



CITY COUNCIL AGENDA ITEM

Date: March 14, 2012

To: John Szerlag, City Manager

From: Aileen Bittner, City Clerk

Subject: Request for Recognition as a Nonprofit Organization Status from Daniel Mukomel – Troy Community Softball Association

Background

Attached is a request from Daniel Mukomel of the Troy Community Softball Association seeking recognition as a nonprofit organization status for the purpose of obtaining a charitable gaming license for fundraising purposes.

Recommendation

It has been City Management's practice to support the approval of such requests.

Fund Availability

There are no financial considerations associated with this item.

City Attorney's Review as to Form and Legality

There are no legal considerations associated with this item.

March 13, 2012

2012 MAR 13 PM 3:03

Honorable Janice Daniels
Troy City Council
Troy City Hall
500 W. Big Beaver
Troy, MI 48084

RE: Licensing for Charitable Gaming

Dear Honorable Daniels and Troy City Council:

The Troy Community Softball Association is seeking recognition from the Michigan Lottery Charitable Gaming Division as a local civic organization to receive licensing to conduct raffles and millionaire parties. Pursuant to the State of Michigan Bureau of State Lottery regarding qualification as a local civic organization, Item #6 requires a copy of a resolution passed by the local body of government stating that the organization is a recognized non-profit organization in the Community of Troy.

Aileen Bittner, CMC, forwarded to me document requirements necessary to be "recognition as a non-profit organization" for the purpose of obtaining a gaming license. On behalf of the Troy Community Softball Association, I am requesting that Troy City Council formerly recognize that the Troy Community Softball Association be recognized as a non-profit organization operating within the community for the purpose of obtaining charitable gaming licenses.

The Troy Community Softball Association's mission and objective is to provide and support local softball teams and provide an opportunity to engage in healthful recreation, teaching responsibility, team work, self confidence, fairness, problem solving, as well as, an atmosphere of competitive softball activities. The Troy Community Softball Association's mission as a non-profit group is to provide young athletes within the City of Troy and surrounding areas, an opportunity to participate in softball by providing support, services, coaching, and funds.

I am enclosing for your review and approval, a blank form entitled "Local Governing Body Resolution for Charitable Gaming Licenses", a letter of determination from the Department of Treasury granting exemption from federal income taxes of the Internal Revenue Service and classification of the Troy Community Softball Association as a public charity and a recognized 501C3 organization, a copy of the Troy Community Softball Association Articles of Incorporation, Bylaws, and an income statement. The Troy Community Softball Association is requesting to be placed on the City Council's agenda for its next regularly scheduled meeting to be conducted on March 19, 2012.

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Mukomel". The signature is fluid and cursive, with a large initial "D" and a long, sweeping tail.

Daniel Mukomel



Charitable Gaming Division
 Box 30023, Lansing, MI 48909
 OVERNIGHT DELIVERY:
 101 E. Hillsdale, Lansing MI 48933
 (517) 335-5780
 www.michigan.gov/cg

LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE GAMING LICENSES
 (Required by MCL 432.103(K)(ii))

At a _____ meeting of the _____
REGULAR OR SPECIAL TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD

called to order by _____ on _____
DATE

at _____ a.m./p.m. the following resolution was offered:
TIME

Moved by _____ and supported by _____

that the request from _____ of _____
NAME OF ORGANIZATION CITY

county of _____, asking that they be recognized as a
COUNTY NAME

nonprofit organization operating in the community for the purpose of obtaining charitable

gaming licenses, be considered for _____
APPROVAL/DISAPPROVAL

APPROVAL	DISAPPROVAL
Yeas: _____	Yeas: _____
Nays: _____	Nays: _____
Absent: _____	Absent: _____

I hereby certify that the foregoing is a true and complete copy of a resolution offered and

adopted by the _____ at a _____
TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD REGULAR OR SPECIAL

meeting held on _____
DATE

SIGNED: _____
TOWNSHIP, CITY, OR VILLAGE CLERK

PRINTED NAME AND TITLE

ADDRESS

COMPLETION: Required.
 PENALTY: Possible denial of application.
 BSL-CG-1153(R6/09)

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: **JUN 06 2011**

TROY COMMUNITY SOFTBALL ASSOCIATION
C/O DAN MUKOMEL
6328 ELSEY DR
TROY, MI 48098

Employer Identification Number:
27-1834380
DLN:
17053242304030
Contact Person: LYNN HALL ID# 75092
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
December 31
Public Charity Status:
509(a)(2)
Form 990 Required:
Yes
Effective Date of Exemption:
February 1, 2010
Contribution Deductibility:
Yes
Addendum Applies:
No

Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. We determined that you are a public charity under the Code section(s) listed in the heading of this letter.

Please see enclosed Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, for some helpful information about your responsibilities as an exempt organization.

Sincerely,



Lois G. Lerner
Director, Exempt Organizations

Enclosure: Publication 4221-PC

Letter 947 (DO/CG)

Michigan Department of Licensing and Regulatory Affairs

Filing Endorsement

This is to Certify that the ARTICLES OF INCORPORATION - NONPROFIT

for

TROY COMMUNITY SOFTBALL ASSOCIATION

ID NUMBER: 71188F

received by facsimile transmission on March 7, 2012 is hereby endorsed

Filed on March 7, 2012 by the Administrator.

The document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document.



In testimony whereof, I have hereunto set my hand and affixed the Seal of the Department, in the City of Lansing, this 7th day of March, 2012.

A handwritten signature in black ink, appearing to read "J. Schaffer".

Director

Bureau of Commercial Services

MICHIGAN DEPARTMENT OF LABOR & ECONOMIC GROWTH BUREAU OF COMMERCIAL SERVICES										
Date Received	(FOR BUREAU USE ONLY)									
	This document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document.									
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="3" style="padding: 2px;">Name Troy Community Softball Association</td> </tr> <tr> <td colspan="3" style="padding: 2px;">Address 186 Randall</td> </tr> <tr> <td style="padding: 2px;">City Troy</td> <td style="padding: 2px;">State MI</td> <td style="padding: 2px;">Zip Code 48085</td> </tr> </table>		Name Troy Community Softball Association			Address 186 Randall			City Troy	State MI	Zip Code 48085
Name Troy Community Softball Association										
Address 186 Randall										
City Troy	State MI	Zip Code 48085								
EFFECTIVE DATE:										

Document will be returned to the name and address you enter above. If left blank document will be mailed to the registered office.



ARTICLES OF INCORPORATION

For use by Domestic Nonprofit Corporations
(Please read information and instructions on the last page)

Pursuant to the provisions of Act 162, Public Acts of 1982, the undersigned corporation executes the following Articles:

ARTICLE I

The name of the corporation is:
Troy Community Softball Association

ARTICLE II

The purpose or purposes for which the corporation is organized are: **The TCSA is a non profit group with the mission to provide young athletes in the city of Troy, MI, or surrounding areas an opportunity to participate in softball by providing support, services and funds.**

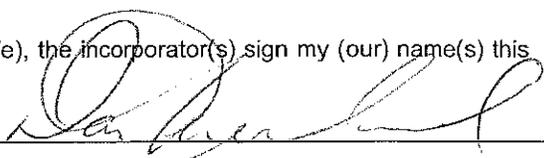
ARTICLE III

1. The corporation is organized upon a **Non Stock** basis.
(Stock or Nonstock)

2. If organized on a stock basis, the total number of shares which the corporation has authority to issue is _____ . If the shares are, or are to be, divided into classes, the designation of each class, the number of shares in each class, and the relative rights, preferences and limitations of the shares of each class are as follows:

Use space below for additional Articles or for continuation of previous Articles. Please identify any Article being continued or added. Attach additional pages if needed.

I, (We), the incorporator(s) sign my (our) name(s) this 29 day of February, 2012.



PRESIDENT

Name of person or organization
remitting fees:

Troy Community Softball Association

Preparer's name and business
telephone number:

Dan Mukonel
248-854-8405

INFORMATION AND INSTRUCTIONS

1. This form may be used to draft your Articles of Incorporation. A document required or permitted to be filed under the act cannot be filed unless it contains the minimum information required by the act. The format provided contains only the minimal information required to make the document fileable and may not meet your needs. This is a legal document and agency staff cannot provide legal advice.
2. Submit one original of this document. Upon filing, the document will be added to the records of the Bureau of Commercial Services. The original will be returned to your registered office address, unless you enter a different address in the box on the front of this document.

Since this document will be maintained on electronic format, it is important that the filing be legible. Documents with poor black and white contrast, or otherwise illegible, will be rejected.
3. This document is to be used pursuant to the provisions of Act 162, P.A. of 1982, by one or more persons for the purpose of forming a domestic nonprofit corporation.
4. Article II - The purpose for which the corporation is organized must be included. It is not sufficient to state that the corporation may engage in any activity within the purposes for which corporations may be organized under the Act.
5. Article III - The corporation must be organized on a stock or nonstock basis. Complete Article III(2) or III(3) as appropriate, but not both. Real property assets are items such as land and buildings. Personal property assets are items such as cash, equipment, fixtures, etc. The dollar value and description must be included. If there is no real and/or personal property, write in "none".
6. A domestic nonprofit corporation may be formed on either a membership or directorship basis. A membership corporation entitles the members to vote in determining corporate action. If organized on a directorship basis the corporation may have members but they may not vote and corporate action is determined by the Board of Directors.
7. Article IV - A post office box may not be designated as the address of the registered office.
8. Article V - The Act requires one or more incorporators. Educational corporations are required to have at least three (3) incorporators. The address(es) should include a street number and name (or other designation), city and state.
9. This document is effective on the date endorsed "filed" by the Bureau. A later effective date, no more than 90 days after the date of delivery, may be stated as an additional article.
10. The Articles must be signed in ink by each incorporator listed in Article V. However, if there are 3 or more incorporators, they may, by resolution adopted at the organizational meeting by a written instrument, designate one of them to sign the Articles of Incorporation on behalf of all of them. In such event, these Articles of Incorporation must be accompanied by a copy of the resolution duly certified by the acting secretary at the organizational meeting and a statement must be placed in the articles incorporating that resolution into them.

11. FEES: Make remittance payable to the State of Michigan. Include corporation name on check or money order.

FILING AND FRANCHISE FEE **\$20.00**

To submit by mail:

Michigan Department of Labor & Economic Growth
Bureau of Commercial Services
Corporation Division
7150 Harris Drive
P.O. Box 30054
Lansing, MI 48909

To submit in person:

2501 Woodlake Circle Drive
Okemos, MI
Telephone: (517) 241-6470

Fees may be paid by VISA or Mastercard when delivered in person to our office.

MICH-ELF (Michigan Electronic Filing System):

First Time Users: Call (517) 241-6420, or visit our website at <http://www.cis.state.mi.us/bcs/corp/>
Customer with MICH-ELF Filer Account: Send document to (517) 241-9845

The Department of Labor & Economic Growth will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, political beliefs or disability. If you need help with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your needs known to this agency.

Troy Community Softball Association

Mission: The Troy Community Softball Association is a non-profit group with the mission to provide young athletes in the city of Troy, MI, or surrounding areas, an opportunity to participate in softball by providing support, services and funds necessary for accomplishing the above objective. The ultimate goal is to help the youthful athlete develop traits of good citizenship through participation in softball related sporting events.

Troy Community Softball Association By Laws

Article I. NAME

The name of this organization is the Troy Community Softball Association, which may be referred to as "TCSA" in any communication.

Article II. ARTICLES OF ORGANIZATION

The Troy Community Softball Association exists as a non-profit organization of its members. The TCSA is organized exclusively for charitable, religious, educational and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501(c) 3 of the Internal Revenue Code, or corresponding section of any future federal tax code.

The Troy Community Softball Association has a specific mission to provide young athletes in the city of Troy, MI, or surrounding areas, an opportunity to participate in softball by providing support, services and funds necessary for accomplishing the above objective. The ultimate goal is to help the youthful athlete develop traits of good citizenship through participation in softball related sporting events.

Article III. OBJECTIVE

The objective of TCSA is to support local softball teams who stimulate healthful recreation, teach responsibility, teamwork and fair play, and build self-confidence in an atmosphere of competitive softball activities.

Article IV. MEMBERSHIP

The TCSA welcomes the general public to attend and provide input into fundraising and fund distribution. The TCSA does not charge a membership fee. Only the Board of Officers and established TCSA Community Representatives shall have voting privileges.

Article V. OFFICERS

Section 1.

The TCSA Board of Officers shall consist of a President, Secretary and Treasurer who are community volunteers and have full voting privileges. Community

members may gain status as a TCSA Representative after attending seven (7) consecutive board meetings and maintaining a 90% meeting attendance rate.

Section 2: The President shall:

- a. Preside at all meetings of the TCSA
- b. Coordinate the work of the officers
- c. Assist in the organization of fund raising activities
- d. Assist in the determination of fund distribution by having full voting privileges

Section 3. The Secretary shall:

- a. Keep an accurate record of all meetings of the organization and have a copy of the minutes accessible upon request.
- b. Conduct the correspondence delegated to them.
- c. Present letters of need to the Board
- d. Assist in the organization of fund raising activities
- e. Assist in the determination of fund distribution by having full voting privileges

Section 4. The Treasurer shall:

- a. Have custody of all the funds of the organization
- b. Keep a full and accurate account of receipts and expenditures
- c. Make disbursements in accordance with the budget as authorized by the organization
- d. Present a financial statement at every meeting of the organization
- e. Facilitate annual audit
- f. Assist in the organization of fund raising activities
- g. Assist in the determination of fund distribution by having full voting privileges

Section 5. TCSA Community Representative

- a. Status is granted by attending seven (7) consecutive board meeting
- b. Once status is granted, full voting privileges apply
- c. Voting privileges remain active as long as the representative maintains 90% board meeting attendance

Article VI.

MEETINGS

1. The TCSA shall meet monthly, from February through August, on the second Tuesday of each month.
2. Special meetings may be called by the President or by any two officers with 10 days notice.

Article VII.

FINANCES

1. The Board of Officers will draft a proposed budget in January
2. The treasurer shall prepare a final financial statement at the end of each year, no later than December 15th.

3. The fiscal year shall coordinate with the calendar year.
4. The accounting period shall begin in January and end in December of each calendar year.

Article VIII.

REQUEST FOR ASSISTANCE

Local softball organizations including, but not limited to, schools and clubs, may submit a written request for assistance. The TCSA will consider requests including, but not limited to, coaching clinics, player development camps, tournament fees and equipment. All requests will be considered and a ruling rendered within 90 days of submission. Requests must include the following information:

1. Name of requesting organization
2. Item(s) requested
3. Cost of request
4. Date needed
5. How fulfillment of the request will be used to benefit organization

Article VIII.

DISRUPTION OF FUNDS

The TCSA will raise funds through various activities. These funds will be disbursed to organizations submitting written requests. Submissions will be presented by the Secretary and decisions made by simple majority vote by the Board Members.

Article IX.

PARLIAMENTARY AUTHORITY

Robert's Rules of Order shall govern meetings.

Article X.

DISSOLUTION

Upon the dissolution of the organization, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c) 3 of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not disposed of shall be disposed of by the Court of Common Pleas of the county in which the principal office of the organization is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.



Dan Mukomel, TCSA President

2/22/12

February 1, 2010

Date TCSA formally created

Troy Community Softball Association
Financial Statement
2/29/2012

BALANCE SHEET	<u>2/29/2012</u>
Cash	100
Total Assets	<u>100</u>
Liabilities	0
Net Worth	100
Total Liabilities & Net Worth	<u>100</u>

INCOME STATEMENT	<u>2 Months</u> <u>2/29/2012</u>
Revenues:	
Fund Raising	100
Total Revenues	<u>100</u>
Expenses:	
	0
Total Expenses	<u>0</u>
Net Income	<u>100</u>