



# Discretionary and Municipal Grantmaking Guidelines

## **I. Purpose of These Guidelines**

The Pokagon Fund is established as a private foundation that is tax-exempt under section 501(c)3 of the United States Internal Revenue Code. The idea for it was conceived through a local agreement dated March 13, 2000, between the City of New Buffalo, New Buffalo Township, and the Pokagon Band of Potawatomi Indians, as amended (“Local Agreement”). The Fund is incorporated under the laws of the State of Michigan. One of the Fund’s primary activities is awarding grants to eligible organizations for eligible projects that advance its stated purposes.

The purposes of these guidelines are to (1) ensure that the grantmaking activities align with the Fund’s intended strategies for community impact and (2) provide guidance to organizations that are considering seeking a Discretionary or Municipal grant from the Fund. The guidelines inform potential grant seekers about the common types of grants that the Fund awards and the general requirements for seeking and administering a grant from the Fund. However, the details of each grant that is awarded by the Fund will be determined on a case-by-case basis and codified in a Grant Agreement. The Fund may consider grant requests that do not align exactly with the guidelines below and welcomes innovative proposals to address demonstratable community needs. Any grants that are awarded by the Fund must comply with the applicable IRS regulations and the purposes for which the Fund was established. These purposes can be found in the Local Agreement and the Fund’s Articles of Incorporation.

The Fund’s Board of Directors reserves the right to dispose of grant requests as it sees fit. This means that it has the sole discretion whether to award a grant, deny a grant, or take any other action regarding any grant request that it receives.

## **II. Definitions**

“Board” means the board of directors of The Pokagon Fund, Inc.

“Exempt Purpose” means the definition of the term found in section 501(c)(3) of the Internal Revenue Code.

“Fund” means The Pokagon Fund, Inc., a Michigan nonprofit corporation.

“Grant Funds” means dollars that are awarded to a grantee by the Fund through a grant agreement.

“Guidelines” means The Pokagon Fund Discretionary and Municipal Grantmaking Guidelines (these Guidelines).

“IRS” means the United States Internal Revenue Service.

“Municipalities” means the Berrien County, Michigan jurisdictions of the City of New Buffalo; the Townships of Chikaming, New Buffalo, and Three Oaks; the Villages of Grand Beach, Michiana, and Three Oaks; River Valley School District; and New Buffalo Area Schools (individually referred to as a “Municipality”).

“Public Charity” means an organization that has been designated as a public charity by the IRS.

“Service Area” means the geographic area that includes The City of New Buffalo; the Townships of Chikaming, New Buffalo, and Three Oaks; and the Villages of Grand Beach, Michiana, and Three Oaks in Berrien County, Michigan.

### **III. Threshold Criteria**

- a. Any Discretionary or Municipal grant that is awarded by the Fund must further at least one of the purposes for which the Fund was established. These purposes include charitable, scientific, literary, or educational purposes; fostering amateur sports competition; promoting community education; lessening the burdens of government; promoting conservation and environmental protection; combating community deterioration; promoting community beautification and preservation; charitable or educational programs benefiting seniors, children and schools; student scholarships; compulsive treatment programs; charitable local economic development projects; and the erection or maintenance of public buildings, monuments, or works; or other charitable activities as the Board deems appropriate.
- b. Any project that is supported by the Fund must benefit a Municipality or the residents of the Service Area. The applicant organization must demonstrate this through the application process.
- c. The applicant organization must have completed all requirements of previous grants to TPF’s satisfaction. In situations where an organization may have two or more active grants at one time, the Fund may require an interim report on the status of any current grant while considering an application for another.

### **IV. Ineligible Activities**

The Fund will not provide grants to the following types of organizations and/or for the following activities:

- Organizations that discriminate on the basis of religion, race, color, national origin, age, sex (including sexual orientation), marital status, disability, height, or weight;
- Projects or activities that do not provide a benefit to a Municipality or the residents of the Service Area;
- Any project or activity that would jeopardize the Fund’s status as a 501(c)3 tax exempt organization, a private foundation, a nonprofit organization, or any other designation that is central to its existence;
- Any project that would result in self-dealing between the Fund and a director, officer, or employee;
- Projects that require participants to practice or adhere to specific religious beliefs or that support proselytization activities;
- Voter registration activities, political campaigns, or organizations that are substantially engaged in influencing legislation and voting;
- Any activity that produces a prohibited private benefit unless it is incidental, quantitatively and qualitatively, to a project that furthers the Fund’s exempt purposes;
- Individuals (except through the scholarship program);
- Organizations or groups that substantially engage in the carrying on of propaganda or that attempt to influence legislation or political campaigns;
- Grants that will be used for the purpose of re-granting to organizations or programs selected by a grantee of the Fund;
- Sponsorships or the purchase of tickets to fundraising events;
- Reserve funds or debt elimination; or

- For any expenses incurred by the grantee prior to an authorized signatory signing a grant agreement and returning it to the Fund.

## **V. Application Process**

- a. Platform. The Fund utilizes an online application portal (Blackbaud Grantmaking) through which applicants submit letters of intent, grant applications, and all required reports.
- b. Required Information. In order to receive further consideration, an application must include the name of the applicant organization, amount of grant funds requested from the Fund, a description of how the Grant funds will be spent, a description of how the project will benefit the Service Area, the names and contact information of individuals authorized to sign agreements, and information specific to the project as outlined in these Guidelines.
- c. Due Diligence. Each application that is submitted will be analyzed to ensure the intended use of the Grant Funds is for an eligible activity, to verify the charitable status of the applicant, that the applicant is likely to successfully complete the proposed project, and other matters to ensure each of the Fund's awards comply with its legal obligations, purposes, and values.
- d. Additional Information. Additional information may be requested from the applicant during the grant review process. In cases where the applicant has an open grant with the Fund, an interim progress report may be requested.
- e. Authorized Submission. An individual who is authorized to bind the applicant organization in contract must submit the application – or authorize it being submitted – to the Fund.

## **VI. Discretionary Grants**

- a. Payment Method. Unless otherwise noted in the Grant Agreement, Discretionary grants to organizations designated as 501(c)3 will be paid upfront, after the grantee has signed and returned the grant agreement for the project. Discretionary grants to organizations that are not 501(c)3 organizations will be made on a reimbursement basis unless other terms have been negotiated and are included in the written grant agreement. The grant agreement may include other terms and conditions to satisfy the IRS's Expenditure Responsibility rules.
- b. Municipal Applicants. A Municipality must exhaust all its Municipal allocation prior to requesting a Discretionary grant. Here, "exhaust" means that the amount of allocated funds that is available for the Municipality to request has been entirely paid out for previous grants or obligated, but unpaid, through a Grant Agreement for a current or future project.
- c. Types of Discretionary Grants and Associated Timelines
  - i. Sustaining Grants. Each year, the Fund will offer Grant Agreements to certain nonprofit organizations to support their general operations and programming. Sustaining Grants are offered by invitation by TPF to the Grantee. Funds provided through Sustaining Grants must be used to support services or programming; they cannot be used for capital expenses. Organizations that accept a Sustaining Grant will not be eligible to apply for a Project Grant nor an Impact Accelerator Grant which is proposed to have a term that overlaps with that of the term of a Sustaining Grant that it has accepted. Sustaining Grants will be awarded by

the Board each July after the Fund's staff have completed due diligence activities on the organizations that are recommended for a grant.

- ii. **Project Grants.** Requests can be submitted for any charitable purpose that advances the mission of the Fund and are limited to \$10,000. Project Grants may be requested to support capital, equipment, program, or services of the grantee. There are three cycles for Project Grant requests each year. Applications would be due on July 1, November 1, and March 1 for decisions at the regular TPF Board meetings in August, December, and April (respectively).
  - iii. **Impact Accelerator Grants.** Requests can be submitted for any charitable purpose that advances the mission of the Fund including programming, services, equipment, or capital requests. There is not a limit as to the amount for each request, but applicants are encouraged to discuss their initial request amount with the executive director to ensure it is reasonable. There will be one round of applications for Impact Accelerator Grants each year, and the application process occurs over several months. The process begins with written applications that are due by May 1 of each year. After the written application is submitted, the Fund's staff will undergo due diligence activities. A representative of the applicant organization must attend the June Board meeting to give a presentation and to answer questions about the grant request, project, organization, or any other pertinent matters. The Board will make a decision on each Impact Accelerator Grant application at its July meeting.
  - iv. **Scholarships:**
    - 1. **Graduating Seniors.** Any individual who is graduating from high school, resides within the Service Area, plans to pursue postsecondary education or training through an eligible institution, and meets other criteria that is established from time to time by the Board may apply for a Graduating Senior Scholarship. The application will be available by January 2. Completed applications will be due by March 15. The Board will make the final award decisions at its regular meeting in April.
    - 2. **Adults.** Any individual 18 or older who resides within the Service Area, plans to pursue postsecondary education or training through an eligible institution, and meets other criteria that is established from time to time by the Board may apply for an Adult Scholarship. Completed applications will be accepted on an ongoing basis. Applications received by the first of the month will be considered by the Board at its regular meeting in the subsequent month (for example, an application received on December 27 will be considered at the February meeting).
  - v. **Unsolicited Grants.** If the Fund identifies a need, project, or organization that aligns with its mission or goals, the Board may award an Unsolicited Grant to support it without the need for the grantee organization to initiate the process. In other words, the foundation proactively offers the grant based on its own interest or priorities, rather than responding to a formal application or request from the organization to which funding is awarded. Timelines for Unsolicited Grants are determined on a case-by-case basis.
- d. **Discretionary Grant Budget**
- i. Before any Discretionary grants are awarded in a fiscal year, but no later than July 31, the Board will adopt a Discretionary grantmaking budget.

- ii. Within that budget, the total amount of Funds that are available for Discretionary grantmaking:
  1. Will include the amount of Discretionary allocation that accumulated in the previous fiscal year;
  2. Will include the amount of any funds that were awarded as a Discretionary Grant but subsequently returned by the grantee or rescinded by the Fund in the previous fiscal year;
  3. Will include the amount of any undistributed funds that were not awarded in the previous fiscal year (may also be referred to as “unused” or “carryover funds”); and,
  4. May include investment earnings to be used to cover any grant obligations that the Board. For example, this action may be especially useful when the number of scholarships from graduating seniors
- iii. The budget will also include a plan for the amount of grants that the Board may award in each of the following categories: (1) Project Grants, (2) Sustaining Grants, (3) Impact Accelerator Grants, (4) Scholarships for Graduating Seniors, (5) Scholarships for Adults, (6) Unsolicited Grants, and (7) set-asides in situations where the Board sets funding aside from the current year for a grant that it intends to make in a future fiscal year.
- iv. The Board must identify the source of funds for any grant awarded that causes the amount budgeted for any of the categories listed above, particularly for Unsolicited Grants or Graduating Senior Scholarships, to exceed the adopted budget.

## **VII. Municipal Grants**

- a. Purpose. The Fund awards Municipal grants to improve the quality of life for the residents of the Service Area by funding projects that further the purposes for which the Fund was created. These grants are not intended to displace, replace, nor supplant any dollars that are available to Municipalities from other sources (including, but not limited to, its general fund).
- b. Eligibility. The Fund will consider Municipal grant applications that are submitted by one or more of the Municipalities. The city council, village council, township board, or board of education of the Municipality submitting the grant application must, by formal action in a duly called public meeting, approve the application to the Fund and the amount requested prior to a grant agreement being offered to the Municipality; it is strongly recommended that this approval take place prior to the Municipality submitting an application to the Fund.
- c. Application Deadlines. The Fund will accept letters of inquiry or grant applications from Municipalities for projects that are seeking funding allocated by TPF to the Municipality on a continuous basis. The Board will consider the letter of inquiry or grant application at the next regular meeting after due diligence activities can be completed and any additional information can be analyzed. Applicants should contact the Fund’s executive director if they have questions about this timeline.
- d. Ineligible Activities. The Fund will not provide grants to Municipalities for:
  - i. General operating support;
  - ii. Activities that were historically funded by that entity through local funds in previous years and for which funding was cut at the discretion of the Municipality;
  - iii. Activities that are customarily part of the functions of governmental entities in other jurisdictions of comparable size and scope;

- iv. Activities that are currently performed in the Service Area by a viable non-governmental entity; and,
  - v. Activities that are mandated as local obligations by state and/or federal authorities, except where state/federal authorities stipulate private matching funds for support of a particular effort.
- e. Letter of Inquiry. In recognition of circumstances where local units of government must consider the administrative burden of applying for a grant, the Fund encourages any Municipality to submit a letter of inquiry that explains the concept of the project and how much funding it is requesting from the Fund. The letter of inquiry will provide an opportunity for the Board of Directors to make a preliminary determination as to whether and to what extent the proposed municipal project may be funded. After a letter of inquiry is approved by the Board, the applicant will be invited to submit a full application.
- f. Payment Method. Municipal Grants will be paid on a reimbursement basis, after Grantee provides documentation to the Fund showing allowable grant expenses have been paid.
- g. Types of Municipal Grants

Grant Type:	Impact Grant
Description:	Any grant request from a Municipality that is for \$7,500 or less. These grants are intended to support activities that further the Fund's purpose (See section III. Threshold Criteria) and that are being undertaken by a Municipality but may not be activities generally performed by municipalities in Michigan.
Additional Factors:	Others as determined relevant by the Board.
Matching Funds:	None required.
Maximum Amount of Grant:	\$7,500.00 or the unpledged, undesignated balance TPF has allocated for that Municipality, whichever is less.
Letter of Inquiry needed?	No. Applicants may submit a full application without a TPF-approved letter of Inquiry.

Grant Type:	Placemaking
Description:	Grants for over \$7,500 that will result in reimagined and reinvented public spaces and facilities. These grants may be used to facilitate the acquisition of land, construction of facilities and renovations to existing facilities. Such property or facilities must be for spaces or programs that residents of the Service Area will directly benefit from. Capital grant requests for construction projects also may include the costs of related technical services, such as engineering, architectural, or transactional legal activities. Examples may include funding that will help develop/redevelop parks, downtowns, waterfronts, preserves, neighborhoods, streets, markets, trails, campuses, and public buildings.
Additional Factors:	<ul style="list-style-type: none"> <li>- The interest that the grantee has in the property where the project will take place.</li> <li>- Ability and commitment of the Municipality for ongoing maintenance and care.</li> <li>- Access to the property/facility by residents of the Service Area.</li> <li>- The extent to which the public was invited to and, in fact, did participate in the planning process for the project.</li> </ul>
Matching Funds:	1:1 match requirement: TPF will award up to \$1 for every \$1 that the grantee secures from other funding sources for the same project.
Maximum Amount of Grant:	The maximum amount that will be awarded is the unpledged, undesignated balance that TPF has allocated for the applicant Municipality.
Letter of Inquiry needed?	Yes.

Grant Type:	Planning and Capacity Building
Description:	For grants over \$7,500 that provide a Municipality – or Municipalities – funding for improvements to plan and carry out community development and economic development activities. May include consulting fees.
Additional Factors:	<ul style="list-style-type: none"> <li>- Likelihood that the activities will lead to an increased capacity to address an identified community need; especially where the project will improve the Municipality's prospect of getting funding for larger projects that will be natural extensions.</li> <li>- Grantee has demonstrated that the project will help address a demonstrated community need, for example workforce housing, economic/community development that will benefit low/moderate income households</li> <li>- The extent to which the project will benefit low- and moderate-income families and persons that live in the Service Area.</li> <li>- The extent to which there is intergovernmental collaboration is proposed project</li> </ul>
Matching Funds:	2:1 match requirement: TPF will award up to \$1 for every \$2 that the grantee secures from other funding sources for the same project.
Maximum Amount of Grant:	The maximum amount that will be awarded is the unpledged, undesignated balance that TPF has allocated for the applicant Municipality. Multiple municipalities may apply for the same project where intergovernmental collaboration is taking place.
Letter of Inquiry required?	No. Applicants may submit a full application without a TPF-approved letter of inquiry.

<b>Grant Type: Programming</b>	
Description:	TPF will support programs that are not traditionally administered by a Municipality when it would benefit the Service rea.
Additional Factors:	Matching funds are highly encouraged but not required.
Matching Funds:	None required.
Maximum Amount of Grant:	The maximum amount that will be awarded is the unpledged, undesignated balance that TPF has allocated for the applicant Municipality.
Letter of Inquiry needed?	Yes, if over \$7,500.00 (if request is for under \$7,500, consider applying for an "impact grant")

<b>Grant Type: Training and Development</b>	
Description:	<p>Training and Development grants are intended to support local officials' understanding of innovative approaches and best practices for issues facing the Municipality or the Service Area and connect them with funders and communities facing similar issues. The intent is that the person attending the conference gains ideas that can be brought back to others in the Service Area, and solutions implemented in order to address community needs.</p> <p>This grant program is not intended to support skills-based trainings that are primarily intended for an individual to earn a credential. Examples of these ineligible activities include the Drinking Water Operator Certification, Wastewater Operator Certification, Commercial Drivers Licenses, Michigan Commission on Law Enforcement Standards (MCOLES) Certification are not eligible (note: alternatively, residents of the Service Area may be eligible for adult scholarships to cover the costs of post-secondary training opportunities). The following are factors that may be use to determine whether a training is ineligible: (1) the training is required by law or regulation, (2) there is a certification test upon completion of the course, (3) individuals in similar positions at other municipalities are required to attend the training as a condition of their employment.</p> <p>Funding for eligible training may be used to cover the following:</p> <ol style="list-style-type: none"> <li>(1) Registration Fees</li> <li>(2) Non-overtime salary and wages for the participant</li> <li>(3) Hotel fees</li> <li>(4) Meals (capped at the amount allowed by grantee's travel policies; if none, then capped at the IRS travel rates)</li> <li>(5) Mileage (with the rate to be determined by the grantee's travel policies)/ground transportation/air travel</li> <li>(6) Other costs for which the individual is entitled through the grantee's travel policies</li> </ol> <p>The participant must either be an employee or an elected or appointed official in the Municipality.</p>
Additional Factors:	The participant's or grantee's plans for "bringing the information back" – how will the information obtained by the participant benefit the greater community?
Matching Funds:	None.
Maximum Amount of Grant:	\$2,000/participant. TPF will cover the costs for one individual to attend one program or event every two years.



## VIII. Grant Agreement

- a. Any grant awarded by the Fund shall be offered to the grantee in the form of a written grant agreement. Any such grant agreement should contain terms that are consistent with these Guidelines, relevant timelines, reporting requirements, indemnification requirements, authorized contacts for the Fund and the grantee, remedies for breach of the agreement, the intent of the Board with regard to each project, and other terms and conditions that are necessary to ensure the integrity of the Fund and its association to the project.
- b. Amendments to a Grant Agreement
  - i. A grantee wishing to change the terms of a grant agreement (including extension of the grant period, reallocation of grant funds for one project into another for the same purpose, transferring the grant to another organization, an increase in the amount of funding, or other changes) must make their request in writing. These written requests must be made at least 30 days prior to the grantee's desired effective date of the change.
  - ii. The executive director of the Fund shall have the authority to amend grant agreements, without Board approval, for the purpose of extending a grant agreement for a time that is equal to the length of the term found in the original grant agreement (for example, if the term of the grant was for one year, the executive director could administratively extend the term of the grant for an additional year). Such amendments shall be reported to the Board at its next regular meeting. All other amendments must be approved by the Board.
  - iii. Grantees must promptly inform the Fund in writing of significant changes in project staffing, key personnel changes (chief executive officer, chief financial officer, or equivalent positions), scheduling, budgeting, when such changes occur during the term of the grant. Through the grant agreement, the Fund reserves the right to suspend the use and/or payments of grant funds if it considers the change to be material to the success of the grant.

## IX. Recognition

- a. Each grant agreement shall include a provision requiring the grantee to publicly recognize TPF's contribution to the project, with the primary audience intended to be the residents of the Service Area. Such recognition shall not be paid for by Grant Funds because recognition is not an Exempt Purpose as defined by the IRS. The recognition should be commensurate with the Fund's contribution to the project when considering:
  - The amount of funding TPF has contributed to the project;
  - The percentage of funding that TPF's contribution represents for the project;
  - The duration of the benefit that the project will have; and,
  - Other unique characteristics of the project and grantee.
- b. Examples. A grantee may want to consider a combination of any of the following recognition methods:
  - A photo that includes program beneficiaries, along with a signed waiver from each person photographed, that allows TPF to share the photo broadly including on its social media, website
  - Recognition as a funder in the organization's annual report
  - Invitation to a "ribbon cutting"

- Announcing the grant at a public meeting
  - A press release about the grant or project that mentions the Fund's contribution (subject to written preapproval by the Fund)
  - A post or posts to social media accounts
  - Use of TPF's logo on grantee's website or printed material (subject to written preapproval by the Fund)
  - A professionally made sign or plaque, especially for capital or Placemaking grants
  - Others
- c. In its final report for the grant, the grantee shall describe the recognition that the Fund received.
- d. The grantee's cost and effort of the recognition shall be reasonable.
- e. The Fund strongly encourages organizations to consider submitting grant applications that honor or educate the public about the Pokagon Band of Potawatomi Indians ("Band"). Any such project, and its components, must be approved by the appropriate officials of the Band in order to receive consideration by the Fund. Grantees must refrain from recognizing the Band for grants awarded by the Fund.

## **X. Miscellaneous**

- a. **Unused Grant Funds.** Any Funds that are awarded to a project, but unused by the Grantee for that project, shall be promptly returned to The Pokagon Fund. The Fund shall reallocate these returned funds into the allocation that they were originally awarded from. For example, if the Fund awarded a \$10,000 Municipal grant to a Township for a project, but the township only used \$7,000 for the project, the unused portion (\$3,000 in this example) will go back into that township's Municipal allocation and be available for that township to request for future projects. If a Discretionary grant was made by the Fund for a project that has unused Grant Funds, then those dollars shall be returned to the Discretionary allocation.
- b. **Letters of Support.** The Fund's executive director is authorized to write and sign letters of support for grants to other organizations for projects for which the Fund has either awarded a grant or approved a letter of inquiry. If the Fund is asked to provide a letter of support for a project for which it has not been awarded a grant, then the request shall be presented to the Board for approval, declination, or other action as it sees fit.
- c. **Not Confidential.** These Guidelines and its components are deemed to be information that is, or needs to be, generally known or available to potential grant applicants and the public. Therefore, the information contained in these Guidelines is not Confidential Information as defined by the Confidentiality Agreement adopted by the Board.

---

These Guidelines were adopted by TPF Board of Directors on October 19, 2022 (the board rescinded the following policies after these guidelines were adopted: *Discretionary Grant Budget Policy*, *Guidelines for Grants*, *Guidelines for Municipal Grant Applications*, *Basic Guidelines for Grants to the Nine Municipalities with Allocated Funding*, *Recognition by Grantees Policy*, and *Bus Trip Grants for Schools Policy*); amended 06/21/2023, 7/19/2023, 9/18/2024, 3/19/2025.