

Approved November 6, 2006

**THE INGHAM COUNTY LAND BANK FAST TRACK AUTHORITY**  
MONDAY, September 18, 2006  
Minutes

Members Present: Dale Copedge, Debbie DeLeon, Curtis Hertel, Jr., Eric Schertzing, Andy Schor (late).

Members Absent: none

Others Present: Timothy Perrone, Mary Ruttan, Rosa Davis, Wanda Barnett, Alex Achonu.

The meeting was called to order by Chair Schertzing at 5:38 p.m. in the Personnel Conference Room of the Human Services Building, 5303 S. Cedar, Lansing.

Approval of Minutes

Minutes of the July 17 and August 8, 2006 meetings were reviewed. Counsel provided several corrections to both that were accepted.

MOVED BY DELEON SUPPORTED BY COPEEDGE TO APPROVE THE MINUTES AS CORRECTED.

Aye: Copedge, DeLeon, Hertel Jr., Schertzing. Nay: none. Absent: Schor.

Additions to the Agenda - None

Limited Public Comment –

Chair discussed that Alex Achonu may attend meeting. He was not noticed for the last meeting.

Chair introduced Rose Davis and Wanda Barnett. Their brother owned the 10 acre parcel in White Oak Township that was topic of public purpose.

Wanda did most of speaking for sisters. They feel the township should have been aware of brother's situation. Moral obligation by township to intervene. Property is part of his livelihood. Disabled with many bills. They did not realize his plight. Found out about property problem after foreclosure.

Rosa pointed out quantity of mail they found and have sorted through. They also got power of attorney September 8, 2006.

1. Property maintenance & rehabilitation

a. Review of properties – hand out

Chair noted that the Authority is having property issues come before them that are caught up in the overall foreclosure process that the Treasurer handles. The Authority also has issues like the Wheatfield Township house from last meeting where we are asked to look at a situation that is not covered by our policies. The Wheatfield property awaits word from the prospective buyers. Bruce Johnston did visit property and found it to be acceptable home with a few improvements. Basically sound.

b. Locke Township parcel

After last meeting the former owner of this parcel contacted County Treasurer. He was not notified by mail in the foreclosure process. His name and his father's name are identical. Mail came back as undeliverable, death record for Leonard Roby (father) was located and the personal representative had changed from the one we had. We had Mr. Roby's address in Harrison from years past. As the property has transferred the legal remedy is to settle for financial damages between Treasurer and Mr. Roby.

Discussion led by Hertel on policy of Land Bank when the County would suffer financial loss from a settlement. Schertzing noted that as Treasurer a reserve for liability has been established and is funded each month. Consensus was to reimburse unless decided otherwise.

MOVED BY HERTEL SUPPORTED BY DELEON TO ESTABLISH POLICY THAT LAND BANK WILL REIMBURSE COUNTY FOR ANY LOSSES FROM THE FORECLOSURE PROCESS.

Aye: Copedge, DeLeon, Hertel Jr., Schertzing. Nay: none. Absent: Schor.

Chair digressed to discuss how difficult the White Oak property situation is after the fact. Dealing with mental capacity of owner is one of the reasons Treasurer took foreclosure over from State. This situation does not have a remedy in statute. Situation has been discussed with attorney at Clark Hill.

Ms. Barnett said she felt the county had followed the steps in the foreclosure. She does not feel the Township Board acted in good faith. They should not be allowed to get away with this.

Chair noted the impact of having a Land Bank. We become another court of last resort. How much do we want to get caught up in all this?

Authority will return to the issues of the White Oak property in the future. Township's request for public purpose is still out there. We have no plans to do anything with property.

c. General legal review

September Property Update sheet reviewed:

710 E Middle, Williamston – First Contracting.  
922 Pennsylvania, Lansing – First Contracting. Will provide cost proposal.  
149 Spartan, East Lansing – Going to bid w/basement bathroom as option.

Mr. Alex Achonu appeared and was allowed as public comment to discuss the foreclosure on two lots he owned. Previously the Circuit Court dismissed his case against Treasurer. He provided appeal letter dated 9/28/06 that outlines his situation.

Chair noted that transfer of property to Land Bank statutorily prohibits unraveling of foreclosure. Former owner can pursue monetary damages against Treasurer as Foreclosing Governmental Unit.

Hertel talked about the differences between cases that have been presented to Authority. Where notice took place there is little we can do. Wheatfield Township property has special issues and the sale price was most of appraised value. That is not what we are seeing with White Oak or Mr. Achonu.

Chair pointed out that legal bills and back taxes owed on Achonu parcels come much closer to value of property in this market that might be thought. In forming the Land Bank it was not intended that Authority would become another Court of last resort.

Mr. Perrone referred to policy of Authority to not sell to former owner. Minimum price would be State Equalized Value. Schertzing reminded that the SEV is only a settlement amount when there is a problem in the foreclosure procedure. Given the long agenda the Chair returned to property update

5926 LaPorte, Lansing – Set up for rental. Appraised.  
1017 S. Homes, Lansing – Renovations planed to be done while tenant remains.  
309 W. Grand River, Lansing – Demolition.  
4327 S. Aurelius, Lansing – Eviction in process.  
1546 Cahill, East Lansing – Eviction in process.  
422 Adams, Lansing – South of Friedland Industries. Former office down, apartment up. Need input from City. Could be Lansing Land Bank office.  
3652 Williamston Road, Leslie – Vacant. Signed purchase agreement.  
3578 Creole Way, Holt – Listed.  
861 Waldo Road, Williamston – Solid home. Family to buy.  
Lovejoy Road, Perry – Settlement with prior owner on clean site.  
Dollar, Lansing – Closed session.

### 3. Contracts & Bills

- a. Listing agreements – review of status

Only change from last month is the Williamston home is being listed.

- b. approval of bills

MOVED BY HERTEL SUPPORTED BY DELEON TO APPROVE BILLS.

Aye: Copedge, DeLeon, Hertel Jr., Schertzing. Nay: none. Absent: Schor.

4. Chair's Activity Report

- a. Monthly report – hand out

No handout. Discussion included in property report.

- b. Government meetings & discussion

Nothing to report.

MOVED BY HERTEL SUPPORTED BY DELEON TO MOVE INTO CLOSED SESSION TO DISCUSS PENDING LEGAL ACTION ON DOLLAR NIGHT CLUB.

Aye: Copedge, DeLeon, Hertel Jr., Schertzing. Nay: none. Absent: Schor.

Separate minutes for the closed session.

MOVED BY DELEON SUPPORTED BY COPEGE TO RISE FROM CLOSED SESSION.

Aye: Copedge, DeLeon, Hertel Jr., Schertzing, Schor. Nay: none. Absent: none.

Announcements – None

Public Comment - None

MOVED BY SCHERTZING SUPPORTED BY HERTEL TO ADJOURN.

Aye: Copedge, DeLeon, Hertel, Jr., Schertzing, Schor. Nay: none. Absent: none.

The meeting adjourned at 6:57 p.m.