

**MICHIGAN ECONOMIC GROWTH AUTHORITY BOARD**  
**August 18, 2009**

**ADOPTED MEETING MINUTES**

A meeting of the Michigan Economic Growth Authority (MEGA) Board was held on Tuesday, August 18, 2009 at the MEDC building, Lake Michigan Room, 300 N. Washington Sq. N., Lansing, Michigan.

**MEMBERS PRESENT:** Susan Corbin (acting on behalf of Stanley “Skip” Pruss, authorization attached); Cullen DuBose; Baldomero Garcia; Tim Herman; Scott Schragger (acting on behalf of Robert Kleine, authorization attached); Greg Main; Jackie Shinn (acting on behalf of Kirk Steudle, authorization attached)

**MEMBERS ABSENT:** Douglas Buckler

**CALL TO ORDER:** Mr. Main called the meeting to order at 10:02 a.m.

**APPROVAL OF MINUTES:** Mr. Main asked for a motion to approve the July 21, 2009 meeting minutes. **Ms. Corbin motioned approval of the minutes. Ms. Shinn seconded the motion.** The motion carried unanimously – 7 ayes; 0 nays; 0 recused; 1 absent

**PUBLIC COMMENT:**

Mr. Main asked if there was any other public comment. There was none.

**PROPOSED BROWNFIELD MBT CREDIT AND WORK PLAN APPROVAL:**

**Resolution 2009-130 & -131: City of Marquette - Founder’s Landing, Project A – The Landing /The Landing Development Group (II), LLC**

*Cathi Cole, MEDC Business Development Manager, provided background information for this action and introduced guest presenters; John Kivela, Mayor (City of Marquette); Johnny DePetro, Mayor Pro-tem (City of Marquette); Bob Niemi, Commissioner (City of Marquette); Don Potvin, Commissioner (City of Marquette); Judy Akkala, City Manager (City of Marquette); Carol Vining Moore, BRFA Secretary (City of Marquette); Darlene Inch, Executive Assistant (City of Marquette); Mac McClelland, Consultant for the City of Marquette (Otwell Mawby); Joe Constance, Member (The Landing Development Group, LLC); Bill Hetrick, Member (The Landing Development Group, LLC); Barry Polzin, Member (The Landing Development Group, LLC); Lois Ellis, Vice President - Economic Development, (Lake Superior Community Partnership); Don McNabb, Consultant; and Representative Steve Lindberg*

Rep. Lindberg thanked the Board and the constituents for the floor and talked about the excitement of the Marquette lakeshore development project, referring to it as the gem of the U.P. Rep. Lindberg talked about the project taking a long time to come together but stated that when it’s done it will be beautiful. Mr. Polzin stated that the site of the redevelopment is the exact location where Marquette and the original founders landed. Ms. Akkala spoke about two failed attempts to develop the site and then talked about how important it was for residents to have public access to the shoreline in the form of a pathway along the entire development. Mr. Polzin spoke about the projects dedication to preserve the unique Marquette architecture by reflecting it in the development. Mr. Polzin then spoke about the efficiency of the entire project saying that an existing nearby power plant’s thermal-discharge will flow under the development site to heat it. Mayor Kivela spoke about having bumps in the road on this project but thanked the outstanding work of Cathi Cole and Eric Helzer who made sure the project got done. Mr. Constance talked about when the project first started to come together three years before, he had thought that the tax credit was a bonus, but with the current economic times, the only way for the project to go forward is now because of the MEGA Credits. Mr. Constance also thanked Eric Helzer for a super-human effort. Mr. Main said this is the largest Brownfield project that he’s been part of and proof that great things are not created suddenly.

*Katharine Czarnecki, MEDC Community Assistance Manager, provided additional information.*

Ms. Czarnecki spoke about a ten phase work plan for Large Brownfield MBT Tax Credit and described the project. Through the Community Master Plan process, City residents developed a vision to secure and preserve the 29-acre property, commonly known as Founder's Landing, with 3,600 feet of Lake Superior shoreline. To date, the City, with the support of the State of Michigan, has invested over \$11 million in demolition, environmental remediation, and public infrastructure.

**Recommendation:** MEDC staff recommends approval of local and school tax capture for the eligible activities totaling \$30,556,637, described above. Utilizing the current state to local capture ratio, the amount of school tax capture for this project is estimated at \$14,116,039. Staff also recommends approval of the designation of an Urban Development Area Project (UDAP) and approval of a 20% MBT Brownfield Credit, not to exceed a \$10,000,000.

**Board Discussion:** Mr. Garcia gave the Executive Committee report. The MEGA Executive Committee reviewed the proposed Brownfield MBT Credit and Work Plan Approval and recommends approval. Peter Anastor, MEGA Board Secretary, informed the Board that there were two resolutions—the first is the MBT Resolution which will have all 10 phases completed in 10 years and the second is the TIF Resolution which has 5 years to complete eligible activities instead of the standard 3 years. Mr. Main asked if there were any questions from the Board. Being none, **Mr. Schragger made a motion for approval of Resolution 2009-130. Mr. Garcia seconded the motion.** The motion carried unanimously – 7 ayes; 0 nays; 0 recused; 1 absent. **Ms. Shinn made a motion for approval of Resolution 2009-131. Mr. Herman seconded the motion.** The motion carried unanimously – 7 ayes; 0 nays; 0 recused; 1 absent.

#### **PROPOSED BROWNFIELD WORK PLAN APPROVALS:**

##### **Resolution 2009-132: County of Charlevoix - 1 Water Street - Integrity Land Company**

*Deborah Stuart, MEDC Community Assistance Specialist, provided background information for this action and introduced guest presenters; Michael Cain, City Manager (City of Boyne City); Anne Jamieson, Consultant (AKT Peerless); and Glen B Catt, Developer (Catt Development).*

Ms. Stuart spoke about this project being the first project in Charlevoix County and the positive impact it will have on Boyne City and Lake Charlevoix. Ms. Jamieson talked about the project site itself and how over a century of use the foundations had been filled with contaminated debris from shipping and logging. Ms. Jamieson stated that the project would be removing the contaminated fill and the existing foundations. Mr. Catt talked about how he and his family liquidated some of their assets and were able to buy the property with cash and debt free. Mr. Catt spoke about the potential businesses that were considering occupying the 1 Water Street space, including space managed by Red Mesa Grille and a hotel that Boyne USA is interested in running. Mr. Catt spoke ardently about his support for the project and thanked the state and local partners. Mr. Cain spoke about the first MEDC project that helped Boyne City was the Brownfield Main Street then thanked the MEDC for the "Art of the deal" training he received which helped make this deal possible. Mr. Cain again thanked the Board for all it has done for Boyne City.

*Katharine Czarnecki provided additional information.*

Ms. Czarnecki spoke about the project that will redevelop a 2.5 acre site on Lake Charlevoix in downtown Boyne City located at 1 Water Street. The development anticipates creating 30-40 new permanent jobs on the site. The total capital investment is estimated at \$12.3 million.

**Recommendation:** MEDC staff recommends approval of a 12.5% MBT Brownfield Credit, not to exceed \$1,243,989.

**Board Discussion:** Mr. Garcia gave the Executive Committee report. The MEGA Executive Committee reviewed the proposed Brownfield Work Plan Approval and recommends approval. Mr. Main asked if there were any questions from the Board. Being none, **Ms. Shinn made a**

**motion for approval of Resolution 2009-132. Ms. Corbin seconded the motion.** The motion carried unanimously – 7 ayes; 0 nays; 0 recused; 1 absent.

**Resolution 2009-133: City of Cadillac – South Mitchell Redevelopment – Clam Lake Holdings**

*Joe Agostinelli, MEDC Community Assistance Specialist, provided background information for this action and introduced guest presenters; Precia Garland, Interim City Manager (City of Cadillac); Brian Johnson, Developer (Clam Lake Holdings, LLC); and Mac McClelland, Consultant*

Mr. Johnson spoke about investing in other states over the years but recently looked to Michigan to see how he could help his home town of Cadillac. Mr. Johnson talked about how the redevelopment will be an outdoor farm market that features local produce and Michigan products. Mr. Johnson stated his intent to start construction tomorrow dependent upon the MEGA Board's approval. Ms. Garland thanked Brian and referred to Cadillac as "quietly successful," forming Michigan's first Brownfield Redevelopment Authority (BRA). Ms. Garland spoke about the functionally obsolete site where the project will be a key tipping point for redevelopment and further investment. Mr. McClelland thanked the Board for their help, speed, and time frame.

*Katharine Czarnecki provided additional information on the project.*

Ms. Czarnecki spoke about the project intention to redevelop the property by removing the existing building, conducting significant site improvements and constructing a new building and greenhouse for a retail operation that will offer fresh fruits, vegetables, nursery plants and related specialty items. The total capital investment is expected to be approximately \$600,000.

**Recommendation:** MEDC staff recommends approval of local and school tax capture for the eligible activities totaling \$95,074 described above. Utilizing the current state to local capture ratio, the amount of school tax capture for this project is estimated at \$39,961.

**Board Discussion:** Mr. Garcia gave the Executive Committee report. The MEGA Executive Committee reviewed the proposed Brownfield Work Plan Approval and recommends approval. Mr. Main asked if there were any questions from the Board. Being none, **Mr. DuBose made a motion for approval of Resolution 2009-133. Ms. Corbin seconded the motion.** The motion carried unanimously – 7 ayes; 0 nays; 0 recused; 1 absent.

**PROPOSED HIGH-TECH MEGA CREDITS:**

**Resolution 2009-134: Draths Corporation (Draths)**

*Susan Novakoski, MEDC Business Development Manager, provided background information for this action and introduced guest presenters; Dr. John Frost, Co-founder and Chief Science Officer (Draths); Bill Faulkner, VP of Business Development (Draths); and Tracy LC Miller, Director (Delhi Charter Township Dept. of Community Development)*

Dr. Frost spoke about "Green Chemistry," specifically the first renewable nylon. Dr. Frost spoke about his boss, the co-founder, who is also his wife—Dr. Karen Frost. Dr. Frost talked about the technology developed at Michigan State University is being produced in Michigan. Dr. Frost stated that he anticipated 200 new jobs by 2014. Ms. Miller stated she was eager to help Draths and Delhi Charter Township.

*Marcia Gebarowski, MEDC Project Specialist, provided additional information on the project.*

Draths is planning to scale-up their nylon precursor technology, through the construction and operation of a new pilot plant in Delhi Township in Ingham County. Draths will invest approximately \$41.25 million and create 200 jobs over the next five years as a result of this project.

**Recommendation:** MEDC staff recommends a 100 percent high-technology employment tax credit for ten years for up to 200 net new employees in excess of the company's established base of 13.

**Board Discussion:** Mr. Garcia gave the Executive Committee report. The MEGA Executive Committee reviewed the proposed High-Tech MEGA Credit and recommends approval. Mr. Main asked if there were any questions from the Board. Being none, **Mr. Schragger made a motion for approval of Resolution 2009-134. Mr. Herman seconded the motion.** The motion carried unanimously – 7 ayes; 0 nays; 0 recused; 1 absent.

Scott Schragger leaves the meeting.

**Resolution 2009-135: Mossberg Precision Diagnostic, LLC (Mossberg)**

*Penny Launstein, MEDC Manager Sales Support, provided background information for this action and introduced guest presenters; James Hillman, CEO (Mossberg & Company); Eric Gatmaitan, COO (Mossberg & Company); Jerome Kisscorni, Executive Director (Kalamazoo EDC); and John Plotnik, VP (Southwest Michigan First)*

Mr. Hillman spoke about Mossberg being family owned located in South Bend, Indiana. However, the City of Kalamazoo, Southwest Michigan First, and the MEDC put together the necessary financial package to manufacture in Michigan. Mr. Hillman thanked the City of Kalamazoo and the State of Michigan. Mr. Kisscorni stated that challenges were overcome with the help of the MEDC.

*Marcia Gebarowski provided additional information on the project.*

Mossberg is considering locating its start-up operations in the City of Kalamazoo. The company will lease a facility where they will ramp up their operations of developing and manufacturing consumable healthcare products. Mossberg will invest approximately \$1.5 million and create 35 jobs over the next five years as a result of this project.

**Recommendation:** MEDC staff recommends a 100 percent high-technology employment tax credit for ten years for up to 35 net new employees in excess of the company's established base of 0.

**Board Discussion:** Mr. Garcia gave the Executive Committee report. The MEGA Executive Committee reviewed the proposed High-Tech MEGA Credit and recommends approval. Mr. Main asked if there were any questions from the Board. Being none, **Mr. Garcia made a motion for approval of Resolution 2009-135. Mr. DuBose seconded the motion.** The motion carried unanimously – 6 ayes; 0 nays; 0 recused; 2 absent.

Scott Schragger returns.

**PROPOSED RURAL MEGA CREDITS:**

**Resolution 2009-136: Bradford White Corporation (BWC)**

*Tom Tarleton, MEDC Manager Sales Support, provided background information for this action and introduced guest presenters; Eric Lannes, Executive Vice President (BWC); Valerie Byrnes, Executive Director (Barry Co. Chamber of Commerce/EDA); Heather Smith, Barry County Road Commission; George Strand, Village Manager (Village of Middleville); and Jeff Moffett*

Mr. Lannes spoke about the history of BWC and noted their start up in 1881. Mr. Lannes stated that there are only three manufacturers that do what BWC does—designing, developing, and manufacturing water heaters. Mr. Lannes thanked the MEGA Board, the MEDC, Ms. Byrnes, Mr. Tarleton, and Josh Hundt. Mr. Strand spoke about Middleville Village being in full support including \$1 million in incentives. Mr. Moffett stated that this proposal is about employment in Middleville, Barry County, and urged all in attendance to support and grant the MEGA Credit. Ms. Smith talked about a road project by the commission that allows direct highway access. Ms. Byrnes stated that the support was immense for this large employer [BWC], and then she thanked the MEDC staff.

*Josh Hundt, MEDC Project Specialist, provided additional information on the project.*

The proposed project is for BWC to introduce two new product lines. BWC will invest approximately \$3.48 million and create 88 jobs over the next five years as a result of this project. The first line will be a new alternative energy product line to support primary energy sources other than electric, gas, or oil. The second line is a new Ultra Low Nox product line to reduce nitrous oxide emissions from natural gas combustion.

**Recommendation:** MEDC staff recommends a 100 percent rural employment tax credit for 7 years for up to 88 net new employees in excess of the company's established base of 952.

**Board Discussion:** Mr. Garcia gave the Executive Committee report. The MEGA Executive Committee reviewed the proposed Rural MEGA Credit and recommends approval. Mr. Main asked if there were any questions from the Board. Being none, **Ms. Shinn made a motion for approval of Resolution 2009-136. Mr. Herman seconded the motion.** The motion carried unanimously – 7 ayes; 0 nays; 0 recused; 1 absent.

**Resolution 2009-137: Wolverine World Wide, Inc. (WWW)**

*Bill Kratz, MEDC Manager Sales Support, provided background information for this action and introduced guest presenters; Ahmed El-Haddad, VP Owned Manufacturing (WWW); Mark Warba, Mayor (Big Rapids); Steve Sobers, City Manager (Big Rapids); Maxine McClelland, Supervisor (Big Rapids Township); David Eisler, President (Ferris State University); Paul Griffith, Executive Director (Michigan Works! West Central); and William Mrdeza, Executive Director (Mecosta County Development Corporation)*

Mr. El-Haddad thanked Mayor Warba and Mr. Kratz and spoke about the operations planned with multiple shifts possible. Mayor Warba spoke about his delight to be in Lansing with all of the smiling faces and took a moment to introduce the Big Rapids persons in attendance. Mayor Warba talked about his excitement and support for the project creating jobs in the Big Rapids community.

*Josh Hundt provided additional information on the project.*

WWW will invest approximately \$6.27 million and create 286 jobs over the next five years as a result of this project.

**Recommendation:** MEDC staff recommends a 100 percent rural employment tax credit for 7 years for up to 286 net new employees in excess of the company's established base of 1,244.

**Board Discussion:** Mr. Garcia gave the Executive Committee report. The MEGA Executive Committee reviewed the proposed Rural MEGA Credit and recommends approval. Mr. Main asked if there were any questions from the Board. Being none, **Mr. Herman made a motion for approval of Resolution 2009-137. Ms. Shinn seconded the motion.** The motion carried unanimously – 7 ayes; 0 nays; 0 recused; 1 absent.

**PROPOSED STANDARD MEGA CREDIT:**

**Resolution 2009-138: Haworth, Inc. (Haworth)**

*Bill Kratz provided background information for this action and introduced guest presenters; John Mooney, CFO (Haworth); Scot Wentworth, North American Controller (Haworth); Albert McGeehan, Mayor (City of Holland); and Mark Warba, Mayor (Big Rapids)*

Mr. Mooney thanked the MEDC and spoke about being a global leader in office furniture solutions. Mr. Mooney spoke about the tough decision of closing a plant in Calgary, Alberta where there are many loyal employees. Mr. Mooney stated that the MEDC and local support helped to make that decision. Mayor McGeehan spoke about although he is an advocate for the community of Holland, MI; he understood that the people of Calgary are expressing deep sadness and emotion. Mayor McGeehan stated, "We don't take glee in this. My heart goes out to those in Canada. [Nevertheless] this is a good day for home grown Michigan products." Mayor Warba thanked Haworth for their investment in Big Rapids and the State of Michigan.

*Greg West, MEDC Project Specialist, provided additional information on the project.*

Haworth will invest approximately \$15.65 million and create 649 jobs over the next five years as a result of this project.

**Recommendation:** MEDC staff recommends a 100 percent employment tax credit for 13 years for up to 649 net new employees in excess of the company's established base of 1,839, subject to the following: Provided that the company creates a minimum of 600 jobs, over the employment base of 1,839 by the end of the seventh year of operations and continues to maintain that number in future years. Failure to do so will result in the remaining years to be forfeited.

**Board Discussion:** Mr. Garcia gave the Executive Committee report. The MEGA Executive Committee reviewed the proposed Standard MEGA Credit and recommends approval. Being none, **Ms. Corbin made a motion for approval of Resolution 2009-138 Mr. Schragger seconded the motion.** The motion carried unanimously – 7 ayes; 0 nays; 0 recused; 1 absent.

Tim Herman leaves the meeting.

#### **PROPOSED MEGA AMENDMENTS:**

##### **Resolution 2009-139: Compact Power, Inc. (CPI)**

*Peter Anastor provided background information for this action.*

Mr. Anastor spoke about CPI and in April of 2009, the MEGA Board had approved a 100 percent standard employment credit for Compact Power, Inc. for 15 years for up to 443 net new jobs in excess of the company's established employment base of 0.

**Recommendation:** Due to the limited standard MEGA credits currently available, MEDC staff is requesting that the MEGA board amend the approval in order to qualify the project as a high-technology tax credit. The company is a qualified high technology business (alternative energy technology) as defined in the act.

**Board Discussion:** Mr. Garcia gave the Executive Committee report. The MEGA Executive Committee reviewed the proposed High-Tech MEGA Amendment and recommends approval. Mr. Main asked if there were any questions from the Board. Being none, **Ms. Shinn made a motion for approval of Resolution 2009-139. Ms. Corbin seconded the motion.** The motion carried unanimously – 6 ayes; 0 nays; 0 recused; 2 absent.

##### **Resolution 2009-140: Johnson Controls-Saft Advanced Power Solutions, LLC (JCS)**

*Peter Anastor provided background information for this action.*

Mr. Anastor spoke about JCS and in April of 2009, the MEGA Board had approved a 100 percent standard employment credit for Johnson Controls-Saft Advanced Power Solutions, LLC for 15 years for up to 1,096 net new jobs in excess of the company's established employment base of 0.

**Recommendation:** Due to the limited standard MEGA credits currently available, MEDC staff is requesting that the MEGA board amend the approval in order to qualify the project as a high-technology tax credit. The company is a qualified high technology business (alternative energy technology) as defined in the act.

**Board Discussion:** Mr. Garcia gave the Executive Committee report. The MEGA Executive Committee reviewed the proposed High-Tech MEGA Amendment and recommends approval. Mr. Main asked if there were any questions from the Board. Being none, **Mr. Schragger made a motion for approval of Resolution 2009-140. Mr. DuBose seconded the motion.** The motion carried unanimously – 6 ayes; 0 nays; 0 recused; 2 absent.

##### **Resolution 2009-141: Lycera Corporation (Lycera)**

*Peter Anastor provided background information for this action.*

Mr. Anastor spoke briefly about the MEDC staff's efforts to free up MEGA Credits by amending existing resolutions.

*Ms. Shinn asked if the MEGA credits were depleted until the end of the fiscal year or the calendar year. Mr. Anastor answered the calendar year. Mr. Main stated that he was optimistic and that they were getting closer to a resolution in the Senate.*

Mr. Anastor stated that Lycera was granted a 5-year 100% High Tech MEGA originally valued at \$531,000 and currently employs eight people. The company recently closed an initial round of funding totaling in excess of \$36 million. The company requests the transfer of the MEGA from the initially intended Ann Arbor facility to the Plymouth Township facility. The company requests a reduction from \$2,315 to \$1,925 in its current average weekly wage.

**Recommendation:** MEDC staff recommends the transfer of the MEGA from the originally contemplated Ann Arbor facility to the Plymouth Township facility provided that the company certifies with its Statement of Eligibility that local participation at the originally contemplated levels remains in place at the new location. The MEDC staff further recommends the reduction in the Average Weekly Wage to \$1,925 effective for the entire length of the MEGA Tax Credit.

**Board Discussion:** Mr. Garcia gave the Executive Committee report. The MEGA Executive Committee reviewed the proposed MEGA Amendment and recommends approval. Mr. Main asked if there were any questions from the Board. Being none, **Ms. Shinn made a motion for approval of Resolution 2009-141. Ms. Corbin seconded the motion.** The motion carried unanimously – 6 ayes; 0 nays; 0 recused; 2 absent.

Tim Herman returns.

**Resolution 2009-142: NEAPCO Drivelines, LLC (NEAPCO)**

*Peter Anastor provided background information for this action.*

Mr. Anastor spoke about the amendment request for NEAPCO which, on October 16, 2007, received a standard MEGA at 100 percent for seven years for the purchase and operation of a former Automotive Component Holdings, LLC (ACH) driveline components business line in Van Buren Township. The company was required to create a minimum of 200 Qualified New Jobs in order to receive the credit, which is more than the 75 employees required by statute. Since the credit was awarded, NEAPCO has hired approximately 150 employees, but has not been able to get to the 200 that was agreed to in the original agreement due to the downturn in the economy especially for automotive suppliers. The Company has asked that they be allowed to reduce their requirement for Qualified New Jobs from 200 to 150.

**Recommendation:** MEDC staff recommends approval of this request, which is the reduction of Qualified New Jobs from 200 to 150. Staff also recommends that the company forfeit one year of the credit and the credit term be amended to 6 years beginning December 31, 2009 and ending December 31, 2014. All other facets of the original agreement will remain the same.

**Board Discussion:** Mr. Garcia gave the Executive Committee report. The MEGA Executive Committee reviewed the proposed MEGA Amendment and recommends approval. Mr. Main asked if there were any questions from the Board. *Ms. Shinn asked about some specifics and then expressed her reluctance to approve such a generous amendment.* Being no further questions, **Mr. Garcia made a motion for approval of Resolution 2009-142. Mr. Dubose seconded the motion.** The motion carried unanimously – 7 ayes; 0 nays; 0 recused; 1 absent.

**PROPOSED BROWNFIELD MBT CREDIT AMENDMENT:**

**Resolution 2009-143: Montgomery Ward**

*Peter Anastor provided background information for this action.*

Mr. Anastor spoke about the amendment request for the Montgomery Ward Redevelopment Project which was originally approved on August 19, 2008 for an Urban Development Area Project (UDAP) designation, a MEGA MBT Brownfield Redevelopment Credit of 20% of the eligible investment, not to exceed a \$9,600,000 and approval of school tax capture for the eligible activities totaling \$12,892,789. The current Amendment Request is to change the scope to include three phases and add additional five years to the completion date. The Eligible Investment remains at \$48 million with a 20% MBT Brownfield Credit not to exceed \$9.6 million.

**Recommendation:** MEDC staff recommends the amendment to change the scope of the project to include three phases detailed above and also to add five years to the completion date. The project would now have to be complete by December 8, 2018.

**Board Discussion:** Mr. Garcia gave the Executive Committee report. The MEGA Executive Committee reviewed the proposed Brownfield MBT Credit Amendment and recommends approval. Mr. Main asked if there were any questions from the Board. Being none, **Ms. Shinn made a motion for approval of Resolution 2009-143. Mr. Herman seconded the motion.** The motion carried unanimously – 7 ayes; 0 nays; 0 recused; 1 absent.

#### **ADMINISTRATIVE:**

##### **Resolution 2009-144: MEGA Board By-Laws**

*Peter Anastor provided background information for this action.*

Mr. Anastor stated that the MEGA Board had last adopted By-Laws for the Board on April 20, 1995. Since the adoption of the original By-Laws, various statutory changes have been adopted and enrolled within the MEGA Act and clarification of the powers and duties of Officers and Employees were reviewed. Mr. Anastor added that the MEDC staff worked diligently to update these By-Laws and, included among the changes, to allow more time for several major Michigan projects to meet their time frame window of opportunity for approval. Assistant Attorney General Kathleen Markman clarified that Resolution 2009-144 does not in fact allow staff to unilaterally grant time extensions, but rather does nothing in that regard that is not already authorized by the MEGA Board within the underlying project resolutions. Mr. Main asked if the Board should move forward with the Resolution. Mr. Anastor recommended doing so.

**Recommendation:** Based on a review of the existing MEGA By-Laws, the MEDC staff recommends adoption of the amended and restated MEGA By-Laws.

**Board Discussion:** Mr. Garcia gave the Executive Committee report. The MEGA Executive Committee reviewed the proposed MEGA Board By-Laws Amendment and recommends approval. Mr. Main asked if there were any questions from the Board. Being none, **Ms. Corbin made a motion for approval of Resolution 2009-144. Mr. Garcia seconded the motion.** The motion carried unanimously – 7 ayes; 0 nays; 0 recused; 1 absent.

**DISCUSSION:** Mr. Main asked if there were any additional discussion items. There were none.

**ADJOURNMENT:** The meeting was adjourned by Greg Main at 11:48 a.m.