



Leelanau County Land Bank Authority (LC-LBA)

Website: <http://www.leelanau.gov/landbank.asp>

8527 E. Government Center Dr.

Suttons Bay MI 49682 231-256-9838

NOTICE OF MEETING

The Leelanau County Land Bank Authority (LC-LBA) will

meet on **Tuesday June 18, 2024 at 9:00 am**

at the

Leelanau County Government Center

DRAFT AGENDA

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF AGENDA

PUBLIC COMMENT

APPROVAL OF MAY 21, 2024 MEETING MINUTES pgs. 2-4

UNFINISHED BUSINESS

1. Agreement with Habitat for Humanity – New Waves Development

DISCUSSION/ ACTION ITEMS

2. Land Bank “Fast Track” pgs. 5-6
3. Any other business

FINANCIALS

1. Claims & Accounts \$3,860.53 pg. 7-11
2. Post Audit \$140.00 pg. 12

CORRESPONDENCE/COMMUNICATION ITEMS

PUBLIC COMMENT

MEMBER/CHAIRPERSON COMMENTS

ADJOURN

Members

John A. Gallagher III-Chair
Dan Heinz- Vice Chair
Gail Myer- Secretary
Rick Foster-Treasurer
Gwenne Allgaier
Richard Lewis
David King

A regular meeting of the Leelanau County Land Bank Authority (LCLBA) was held on Tuesday, May 21, 2024 at the Leelanau County Government Center.

CALL TO ORDER

Meeting was called to order at 9:00 am by Chair Gallagher who led the Pledge of Allegiance

ROLL CALL

Members Present: J. Gallagher, G. Myer, D. Heinz, R. Foster, G. Allgaier, R. Lewis

Members Absent: None

Public Present: T. Searles, L. Mawby, C. Hartesvelt

Staff Present: J. Herman, Senior Planner

PUBLIC COMMENT- None.

APPROVAL OF AGENDA

Gallagher added under “Unfinished Business” “Item #1 Purchase Agreement with HomeStretch (Lot 17 Sugar Loaf Manor Green” to include “Lot 33 Blue Ridge Subdivision, Lot 269 Cherry Home Shores Subdivision and Lot 3 Block 1 Omena Bay Resort Subdivision”.

Motion by Heinz, seconded by Allgaier, to approve the agenda as amended. Motion carried 5-0.

APPROVAL OF APRIL 26, 2024 MINUTES AND MAY 7, 2024 SPECIAL SESSION MEETING MINUTES.

Motion by Heinz, seconded by Allgaier, to approve both the regular April 26 meeting minutes and the May 7 Special Session meeting minutes as presented. Motion carried 5-0.

UNFINISHED BUSINESS

Purchase Agreement with HomeStretch

Gallagher stated this is the minutia of legality and they have done site evaluations with the assistance of Leelanau County Brownfield Redevelopment Authority (LC-BRA). He said the properties are for consideration to transfer to HomeStretch.

Motion by Allgaier, seconded by Foster, to authorize chairman Gallagher to sign the warranty deeds and to enter into a Purchase Agreement with HomeStretch as presented.

Heinz recommended the removal of “Fast Track” throughout the document because it is no longer in their legal name. He asked about holding the title from a liability standpoint. Gallagher said they have general liability and have coverage available. As a subcontractor or employee,

they would be covered under the contractor's insurance.

Motion on the table carried 5-0 with the removal of Fast Track.

Agreement with Habitat for Humanity – New Waves Development

Heinz said that in the Master Agreement, there is a reversionary clause that New Waves Development must develop by the end of 2026 or else the prior owner, Michigan Conference of United Church of Christ (MCUCC) reserves the right to revert it back to themselves. Heinz asked if Habitat for Humanity had clear title? He was hesitant to come to an agreement if they can't convey clear title nor meeting the deadline for development. Gallagher agreed, he doesn't see how the agreement obliges the LBA to those conditions. He read from the agreement.

Heinz asked about step 3. Gallagher said the LBA cannot make an obligation or commitment to the seller in regards to the LBA's own deed restrictions. If the title reverts back to the seller than the deed restrictions are no longer valid. Lewis suggested they get legal counsel involved for clarifications. Gallagher will try to arrange a conference call between legal counsel, Habitat for Humanity and himself. This item will be tabled for the next meeting with reversion, master deed and removal of "Fast Trak".

DISCUSSION/ ACTION ITEMS

Sale of N. Roubal Rd. to Cherry Bay Orchards Inc.

Gallagher presented a Quit Claim Deed from the LBA to Cherry Bay Orchards Inc. The parcel map shows the proximity of the 1-acre landlocked parcel 011-003-021-00 which is located in the middle of parcel 011-003-020-00, owned by Cherry Bay Orchards Inc. Gallagher said this is a government owned parcel that he requested the Suttons Bay Township Assessor to put on the tax roll so that he can foreclose on it and then transfer to the correct owner.

Motion by Lewis, seconded by Allgaier, to approve the sale of parcel 011-003-021-00 for \$1.00 to Cherry Bay Orchards Inc. as presented. Motion carried 5-0.

Resolution of Appreciation - Richard Isphording

Gallagher said that Isphording has health issues and is unable to continue his term with the LBA. Gallagher recognized his service and time with a Resolution of Appreciation.

Motion by Allgaier, seconded by Foster, to approve Resolution No. LB2024-01 in honoring Isphording.

Roll call vote.

Ayes- 5 (Allgaier, Gallagher, Heinz, Foster, Lewis, Myer)

No- 0

Motion carried.

Any Other Business

Heinz asked if the Oath of Office has been resolved. Lewis said Myer and himself have been sworn in. Any questions regarding the oath can be taken to the Clerk's office.

CLAIMS & ACCOUNTS – \$4,810.50

Motion by Allgaier, seconded by Foster, to approve Claims & Accounts in the amount of \$4,810.50. Motion carried 5-0.

POST AUDIT- \$134.15

Motion by Heinz, seconded by Allgaier, to approve Post Audit in the amount of \$134.15. Motion carried 5-0.

CORRESPONDENCE/COMMUNICATION ITEMS

MALB Northern Region meeting June 21, 2024

Gallagher said that the Michigan Association of Land Bank (MALB) Region meeting is coming up and for members to notify staff for registration attendance fees if interested.

PUBLIC COMMENT- None.

MEMBER COMMENTS

Lewis asked what the status was with the agreement between the LBA and Bay Area Demolition. Searles said the agreement has been approved by Gallagher and legal counsel and was sent to Bay Area Demolition where their legal counsel is reviewing the agreement. Gallagher is also working with the State Land Bank Authority for financing requirements.

Heinz suggested Gallaghers staff create a spreadsheet showing an estimated financial modeling and properties for the years to come.

CHAIRPERSON COMMENTS - None.

ADJOURNMENT

Meeting adjourned at 9:38 a.m.

**ARTICLES OF INCORPORATION
OF
LEELANAU COUNTY LAND BANK FAST TRACK AUTHORITY**

Incorporated under the laws of the State of Michigan

**ARTICLE ONE
NAME, LOCATION AND OFFICES**

The name of this corporation shall be Leelanau County Land Bank Fast Track Authority (hereinafter referred to as the "Corporation"). The Corporation may also elect to be identified simply as the Leelanau County Land Bank.

The Corporation shall maintain an office in the State of Michigan, and shall have an agent whose address is 8527 E. Government Center Dr., Suttons Bay MI 49682. The initial agent of the Corporation shall be the County Treasurer, Leelanau County, Michigan.

The principal office of the Corporation shall be located at 8527 E. Government Center Dr., Suttons Bay MI 49682. The Corporation may have other offices at such place or places, within the State of Michigan, as the Board of Directors may determine from time to time or the affairs of the Corporation may require or make desirable.

**ARTICLE TWO
PUBLIC BODY CORPORATE**

The Corporation shall be organized and operated as a land bank authority under the provisions, of the Michigan Land Bank Fast Track Act, 2003 P.A. 258, 124.751 (the "Land Bank Act") and the Intergovernmental Agreement by and between the Michigan Land Bank Fast Track Authority and the Treasurer of the County of Leelanau, Michigan, dated August 25, 2008 (hereinafter referred to as the "Intergovernmental Agreement").

The Corporation shall have all of the powers, duties, functions, rights, privileges, immunities, and responsibilities of a county land bank fast track authority pursuant to the Land Bank Act, and the Intergovernmental Agreement. The Corporation is created to acquire, assemble, dispose of, and quiet title to property located in the County of Leelanau, to provide for financing of the acquisition, assembly, disposition, and quieting of title to such property, and to exercise other powers granted to an authority under the Land Bank Act.

**ARTICLE THREE
BOARD OF DIRECTORS**

The Corporation is a Michigan authority governed by a Board of Directors. The Corporation shall be financed in accordance with the provisions of the Land Bank Act and the Intergovernmental Agreement. The Corporation shall be governed by its articles of incorporation and its bylaws. The number of Directors of the Corporation and method of appointment shall be as set out in the bylaws.

**ARTICLE FOUR
DISSOLUTION OF CORPORATION**

The Corporation shall exist for an initial term of five (5) years, and after that until either terminated by joint action of the Michigan Land Bank Fast Track Authority, the Treasurer of Leelanau County, and the Board of Commissioners of Leelanau County, or by the withdrawal of a party to the Intergovernmental Agreement. Upon the dissolution of the Corporation, the Board of Directors shall, after paying or making provisions for the payment of all liabilities of the Corporation, distribute all assets of the Corporation exclusively to Leelanau County, Michigan and to such other local units of government as may be required pursuant to interlocal agreements entered into by the Corporation and such other local units of government.

**ARTICLE FIVE
AMENDMENTS**

These Articles of Incorporation may be amended or repealed by a majority vote of the Directors of the Corporation present at a meeting at which a quorum is present; provided, however, that the Board of Directors shall have no power or authority to make any changes which would be inconsistent with the Land Bank Act or the Intergovernmental Agreement.

**ARTICLE SIX
FILING**

These Articles of Incorporation, pursuant to and in accordance with the Intergovernmental Agreement, are filed by:

Leelanau County Treasurer
Leelanau County, Michigan
8527 E. Government Center Dr., Suite 104
Suttons Bay MI 49682
231-256-9838

Chelly Roush, Treasurer
Leelanau County, Michigan

LEELANAU COUNTY
LAND BANK AUTHORITY

Claims and Accounts
June 18, 2024

6/10/2024	Fishbeck – High Street Environmental Consultant – Blight Elimination Grant Reporting Services through May 31, 2024	\$3,769.03
6/10/2024	Fishbeck – Brewery Creek Blight Elimination Grant Administration Services through May 31, 2024	\$91.50

CLAIMS AND ACCOUNTS	\$3,860.53
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AMOUNT RECOMMENDED FOR APPROVAL: _____

AMOUNT REJECTED: _____

Payment Options

NEW: Remit Wire/ACH payments to Acct: 585033205 ABA: 072000326
 Remit checks to: 1515 Arboretum Drive, SE, Grand Rapids, Michigan 49546
 Remittance Advice: accounts.receivable@fishbeck.com
 616.575.3824
 Federal I.D. No. 38-1841857 | Incorporated

Attention: John Gallagher, III
Leelanau County Land Bank Authority
8527 East Government Center, Suite 104
Suttons Bay, MI 49682
United States

Invoice : 437983
Invoice Date : 6/10/2024
Project : 232147
Project Name : LCLBA/201 S. High St.-
 Environmental Consultant & Blight
 Elimination Grant Reporting
Bill Term : BT1

For Professional Services Rendered Through 5/31/2024

		<u>Billings</u>			
	<u>Fee</u>	<u>Available</u>	<u>To Date</u>	<u>Previous</u>	<u>Current</u>
Consult - Environmental Consultant	33,000.00	24,876.15	11,892.88	8,123.85	3,769.03
<i>Rate Labor</i>		3,127.50			
<i>Expenses</i>		115.43			
<i>Unit Rate Expense</i>		526.10			
<i>Total Expense</i>		641.53			
BE Grant Report - Blight Elimination Grant Reporting	6,000.00	6,000.00	0.00	0.00	0.00
			Current Billings		<u>3,769.03</u>
			Amount Due This Bill		<u><u>3,769.03</u></u>

Consult - Environmental Consultant

Rate Labor

<i>Class</i>	<i>Hours</i>	<i>Rate</i>	<i>Amount</i>
Production Support	1.00	106.0000	106.00
Senior Environmental Specialist	2.25	150.0000	337.50
Senior Geologist	22.00	122.0000	2,684.00
Total Rate Labor			3,127.50

Expenses

<i>Account / Vendor</i>	<i>Cost</i>	<i>Multiplier</i>	<i>Amount</i>
Travel/Lodging			
Brenda Bailey	104.94	1.10	115.43
Total Expenses			115.43

Unit Rate Expenses

<i>Account / Unit</i>	<i>Quantity</i>	<i>Rate</i>	<i>Amount</i>
Company Vehicle Use			
Mileage - Company Vehicle	438.00	0.9500	416.10
Meals			
Per Diem - Partial Day	2.00	55.0000	110.00
Total Unit Rate Expenses			526.10

Total Bill Task: Consult - Environmental Consultant **3,769.03**

Total Project: 232147 - LCLBA/201 S. High St.-Environmental Consultant & Blight Elimination Grant Reporting **3,769.03**

Payment Options

NEW: Remit Wire/ACH payments to Acct: 585033205 ABA: 072000326
 Remit checks to: 1515 Arboretum Drive, SE, Grand Rapids, Michigan 49546
 Remittance Advice: accounts.receivable@fishbeck.com
 616.575.3824
 Federal I.D. No. 38-1841857 | Incorporated

Attention: John Gallagher, III
Leelanau County Land Bank Authority
8527 East Government Center, Suite 104
Suttons Bay, MI 49682
United States

Invoice : 437988
Invoice Date : 6/10/2024
Project : 232148
Project Name : LCLBA/Brewery Creek, South
 Fisherman Cove, Traverse City, MI
Bill Term : BT1

For Professional Services Rendered Through 5/31/2024

	Fee	Available	Billings		
			To Date	Previous	Current
BE Grant Admin - Blight Elimination Grant Administration	3,882.00	3,790.50	183.00	91.50	91.50
Rate Labor		91.50			
					91.50
					<u>91.50</u>

BE Grant Admin - Blight Elimination Grant Administration

Rate Labor

<u>Class</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Senior Geologist	0.75	122.0000	91.50
Total Rate Labor			91.50

Total Project: 232148 - LCLBA/Brewery Creek, South Fisherman Cove, Traverse City, MI

91.50

LEELANAU COUNTY
LAND BANK AUTHORITY

Post Audit
June 18, 2024

6/6/2024	Check #1192 – Leelanau County Register of Deeds Recording Fees for Homestretch Sale	\$140.00
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POST AUDIT	\$140.00
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AMOUNT RECOMMENDED FOR APPROVAL: _____

AMOUNT REJECTED: _____