

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 6-0.

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 6-0.

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.

Discussion

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 6-0 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 Track".

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 6-0.

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- 6 (Allgaier, Gallagher, Heinz, Foster, Lewis, Myer)

No- 0

Motion carried.

Any Other Business

Heinz asked if the Oath of Office question had been resolved. Lewis said he and Myer 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 6-0.

POST AUDIT- \$134.15

Motion by Heinz, seconded by Allgaier, to approve Post Audit in the amount of \$134.15. Motion carried 6-0.

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.