

Approved October 6, 2008
INGHAM COUNTY LAND BANK
FAST TRACK AUTHORITY
August 4, 2008
Minutes

Members Present: Eric Schertzing, Comm. Copedge, Comm. DeLeon and Comm. Bahar-Cook

Members Absent: Comm. Hertel

Others Present: Mary Ruttan, Bruce Johnston, Tim Perrone, Steve Dougan, Susan Stuin, Michael Stuin and others

The meeting was called to order by Chairperson Schertzing at 5:37 p.m. in the Personnel Conference Room of the Human Services Building, 5303 S. Cedar, Lansing.

Approval of the July 7, Minutes

MOVED BY COMM. BAHAR-COOK, SUPPORTED BY COMM. SCHERTZING, TO APPROVE THE MINUTES AS SUBMITTED. MOTION CARRIED UNANIMOUSLY.

Additions to the Agenda: None

Limited Public Comment

Ms. Stuin asked the Authority to consider selling the 3589 Creole Way property to her and her husband. She then spoke about the utilities costs.

(Comm. DeLeon arrived at 5:40 p.m.)

1. Property Maintenance, Renovation and Development
 - a. OCOF Nonprofit Housing Corporation

Chairperson Schertzing stated "OCOF" is "One Church One Family." The Authority will appoint three members to the OCOF Nonprofit Housing Corporation Board of Directors. Chairperson Schertzing explained the concept of this Corporation.

Comm. Copedge asked if there is a way to identify the churches that will be involved with this arrangement. Chairperson Schertzing stated the arrangement will start with five churches. MSHDA is interested in having a few dozen homes that can be held under one umbrella. Ms. Jackson-Johnson has assured him that strong churches will be involved in this arrangement.

The Authority held a general discussion about this item.

MOVED BY COMM. BAHAR-COOK, SUPPORTED BY CHAIRPERSON SCHERTZING, TO CONFIRM THE APPOINTMENTS OF CHAIRPERSON SCHERTZING FOR THREE YEARS, MARY RUTTAN FOR TWO YEARS AND PASTOR SAM DUNCAN FOR ONE YEAR TO THE BOARD OF DIRECTORS. MOTION CARRIED UNANIMOUSLY. Absent: Comm. Hertel

Comm. Bahar-Cook requested that the Authority can be updated on this matter on a regular basis.

b. 3411 E. Michigan Avenue

Ms. Ruttan stated the Oetzel-Hartment Group determined its opinion that the highest and the best use of the property is to be a vacant parcel. The parcel is ready for a future apartment or mixed used development.

Comm. Bahar-Cook asked about Mr. Swan's position on this matter. Ms. Ruttan stated Mr. Swan will have the fire marshal review the condition of the building. Comm. Bahar-Cook then asked what the Authority's next step is if the appraisal determines it would be equal to tear down the facility or not to tear down the facility. Mr. Perrone stated there is a third mediation on Wednesday. The mediation may result in a stipulation to allow the building to be torn down. Mr. Perrone recommended the Authority should wait until they have a stipulation before it tears down the building.

Chairperson Schertzing stated if all goes well at the mediation, the building may be torn down by the Authority's next meeting.

MOVED BY COMM. BAHAR-COOK, SUPPORTED BY COMM. COPEDEGE, TO APPROVE, THAT IN THE EVENT THAT THE PARTIES DO NOT STIPULATE THAT THE BUILDING SHOULD BE TORN DOWN, THE AUTHORITY WILL PURSUE TO TEAR DOWN THE BUILDING.

Comm. Copedge asked if the Authority could be held liable for any issues if it tears down the building without the stipulation. Mr. Perrone stated if the Authority tears down the building, the owner would have to prove the property is damaged because the building was torn down. This would be difficult to prove because the property would be better without the building.

The Authority discussed this matter further. Comm. Bahar-Cook asked Chairperson Schertzing to keep the Authority updated on this matter.

Comm. DeLeon suggested a Friendly Amendment to try to receive the fire marshal's report before the Authority tears down the building.

The Authority consented to the following Friendly Amendment to the above motion:

THE AUTHORITY WILL ASK THE FIRE MARSHAL TO REVIEW THE REPORT ON THE BUILDING AND TO DETERMINE IF IT IS A FIRE HAZARD. THE AUTHORITY SHOULD RECEIVE A WRITTEN CONFIRMATION OF THE FIRE MARSHAL'S DETERMINATION.

MOTION CARRIED UNANIMOUSLY. Absent: Comm. Hertel

- c. 3589 Creole Way

This information was received and placed on file.

- d. Property Update

Ms. Ruttan reviewed the Update. Mr. Johnston stated the property at 3426 W. Saginaw Highway is being used to teach people from non-profit agencies to strip homes down to the studs and to rebuild the home.

Ms. Ruttan stated two of the side lot properties have been sold. Two more side properties have pending offers. As these properties are sold, they are placed on the tax rolls.

Chairperson Schertzing asked if the Authority would like to tour the Land Bank properties. Comms. DeLeon and Bahar-Cook stated the media and other Commissioners should be invited to tour the properties.

- e. General Legal Update – Counsel

Mr. Perrone stated a Show Cause Hearing was held on July 10, 2008 for the Case Credit Union matter. The Judge granted a preliminary injunction to keep the Treasurer from giving the property to the Land Bank. The parties in this matter are exploring a settlement. Mr. Perrone also stated the Judge indicated the Treasurer did not do anything wrong with this situation.

Comm. Bahar-Cook asked if other issues with banks have been resolved. Chairperson Schertzing stated nothing came of those cases. Ms. Ruttan stated the Land Bank did not purchase any properties that are related to these cases. The Authority continued their discussion of this matter.

- 2. Accounts Payable and Monthly Statement
 - a. Accounts Payable Approval – July 2008

MOVED BY COMM. COPELAGE, SUPPORTED BY COMM. DELEON, TO APPROVE THE ACCOUNTS PAYABLE FOR JULY 2008.

The Authority held a brief discussion about the statement.

MOTION CARRIED UNANIMOUSLY. Absent: Comm. Hertel

b. Monthly Statement – June 2008

The Monthly Statement for June 2008 was received and placed on file.

3. Items from the Chairman and Executive Director

a. Brownfield Update

Chairperson Schertzing stated the first page of the Update is the amended plan.

Comm. Copedge asked about controls for moving dirt on W. Ash and Kathryn Streets in Mason. Chairperson Schertzing stated the Authority will work with an engineering group and the Ingham County Drain's Office on this matter.

Comm. Bahar-Cook stated she spoke with Ms. Ruttan about having up to date documentation on the ongoing litigation about Silver Dollar Saloon's infringement on the revenue of the Brownfield.

(Comm. Copedge left the meeting at 6:48 p.m.)

b. Audit

Ms. Ruttan stated the audit did not result in any adjustments. She also stated she changed the accounting system. The changed system incorporates more internal controls regarding the accounts payable.

Announcements

Chairperson Schertzing stated many Michigan Counties are joining Land Banks. He then stated he will provide the Authority with a list of these Counties. Mr. Johnston stated the future is bright for Land Banks around the country.

Public Comment: None

The meeting adjourned at 7:00 p.m.

Respectfully submitted,

Debra Neff