere in county government do we have such a clause. I don't even know if the private sector has such a clause. So, I think we need common sense in the best interest of the taxpayers need to prevail in terms of this contract. I recommend that the Board considers maybe a modest contract extension for Mr. Wood, for say maybe six months while we figure out the direction that we're going to go. That would give ECGRA six months to get its operating costs, it would give them six months to work with County Council and the Administration to work on a transition plan, to reduce your overhead by coming in under county government.

We also have a Public Information Officer, Chris Carrol, who is paid full-time. These are things we're looking at all of our Boards, Authorities, and Commissions. Having to raise taxes, we need to reign in our spending. You have \$36,000 that was spent with Parker Philips with a website that we all saw kind of what happened this morning. These are things where we have three individuals under county government that are already paid to get out this public information; there's no excuse for a single meeting for these to not be advertised in accordance with the law and in plain view for the public. We have a social media manager that could take care of all the post, he has two individuals that work for him; we could easily take this and save the taxpayers another \$36,000 a year.

So, what I'm asking is that the ECGRA Board work with County Council and the Administration to reduce these costs anywhere that we can to put more of this valuable money on the street. So, I appreciate your guys' time. I hopefully, I strongly encourage you to look at that contract extension and work with us over the next six months to figure out a way to really make this work for the taxpayers or prepare for us moving in another direction if we can't find that pathway. I appreciate your time.

Mr. Barney: Thank you. Are there any questions for the County Executive?

REPORT OF THE EXECUTIVE DIRECTOR

Dr. Wood: Let's take a look at the report. Instead of having it separate, I did have the letter from the Knox Law Firm in there about the standard cost increase to \$210 an hour. We have a report from Parker Philips in there for you to review. The Strategic Planning meeting took place and the staff spent most of its time reviewing those grants. There is an article on the Grow Erie fund and then several letters from groups thanking us.

That being said, I will close my report at this time, unless you have any questions for the director.

Mr. Cleaver: I have a question, Perry. We got this from the County Executive. How about an explanation on the reason it went from \$430,000 to \$515,000; that isn't just personnel alone, is it?

Dr. Wood: No, it's not. That includes Professional Services, it's not like rent has ballooned. But those are also projected numbers from the budget and not actual costs. The actual budget would have come in under those amounts. Are there any other questions for me?

SOLICITOR'S REPORT

Mr. Wachter: I have no action items.

Mr. Oberlander: Dale, can I interrupt you for a second if it's possible? I need to ask Tim – can we go into Executive Session before we look at the contract? I mean, there have been some things that changed since and I haven't had a chance to talk to anybody about on the Board.

Mr. Wachter: We can absolutely go into Executive Session.

Mr. Winschel: Chairman Barney, I have one piece of Old Business for Tim. So, back in November, the meeting with Resolution 14 – Reconciliation of Gaming Revenue with the County; I know we put together based on fourth quarter revenue. I don't know when that's coming in but, we're on track to do that because that was like \$100,000, I thought that we had talked about.

Dr. Wood: We are on track with a reconciliation process.

Mr. Winschel: I just wanted to follow up on that.

Dr. Wood: I do have to rely upon the Finance Department at the County to accept if they want to do that, and communication has not been great. I'll reach out and I'll offer (inaudible) the Finance Department.

Mr. Winschel: Okay. I just wanted to bring that up while all the components are here.

Mr. Wachter: Executive Session will require us to stop recording and let the record show that this Executive Session is for the purposes of personnel.

Let the record show that Ms. Hess leaves the meeting prior to the start of the Executive Session.

Executive Session begins at 9:14am.

Executive Session ends and the Board meeting resumes at 10:15am.

OLD BUSINESS

Mr. Wachter: Mr. chairman, if I may report that the Board has come out of Executive Session and back into regular session at 10:15am. We are at the Executive Director Employment Agreement item on the agenda. I believe that per our discussion, it would be appropriate to request a motion to table until the February meeting of the Gaming Authority.

Mr. Cleaver makes a motion to table the Employment Agreement until the February meeting. Ms. Loll seconds the motion.

Mr. Wachter: Before you take the vote, just to complete the thought, the request by the Board is that an effort be made to schedule another Executive Session next week, and whichever calendar function you use to get everybody's schedule together, if we could do that, it shouldn't take long. And that can just be Zoom. And that Executive Session will be held next week for the purposes of Personnel.

Mr. Barney: A few people mentioned a days that aren't good.

Ms. Amatangelo: Thursday is the only day that's not good.

Ms. Loll: I can only do zoom on Thursday.

Mr. Barney: So, the other days aren't good for you.

Ms. Loll: Oh, I can do the rest of them.

Mr. Barney: Okay.

Mr. Oberlander: We can still show up in person as well.

Mr. Wachter: You can show up in person; it doesn't just have to be zoom.

Mr. Oberlander: Okay.

Mr. Wachter: We'll have a physical place for it. We can have it at my office or here; we'll work on that. So, you have a motion and a second to table the item.

Motion carries 6-0.

NEW BUSINESS

- a. Resolution Number 1, 2024 – Resolution to enter into agreement with five (5) entities that comprise the 2023-24 Anchor Building recipients

Dr. Wood reads the resolution.

Mr. Cleaver makes a motion to accept the resolution. Mr. Winschel seconds the motion. There is no discussion of the resolution. Motion carries 6-0.

Mr. Wachter: Mr. Chairman, if I may also note for the record that it appears that Mr. Copeland has joined us by zoom.

- b. Resolution Number 2, 2024 – Resolution to enter into agreements with ten (10) Erie County Community organizations and municipalities engaged in Parks, Fields, & Trails as part of the Community Assets.

Dr. Wood reads the resolution.

Mr. Cleaver makes a motion to accept the resolution. Mr. Oberlander seconds the motion. There is no further discussion. Motion carries 6-0.

c. Resolution Number 3, 2024 – Resolution to Adopt the Erie City Moms Pilot Project

Dr. Wood reads the resolution.

Mr. Cleaver makes a motion to accept the resolution. Ms. Amatangelo seconds the motion.

Ms. Loll: First of all, I don't know whether it was mentioned at that meeting but I wasn't understanding that this was going to be on the agenda. Also, too, we need to keep in mind that the money that we have that comes over belongs to the people of Erie County. This group is doing a good job, but they're only helping two families at a time. So, I'd like to reduce the amount from \$75,000 to \$50,000.

Dr. Wood: Does that consider a motion?

Mr. Wachter: From a procedural standpoint, does anyone want to respond to that?

Mr. Oberlander: I would agree with Carol.

Ms. Amatangelo: What's the reasoning? Why the \$75 to \$50 number? You're worried they're not helping enough people but you're reducing the number.

Ms. Loll: I'm wondering if we should give them any money.

Ms. Amatangelo: Why?

Ms. Loll: Because of the fact that they're not helping enough people. The money belongs to the people of Erie County; not just the taxpayers; all of them. And this is not helping enough people to warrant giving them \$75,000.

Ms. Amatangelo: It's a Pilot Project. I'm happy with it.

Mr. Wachter: So the conversation has been had and Ms. Loll has suggested that we go to a \$50,000 grant award as opposed to a \$75,000 grant award. There is a motion and a second to approve the grant as read, with \$75,000. At this point, it would be appropriate, if you wanted to move forward with that, to offer a motion to amend the motion to have the award only be at \$50,000.

Ms. Loll makes the motion to amend the resolution amount. Mr. Oberlander seconds that motion.

Mr. Wachter: So, we have a motion and a second on whether you should amend the award to \$50,000. If you vote in favor of that, then the original consideration is going to be at \$50,000. And then we'll have to come back and take another vote to pass it. So, this is amending it to go to \$50,000. If you vote no, we leave it at \$75,000. If you vote yes, it will go to \$50,000. I will note we have six members – you will need four votes to pass. Now it would be appropriate to call a vote.

Dr. Wood: This is to amend Resolution Number 3 from \$75,000 to \$50,000.

Ms. Loll: Tell me again, we're changing it to \$50,000 if I say yes?

Mr. Wachter: What you're voting on is to lessen the award from \$75,000 to \$50,000.

Motion is a tie, with Ms. Loll, Mr. Winschel, and Mr. Oberlander voting in the affirmative. Therefore, the motion to amend the lower amount requested fails.

Mr. Wachter: That does not pass. So, now you have the motion to make the award at \$75,000.

Mr. Barney: I've got a question. At the time while they were here, why wasn't that brought up to see if they could even operate with \$25,000 less? It didn't seem to me during their presentation that they were glamorizing it or had a lot of fluff in there. Because we asked; we asked about the porch, we asked questions. But yet no one raised the issue about decreasing the amount and could they function with less. And now, when they're not here, we're going around like, "Here, here's \$10,000." It helps me, but it doesn't, because I still have to get something.

Mr. Winschel: Well, for me, that's when I had to step out so I didn't see the presentation, so I will defend my vote on that.

Mr. Barney: Okay.

Dr. Wood: Keep in mind that the staff vetted the project and agreed upon the number \$75,000 for the applicant.

Ms. Loll: At what point was that done?

Dr. Wood: Prior to the meeting; before we brought it to you.

Ms. Loll: But not at that particular event. Not the day that we were here.

Dr. Wood: Of course not. By the time they got here, they had been vetted by the staff.

Ms. Loll: So, there wasn't \$75,000 on the table at the point that they were even here. Because I didn't understand that it was even going to be on the agenda. So, \$75,000 was not on the table at that point in time.

Dr. Wood: That's a different question. If you didn't think we were going to bring it to the Board, that's completely different.

Ms. Loll: I'm okay with it being on the agenda, but I still think that . . . Now, I brought this up before. I've remodeled houses. It doesn't take this kind of money.

Ms. Amatangelo: I don't know that we're experts that we can say that. I mean, you already said that there was a huge presentation and like Dale said, why weren't these things brought up? As a new person, I would've asked that a long time ago.

Ms. Loll: But the thing is, that number was not presented that day.

Ms. Amatangelo: So, when was the first time you heard about a number?

Ms. Loll: It was later on.

Ms. Amatangelo: When later on?

Ms. Loll: The, the, the, . . . well, Perry, and probably Tom had something to do with it.

Dr. Wood: The budget was presented that day; you may have missed it, but the budget definitely was presented.

Mr. Barney: It was.

Dr. Wood: We wouldn't be bringing this to the Board if we hadn't presented that to you. It was there for you.

Ms. Loll: Well, it doesn't take that kind of money to remodel.

Dr. Wood: That's the document right there.

Mr. Winschel: Did Tom provide the recommendation?

Dr. Wood: No, because of the presentation, we wanted to have that discussion fully with Strategic Planning and those in attendance.

Mr. Winschel: Again, I wasn't here but was there discussion with the Board afterward about the \$75,000?

Dr. Wood: No, it was a discussion as to whether or not the program should be funded and this budget was part of that presentation.

Mr. Winschel: Gotcha.

Mr. Wachter: So, the amendment did not pass, so right now you still have on the table the motion to approve the resolution as written with the \$75,000 award. Once again, it's going to require four votes to pass.

Mr. Barney: Is there any further discussion?

Motion is a tie, with Ms. Loll, Mr. Winschel, and Mr. Oberlander voting in the negative. Therefore, the motion to amend the amount requested fails.

Mr. Barney: A question with that not passing, can we bring it back up when we have a full Board?

Mr. Wachter: We do not have any rules preventing that.

Mr. Barney: Thank you.

Ms. Loll: I do have a question on that. On Council, and that's the only experience I've got with other than some of the other Boards I've been on, but in order to bring it back, it would have to change, right?

Mr. Barney: No.

Mr. Wachter: That is a Council rule.

Mr. Barney: Not here.

Ms. Loll: Okay. I'm asking.

Mr. Wachter: We do not have a rule to prevent it to come back again. A motion to reconsider must be made by an individual who voted in a way that . . . well, this was a tie. So, anyone could make a motion to reconsider.

Ms. Loll: And it wouldn't have to change?

Mr. Wachter: We do not have that rule. That is a Council specific rule. I also believe that Council has a rule that you can not reconsider something for a period of six months; that is a Council specific rule only.

Mr. Cleaver: Someone who voted against it would have to bring it up.

Mr. Wachter: Typically, but this didn't pass. Typically, that is the way it would go.

Mr. Barney: That concludes all the resolutions. Does anyone have any comments or anything they would like to say?

Dr. Wood: As part of adjournment, I'd like to say that working continually over the past twelve years with communities from Corry to Union City, Harborcreek to Millcreek, we continually hear that ECGRA is working, that our process is accountable and transparent, and is quite frankly a point of pride for Erie County. We work with agencies, authorities, municipalities, and nonprofits, across the county and we will continue to do this as long as County Council and the ECGRA Board wants this to happen. We will continue into the future. Thank you.

Mr. Barney: Thank you, Dr. Wood. Prior to adjourning, everyone should note that our next meeting is Thursday, February 15, 2024 at 8:30am.

Mr. Cleaver moves to adjourn. Mr. Oberlander seconds the motion. Meeting is adjourned at 10:31am.