



CITY COUNCIL AGENDA ITEM

Date: August 14, 2015
To: Brian Kischnick, City Manager
From: Aileen Dickson, City Clerk
Subject: Request for Recognition as a Nonprofit Organization from Troy High Band Boosters

History

Attached is a request from Tina Battle, Fundraising Chair for Troy High Band Boosters, seeking recognition as a nonprofit organization for the purpose of obtaining a charitable gaming license for fundraising purposes.

Financial

There are no financial considerations associated with this item.

Recommendation

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

City Attorney's Review as to Form and Legality

There are no legal considerations associated with this item.



Troy High Band Boosters

Sue Balamucki • President • Troy High Band Boosters • 248-321-9162 •
thbb_president@troycoltbands.org • 4777 Northfield Pkwy • Troy, MI 48098

August 14, 2015

The Honorable Dane Slater, Mayor of Troy
and Members of the Troy City Council
Troy City Hall
500 West Big Beaver
Troy, MI 48084

Re: Application of the Troy High Band Boosters for “Recognition as a Non-Profit Organization” for the Purpose of Obtaining a Gaming License

Dear Mayor Slater and Members of the City Council;

Please allow this to serve as a request by the Troy High Band Boosters for Recognition as a Non-Profit Organization for the Purpose of Obtaining a Gaming License. The Troy High Band Boosters is a 501 (c)(3) non-profit organization created to support all phases of the Troy High School band program, including operational and financial support. Under the direction of Brian P. Nutting, the Troy High band program consists of more than 250 students in 5 award-winning bands: Campus Band, Concert Band, Symphonic Band, Jazz Ensemble, and the Troy Colt Marching Band. These bands have received numerous awards and special recognitions on local, state, and national levels. For more information on our programs, you can visit our website at www.troycoltbands.org.

In support of our application, please find the following documents:

- Blank “Local Governing Body Resolution for Charitable Gaming Licenses” form;
- Letter of Determination from the U.S. Department of Treasury granting exemption from federal income tax [Section 501(c)(3) of the Internal Revenue Code] and classification as a public charity [Section 509(a)(2) of the Internal Revenue Code];
- Copy of the Troy High Band Boosters Constitution & Bylaws; and
- Revenue and Expenses for the Troy High Band Boosters for the 2014/2015 School Year (Confidential-Keep on File Only, copy in an envelope).

Please note that the THBB does not have in our possession a copy of Form #1023 – Application for Recognition Exemption, which would have been filed with the IRS to obtain our Letter of Determination. We have submitted a Form #4506 to the IRS requesting a copy of the Form #1023, and have been told it may take up to sixty days for them to process our request. We would like to proceed with the process of Recognition as a Non-Profit Organization for the Purpose

Page 2
August 12, 2015

of Obtaining a Gaming License so that we can move forward with these fundraising efforts. If you can process our application without the Form #1023, we would greatly appreciate it.

If you have any questions regarding our request, please do not hesitate to contact me.

Thank you for your attention to this matter.

Best regards,

A handwritten signature in cursive script that reads "Tina Battle".

Tina Battle, Fundraising Chair, Troy High Band Boosters
5776 Whitehaven Drive
Troy, MI 48085
(248) 828-2710 – home
(248) 990-2049 – cell



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:

DEC 17 2010

TROY HIGH BAND BOOSTERS
4777 NORTHFIELD PKWY
TROY, MI 48098

Employer Identification Number:

35-2255804

DLN:

300327131

Contact Person:

MARILYN COLEMAN

ID# 31511

Contact Telephone Number:

(877) 829-5500

Public Charity Status:

170(b)(1)(A)(vi)

Dear Applicant:

Our letter dated January 2006, stated you would be exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code, and you would be treated as a public charity, rather than as a private foundation, during an advance ruling period.

Based on the information you submitted, you are classified as a public charity under the Code section listed in the heading of this letter. Since your exempt status was not under consideration, you continue to be classified as an organization exempt from Federal income tax under section 501(c)(3) of the Code.

Publication 557, Tax-Exempt Status for Your Organization, provides detailed information about your rights and responsibilities as an exempt organization. You may request a copy by calling the toll-free number for forms, (800) 829-3676. Information is also available on our Internet Web Site at www.irs.gov.

If you have general questions about exempt organizations, please call our toll-free number shown in the heading.

Please keep this letter in your permanent records.

Sincerely yours,


Robert Choi
Director, Exempt Organizations
Rulings and Agreements

Letter 1050 (DO/CG)

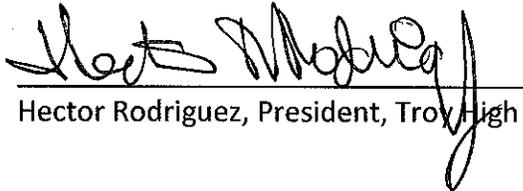
THBB Constitution and Bylaws

April 16, 2014

Pursuant to Article VII of the Troy High School Band Boosters Constitution, Hector Rodriguez (current President), Brenda Balas (current Vice-President), and Brian P. Nutting (Director of Bands), do hereby propose the following Amendments to the Constitution and Bylaws. These proposed Amendments are presented for consideration to be voted on by members of the Troy High Band Boosters at the April 16, 2014 General Meeting with a majority affirmative vote being required for their adoption.

The proposed Amendments to the Constitution and Bylaws are set forth as printed.

Approved April 16, 2014

A handwritten signature in black ink, appearing to read "Hector Rodriguez", written over a horizontal line.

Hector Rodriguez, President, Troy High Band Boosters

**TROY HIGH BAND BOOSTERS
CONSTITUTION & BYLAWS**

Rev. January 2014

TROY HIGH BAND BOOSTERS CONSTITUTION	2
Article I - Name	2
Article II - Objectives	2
Article III - Membership.....	2
Article IV - Executive Board.....	2
Article V - Officers.....	3
Article VI - Meetings.....	3
Article VII – Amendments.....	3
Article VIII - Funds	3
BYLAWS	4
Article I - Executive Board, Responsibilities	4
Article II -The Executive Board, Operations	7
Article III - Annual Financial Report	7
Article V - Dues.....	7
Article VI - Quorum	7
Article VII - Nomination and Election of Executive Board	7
Article VIII – Procedures.....	8
Article IX – Resignation and Removal.....	8

TROY HIGH BAND BOOSTERS CONSTITUTION

Article I - Name

The name of this organization shall be "Troy High Band Boosters."

Article II - Objectives

The objectives of this organization shall be: To generate and maintain enthusiastic interest in all phases of the Troy High School Band program and to provide moral, operational, and financial support to its many programs by promoting the vision of the Director of Bands.

The Troy High Band Boosters is organized exclusively for educational 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.

No part of the net earnings of the Troy High Band Boosters shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in the purpose clause hereof.

No substantial part of the activities of the Troy High Band Boosters shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the organization shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office.

Notwithstanding any other provision of this document, the organization shall not carry on any other activities not permitted to be carried on (a) by an organization exempt from federal income tax under section 501 (c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or (b) by an organization, contributions to which are deductible under section 170 (c) (2) of the Internal Revenue Code, or corresponding section of any future federal tax code.

Article III - Membership

Parents of students in the band program at Troy High School are considered members.

Article IV - Executive Board

- Sec. I. There shall be an Executive Board, which shall have supervision of the affairs of the Band Booster organization.
- Sec. II. The Executive Board is comprised of the elected officers of this organization (who shall be voting members), the immediate Past President (who shall not be a voting member), and the Director of Bands (who shall be a voting member only with respect to issues upon which the vote of voting members has resulted in a tie).

Article V - Officers

- Sec. I. The elected officers of this organization shall be a President, Vice-President, Treasurer, Secretary, Production Chairperson, Public Relations Chairperson, Social Events Chairperson, Fundraising Chairperson.
- Sec. II. These offices shall be elected for a one-year term by the members of this organization at the Annual Meeting, and shall take office in June.
- Sec. III. In the event a vacancy occurs during the year in any of the above named elective offices, the same shall be filled by the Executive Board, by majority vote of the members of said Board, with the person thus selected to serve until a successor be elected by the members of this organization at the next election.
- Sec. IV. The President of the Troy High Band Boosters shall be a parent or guardian of a student currently a member of the Troy High School Band.

Article VI - Meetings

There shall be a meeting of the members of this organization to be known as the Annual Meeting in April or at a time determined by the Executive Board. Other meetings of the members shall be at such dates and times as fixed by or in accordance with the Bylaws.

Article VII – Amendments

- Sec. I. The Constitution and Bylaws may be amended.
- Sec. II. Amendments to either may be proposed by the Executive Board or by not less than ten (10) members of this organization.
- Sec. III. Amendment proposals by general members must be signed and delivered in writing to the Secretary 10 days prior to the executive board meeting at which they will be approve or rejected. Approved amendments will be voted upon at the next general meeting.
- Sec. IV. Said amendment(s) shall be approved with the affirmative vote of not less than sixty (60%) percent of members present.

Article VIII - Funds

Upon the dissolution of the Troy High Band Boosters, assets shall be distributed to the Troy School District, 4400 Livernois, Troy, Michigan, 48098, 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 State of Michigan, or local government, for a public purpose. Any such assets not disposed of shall be disposed of by the Court of Common Pleas, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

BYLAWS

Article I - Executive Board, Responsibilities

Sec. I. President

- a. Organize and set agenda for monthly booster and board meetings
- b. Work closely with Director of Bands to fulfill objectives of band
- c. Supervise all committees to ensure objectives are being met
- d. Serve as primary booster contact for parent questions
- e. Coordinate and lead orientation parent/student meeting
- f. Publish marching band orientation packet
- g. Review constitution annually for needed revisions to be presented to board
- h. Update parent Welcome Letter and Information packet
- i. May serve on or lead a special committee

Sec. II. Vice President

- a. Assist president
- b. Assume duties of the president at meetings in his/her absence
- c. Succeed to the office of president if the president is unable to perform the necessary duties
- d. Coordinate officer nominations
- e. Prepare volunteer lists
- f. Secure chaperones for all events excluding band camp and spring trip
- g. Coordinate mass e-mail
- h. May serve on or lead a special committee

Sec. III. Secretary

- a. Take attendance at board meetings
- b. Record and publish minutes of all booster and board meetings
- c. Attend to all official band correspondence (thank you notes, invitations to dignitaries, etc.)
- d. Reserve rooms needed at school for booster activities
- e. Supervise band booster board elections
- f. May serve on or lead a special committee

Sec. IV. Treasurer

- a. Track and deposit incoming funds
- b. Make approved payments to vendors and suppliers
- c. Reimburse boosters for approved band related expenses

- d. Track actual expenses
- e. Manage bank account
- f. Prepare and submit all IRS tax filings as required by law
- g. Obtain insurance coverage as needed for officers and band functions
- h. May serve on or lead a special committee

Sec. V. Production Chairperson

- a. Supervise and act as liaison for the following special committees and activities:
 - 1. Costume and flag creation
 - 2. Pit crew
 - 3. Prop creation
 - 4. Colorguard support
 - 5. Drumline support
 - 6. Uniform distribution, maintenance and collection
 - 7. Volunteers to assist with off-site performances (e.g., MSBOA, parades)
 - 8. Medical bags
 - 9. Flowers for stage and events
 - 10. Stage decorations for events and concerts
- b. May serve on or lead a special committee.

Sec. VI. Social Events Chairperson

- a. Supervise and act as liaison for the following special committees and activities:
 - 1. Band Banquet
 - 2. Colt Celebration (jazz dinner dance)
 - 3. Tailgate party
 - 4. Senior activities
 - 5. Refreshments for band events such as concerts, band camp return, football games, rehearsals, parades, booster meetings
 - 6. Solicitation of donations from local businesses for refreshments, flowers, props, supplies, etc.
 - 7. Special events such as hayride, laser tag, and dances
- b. May serve on or lead a special committee

Sec. VII. Fundraising Chairperson

- a. Understand and help meet annual band program financial goals
- b. Supervise and act as liaison for fundraising activities such as:

1. Fall & Winter Fundraisers
2. March-a-thon
3. Music Marathon
4. Colt Celebration – Silent Auction
5. Palace Concessions
6. Merchandise ordering and sales
7. Raffle licensing and ticket sales
8. Fruit and nut sale
9. Candle sale
10. Fundraising for special instrument sections or groups within the band

c. Research future fundraising opportunities

d. May serve on or lead a special committee

Sec. VIII. Public Relations Chairperson

a. Promote the image and fine accomplishments of our bands throughout the band families, school district and community.

b. Supervise and act as liaison for the following special committees and activities:

1. Publicity/press releases via local newspapers, etc.
2. Troy Highlites
3. Orchestra liaison
4. Showcase decorations- large and small
5. Photography and video support of all band events
6. Band website and website calendar
7. Band historian

c. May serve on or lead a special committee

Sec. IX. Director of Bands

a. Oversee student recognition awards

b. Recruit announcer for marching band

c. Appoint trip chairperson

d. Appoint band camp chairperson

e. Select chaperones for trip and band camp

Article II - The Executive Board, Operations

- Sec. I. The Executive Board shall meet at such times as it may determine, or at any other time upon call of the President, the Director of Bands, or by a majority of the Executive Board, to consider matters properly brought before the Executive Board.
- Sec. II. The Chairpersons of the Executive Board shall submit a list of recommended committee heads to be approved by the Director of Bands.
- Sec. III. All elected members of the Executive Board, as defined in Article V, Sec. I. of the Constitution, shall be voting members of said Board.
- Sec. IV. The Executive Board shall fix a date for the Annual Meeting of this organization, and set the time and place therefore.
- Sec. V. The Executive Board shall fix the dates and publish the time and place for all regular meetings, and may adjourn or cancel said meetings of this organization when it deems advisable.
- Sec. VI. In the event of a tie vote of the matters brought before the Board, the tie shall be broken by the Director of Bands.

Article III - Annual Financial Report

- Sec. I. An Annual Financial report shall be prepared by the Treasurer for submission to the members of this organization.
- Sec. II. Interim reports shall be given by the Treasurer as requested by the President or the Executive Board.

Article V - Dues

There shall be no dues required of members of this organization.

Article VI - Quorum

- Sec. I. A majority of the voting members of the Executive Board shall constitute a quorum for any meeting thereof (see Bylaws Article II, Section III).
- Sec. II. There shall be no quorum for regular meetings, including the Annual Meeting, nor for any special meeting of the members of this organization.

Article VII - Nomination and Election of Executive Board

- Sec. I. The Vice President, with the assistance of the Secretary, shall coordinate Executive Board nominations for the election of future officers. Members of the Executive Board shall be elected at the Annual Meeting. Nominees for election to the Executive Board shall be submitted by the Vice President at the annual meeting.
- Sec. II. A nomination or nominations for any office may be made by any member of this organization from the floor, with the nominee(s)' consent.
- Sec. III. A majority of those members of this organization present and voting at the Annual Meeting shall be required for the election of a nominee to any office.

Article VIII – Procedures

The rules set forth in the revised Robert's Rules shall govern procedures followed in this organization, except in such instances as the same be in conflict with provisions of the Bylaws hereof.

Article IX – Resignation and Removal

An Executive Board member may be removed from the Board, with or without cause, by a vote of two-thirds of the Board.