

BATTLE CREEK LOCAL DEVELOPMENT FINANCE AUTHORITY

Tuesday, February 20, 2024

At the regular meeting of the Battle Creek Local Development Finance Authority (BCLDFA) held on Tuesday, February 20, 2024, at 3:00 p.m. at the Frederick R. Brydges Customs Cargo Center, BCU Board Room. The following individuals were in attendance: Mr. Christensen and Mmes. Fleury, Stewart, and White.

Absent: Mmes. Reynolds and Vette.

Also, in attendance were: Messrs. Claywell, Corder, Dearing, Kroll, Brent Pruum (Rehmann via Zoom), Sobieralski, Wilson, Woodard, and Mmes. Darner, Jones, Straub, Visger, Woodin, and Young.

Ms. White called the meeting to order at 3:00 p.m. Roll call of attendance was recorded.

PRESENTATION OF AUDIT ENDING FY JUNE 30, 2023

Mr. Brent Pruum with Rehmann presented highlights of the audited financial statements ending June 30, 2023. Mr. Pruum noted there were no issues or concerns to report. The audit is unmodified, clean opinion, and the highest level of assurance you can receive on the financial statements. There have not been any significant changes over prior years. The audit was included in the Board package.

APPROVAL OF REGULAR MINUTES

MOTION: Mr. Christensen moved that the Battle Creek Local Development Finance Authority Board of Directors approve the minutes of the November 21, 2023, regular meeting as presented. Ms. Stewart supported the motion, and it was unanimously approved.

APPROVAL OF AUDIT ENDING FY JUNE 30, 2023

MOTION: Ms. Fleury moved that the Battle Creek Local Development Finance Authority Board of Directors approve the audit ending FY June 30, 2023, as presented. Mr. Christensen supported the motion, and it was unanimously approved.

APPROVAL OF ANNUAL REPORTS FY 2023 (#1 SZ A; #1 SZ B; AND #2 I-94)

Ms. Woodin from the City of Battle Creek Finance Office presented highlights of the three Annual Reports included in the Board package. The information is retrieved from the audit, completed annually, and is filed with the State of Michigan.

Ms. Stewart stated that in the future, it would be beneficial to have a map that shows the different LDFA Districts.

MOTION: Ms. Stewart moved that the Battle Creek Local Development Finance Authority Board of Directors approve the Annual Reports for FY 2023 as presented. Mr. Christensen supported the motion, and it was unanimously approved.

RFP LEGAL COUNSEL

Ms. Jones stated that Clark Hill is the current legal counsel for the BCTIFA, BCBRA, and BCLDFA. The firm was hired in January 2021 after the retirement of Daryl Mumford, who served as legal counsel for over 35 years. However, due to staff changes at Clark Hill, staff put out an RFP for new legal counsel. Staff solicited proposals from several regional firms. Two bids were received, one from Clark Hill and one from Kreis Enderle. The attorney that is a City Commissioner and is employed by Kreis Enderle will not participate in any BCTIFA, BCBRA, and BCLDFA matters to prevent any conflict of interests. Staff recommends that the BCLDFA enter into a three-year contract with Kreis Enderle for legal counsel.

MOTION: Ms. Stewart moved that the Battle Creek Local Development Finance Authority Board of Directors accepts the recommendation from staff regarding the new legal services and recommends moving forward with Kreis Enderle as presented. Mr. Christensen supported the motion, and it was unanimously approved.

PROSPECT/PROJECT DEVELOPMENT UPDATE

Mr. Corder reported on the following:

Meeting Schedule – the proposed meeting schedule for FY 2024-25 was provided in the Board package. Staff is currently polling Board Members to see whether Monday or Tuesday is the best day to hold future meetings.

I-94 South – a groundbreaking ceremony was held on December 8 for Phase 2 construction of the spec building. Staff will continue actively marketing the building.

I-94 North – staff recently responded to an RFP from Southwest Michigan First (SWMF) for Project Golden Eye. Staff proposed the I-94 North parcel for this project.

PUBLIC COMMENTS

No comments were made.

ADJOURN MEETING

MOTION: Mr. Christensen moved that the Battle Creek Local Development Finance Authority Board of Directors approve to adjourn the regular meeting. Ms. Stewart supported the motion, and it was unanimously approved.

There being no further business, the meeting was adjourned at 3:20 p.m.