



Erie County Gaming Revenue Authority

Minutes of the Board of Directors' Meeting

September 16, 2021

Meetings for the Board of Directors of ECGRA can begin meeting in a physical location per Governor Wolf's proclamation of June 11, 2021. However, each member and ex-officio has the option to attend in person or virtually. Members of the public can now speak at the physical location of 5240 Knowledge Parkway.

CALL TO ORDER

The Board of Directors' Meeting of the Erie County Gaming Revenue Authority was held on September 16, 2021 at 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.

ROLL CALL

Mr. Barney, Mr. Cleaver, Mr. DiPaolo, and Ms. Loll are present via Zoom. Mr. Paris and Mr. Sample are present in person. Mr. Wachter, Mr. Lee, Mr. Anderson are present via Zoom, and Dr. Wood is present in person. Ms. Loll is unable to hear the conversation, so she is unable to vote on any items at this time.

APPROVAL OF THE AGENDA

Mr. Sample makes a motion to approve the agenda as presented. Mr. DiPaolo seconds the motion. There is no discussion of the agenda. Motion carries 5-0.

APPROVAL OF MINUTES – August 2021

Mr. DiPaolo makes a motion to accept the minutes. Mr. Sample seconds the motion. There is no discussion on the minutes. Motion carries 5-0.

DIRECTOR'S COMMENTS

There are no comments at this time.

COMMENTS BY THE CHAIR

Mr. Barney has no comments at this time.

PUBLIC COMMENT

There is no public present for comments.

PRESENTATIONS

There are no presentations scheduled.

COMMITTEE REPORTS

- a. Treasurer's Report: Mr. Cleaver: Thank you, Mr. Chairman. I discussed the Treasurer's Report with Dr. Wood; there were just a couple of comments. It's nice that we are underspent on all line items. I questioned one fact of why did we get \$4,648.75 back from the Erie Center on Health and Aging and the answer was a nice one, that they didn't need all that money so they sent it back to us, which is good.

The other thing was that I see the townships got their second quarter settlements as prescribed in the By-Laws, I guess. Other than that, everything else seems to be straight across and fine.

Mr. DiPaolo makes a motion to accept the Treasurer's Report as submitted. Mr. Sample seconds the motion. There are no questions or discussion of the Treasurer's Report. Motion carries 5-0.

- b. Strategic Planning Committee: There was no meeting held, so there is nothing to report.
- c. Update from County Council: Mr. Anderson: Thank you, Mr. Chairman. It's an honor to be with you and the Board this morning. I just wanted to give a brief report from County Council. First of all, I would like to thank the Board and staff, particularly Perry Wood, for the assistance all of you have given County Council and County government with the COVID Impact Committee. There has been a tremendous amount of work done that has led County government to be able to institute and pass Ordinance Numbers 65 and 66 dealing with the ARPA funding. In that funding, County Council pushed very strongly for a pool of money for Transformational Grants as we come out of the pandemic for our community to be able to move forward in a positive and strong fashion. It was supported and passed by Council that there was no better organization in the community than our economic development partner, and that's you at ECGRA. We set aside \$4 million in this first tranche of money from this first \$26 million.

With unanimous support, all of that passed in August, and we have great confidence and hope in the execution of those Transformative Grant funds, and we look forward to the ideas and the forward-thinking things that ECGRA comes up with in regards to community benefits with that money. Certainly, you have the support of Council because as I said, it went

through as a unanimous vote, and I believe there will be additions to that as we look to the next tranche of money.

If there are any issues that arise with the process of getting it taken care of through the Administration, please let us know because we would be happy to help in any way. As I said, we have the faith and confidence in your Board, Mr. Chairman, and in the staff you have, and your Director, Perry Wood. That's my report today. If there are any questions, I would be happy to answer them. Thank you, again, to all of you for the hard work.

Let me make just one other comment. I was in a meeting not too long ago with a group who was trying to push for additional funding and defend their position. They had claimed that they stepped forward when the pandemic hit and were able to get homeless people off the streets in the first weekend. Since I was the one there working with Director Wood and the forward-thinking of the ECGRA Board in being prepared for what was happening, I know that they had nothing to do with making it happen. It was all with the preparedness and the forward-thinking of ECGRA.

Those things do not go unnoticed, and it is critically important that you continue the mission that you have undertaken and resist, when necessary, the unfortunate things that may happen in the community that stand in the way of progress and moving forward. That particular moment is one example. ECGRA and your staff and your Board shine through like a beacon in this community. County Council, for sure, appreciates the work that is being done. So, thank you, Mr. Chairman.

Dr. Wood: Thank you, Chairman Anderson, for those kind words about ECGRA.

Mr. Barney: Thank you Mr. Anderson. Let me open it up to the Board for any questions.

Mr. Anderson: Mr. Chairman, may I ask how the process is going with the Administration and particularly with the Finance Department in the process of the funding?

Mr. Barney: To my knowledge in having talked to Dr. Wood, and I'll let him comment, it's moving along. It's a slow process; we want to be thorough and have everything correct and we're waiting for additional information, but with that amount of money, I guess it's a cautious process. I'll let Dr. Wood make any additional comments.

Dr. Wood: I would just add that we know that County Council has awarded us these Transformative dollars through Ordinance. We have followed up with the Finance Department twice, both times we were told that this is in process and that they needed us to wait. I think the biggest factor is that the Administration wanted to hire an accountability firm to oversee subrecipients. If the Board is not aware, ECGRA would be considered a subrecipient of County funds through ARP. That group happens to be Maher Duessel, which happens to be our auditors. We are waiting to find out when Maher Duessel is on board and has some type of guidance for us.

In the meantime, Tim and I have done an extensive amount of research and studying; we've studied several documents that came from the Federal Government associated with these funds, as well as the US Treasury. I think we are able and ready. We are just waiting for the final direction from Maher Duessel and also the grant agreement from the County.

Mr. Anderson: If I can comment, that is a little concerning to me. I would say that the Finance Department has been a little overwhelmed and they did have the retirement of one of the major management persons in Finance.

There are no restrictions on the funds; both of the Ordinances were passed, and Council put restrictions on each of the funds. There was no restriction of waiting until a consultant came on board. The consultant is to help with the paperwork, not to hold up any policies or funding that you may begin to put into place. Essentially, they are there to work with the Administration to make sure that when you are sending in reports, that those reports follow the guidelines. There shouldn't be anything that stands in the way of you getting the funds.

The reason I asked the question is because there has been other agencies of County government and other specific groups that received approval from Council that were in the same situation and that is just not the case. There should be nothing that should restrict the funds from coming. I would suggest that you send a letter to the Finance Department and cc the County Executive and myself as the liaison and Chair, and you may also want to cc Kim Clear, the Finance Chair, and let them know that you are prepared for the funds and you've done your research, your Solicitor has looked at things, and let them know that that makes the funds free. Them saying that because of the consultant they have to hold up the money, that is just not accurate.

Mr. Barney: Thank you for that additional information, Mr. Anderson.

- d. Update from County Executive's Office: Mr. Lee: Good morning, everyone. Thank you, Mr. Chairman. I will attempt to be very brief. While we are talking about the American Rescue Plan Act funding, I think it's very important that we place everything in proper context. What I mean by that is the Administration is responsible to provide reports to the US Treasury Department and I think that this may be where the disconnect is coming in. Yes, the Finance team has a contract with Maher Duessel. They also have a contract with Whit O'Brien. Whit O'Brien is handling the program side of it and Maher Duessel is handling the financial requirement side of it. The process continues to be worked out because of the numerous requirements that the US Treasury Department has put in place with this funding. So, the money comes to the County and the County is going to be responsible for it at the end.

In doing that, as far as how we set it up with ECGRA and other entities like the Erie County Redevelopment Authority, they are going to be key administrators of various programs. So, the US Department of Treasury requires the County to have an agreement in writing. The US Treasury requires that an agreement be in place before this money goes out. Now, we can go ahead and do it without the agreement, but that has not been the consultant's feedback. I'm talking about Whit O'Brien. They said, "No, you want these agreements in place." And I would agree. You want these agreements in place so that everyone can understand what the expectations are and make sure that the "I"s are dotted and the "t"s are crossed. In this particular case, ECGRA will be responsible for reporting back to the County and then the County to the US Department of Treasury.

So, it is a very good and wise choice to make sure that everyone understands upfront what the expectations are and what is going to be required to submit these various reports. The Finance teams continues to work through that. I do know that this is a priority. Please keep in mind that they are actually working on the budget, which is due October 1st to County Council, so there are a lot of things going on with that particular team. This is at the top of the priorities as well, so I would just ask for continued patience as we work through this but please know that our reporting requirements with the US Treasury Department is a big part of this particular puzzle. At this point, I will take any questions or concerns that anyone has at this time. Hearing none, that concludes my update, Mr. Chairman.

REPORT OF THE EXECUTIVE DIRECTOR

Dr. Wood: Good morning, everyone. Thanks for being with us. You'll see in your Executive Director's Report that it contains a letter from the County that second quarter gaming revenue was received and in accordance with the Municipal Settlements, the settlement checks were stroked. You'll see a report from Professional Services, and then you'll see several news clippings of things that came through via newsletters, the Corry Journal, and the Erie Times concerning ECGRA.

The big thing on the agenda today is the Annual Report; it's Resolution Number 13, 2021. The Annual Report, of course, is an important historical artifact for the organization. We file one every year. It comes to the Board for full approval and when it's approved, it is then distributed to various members of County Government including County Council, the County Executive, and the County Controller where it goes on record as it has the activities of ECGRA for the 2020-2021 fiscal year.

Since we already covered the ARP monies, that is the majority of my report. Does anyone have any questions for me?

Mr. Cleaver: Mr. Chairman, I would just like to make a comment. I reviewed the Annual Report and let me tell you, I think it's top notch. There is a lot to be proud of and it is very well put together. It really explains just about anything and everything that goes on. I just wanted to make that comment that it is a really well-done report.

Dr. Wood: Thank you, Mr. Cleaver. That was designed by our firm, Parker Philips.

SOLICITOR'S REPORT

Mr. Wachter: I was going to speak about some of the research we had done on the funding; it has already been covered. I know Perry has been looking at that and we will move forward accordingly once we receive those agreements. If there are any questions, let me know.

OLD BUSINESS

There is no Old Business to cover at this time.

NEW BUSINESS

- a. Resolution Number 13, 2021 – Resolution to adopt the 2020-21 Annual Report

Dr. Wood reads the resolution.

Mr. Sample makes a motion to accept the resolution. Mr. Cleaver seconds the motion. There is no further discussion of the resolution. Motion carries 5-0.

ADJOURNMENT

Mr. Sample moves to adjourn.