



Leelanau County Government Center

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 March 16, 2021 at 9:00 am**
at the Leelanau County Government Center

Due to COVID-19, this session will be held virtually via Zoom, and in the Commissioner Meeting Room,
Leelanau County Government Center, Suttons Bay, Michigan. *(Please silence any unnecessary cellular/electronic devices)*

A live streaming of this meeting will be available for viewing via the following link –
https://www.youtube.com/channel/UCNQTgIgcTedF2qB8floC1GQ?view_as=subscriber

If you would like to provide comment during the meeting, please watch the livestreamed video, and call in during one of the two public comment portions, to **231-256-8109**. There will be no queue, and calls will be taken in the order they are received. Email comments prior to the meeting to planning@leelanau.gov

DRAFT AGENDA

PLEASE TURN OFF ALL CELL PHONES

PLEDGE OF ALLEGIANCE

CALL TO ORDER

ROLL CALL

APPROVAL OF AGENDA

APPROVAL OF MINUTES: February 16, 2021 **pgs 2-4**

PUBLIC COMMENT

➤ UNFINISHED BUSINESS

➤ DISCUSSION/ ACTION ITEMS

1. Review of Bids – Marek Road Property **pgs 5-17**
2. Bylaws **pgs 18-26**
3. Policies & Procedures **pgs 27-37**
4. Other business

CLAIMS & ACCOUNTS **pgs 38-40**

POST AUDIT

CORRESPONDENCE/COMMUNICATION ITEMS

PUBLIC COMMENT

MEMBER COMMENTS

CHAIRPERSON COMMENTS

ADJOURN

Members

Treasurer John A. Gallagher III – Chair

Dan Heinz – Vice Chair

Trudy Galla - Secretary

Richard Ispording - Treasurer

Rick Foster

Chet Janik

Ty Wessell

A regular meeting of the Leelanau County Land Bank Authority was held on Tuesday, February 16, 2021 at the Government Center.

The meeting was called to order at 9:00 am by Chairman Gallagher, who led the Pledge of Allegiance.

ROLL CALL

Members Present

(Government Center): J. Gallagher, T. Galla, C. Janik, R. Isphording, T. Wessell

Members Present

(ZOOM): D. Heinz – Bingham Township, R. Foster-Leelanau Township

Public Present: None

APPROVAL OF AGENDA

Motion by Janik, seconded by Isphording to approve the agenda as presented. Motion carried 7-0.

APPROVAL OF JANUARY 19, 2021 MINUTES

Heinz proposed the following changes:

Page 2 of the minutes, at the top, it should read: "Heinz proposed adding the words 'affordable housing' after the word promote on Item 1 and then mentioned asking the County Board for financing."

Page 2 under Bylaws and Policies & Procedures Review, the word 'council' should be 'Counsel'.

Page 3 in the middle of the first large paragraph, delete the word 'they' at the end of the sentence.

Page 5 under Member/Chair Comments add the word 'housing' after 'affordable'.

Motion by Wessell, seconded by Janik to approve the minutes as corrected. Motion Carried 6-0. Foster abstained as he did not have the complete set of minutes in his printout.

PUBLIC COMMENT

Janik announced the phone number for public comment. There were no public comments.

UNFINISHED BUSINESS - None

DISCUSSION / ACTION ITEMS

1. Bylaws and Policies & Procedures Approval

Galla gave a brief update on the documents and the changes proposed by Corporate Counsel.

Gallagher said to his knowledge, being the elected official and representing the County Treasurer, he is bonded and that bond carries over to his duties here at the Land Bank. As the Land Bank was designed as a foreclosure tool for Treasurers, he thinks the bond covers the Land Bank. He wondered if the County Treasurer were not the Chair, would the Land Bank need to seek its own bond.

Heinz suggested incorporating the language from Corporate Counsel on page 7, Item 10.2 where the bond is discussed. A sentence could be added at the end that says "as an alternative, the security bond may be obtained by the county at the county's expense."

Gallagher asked what the purpose was for having the County bear the expense of the bond, instead of the Land Bank. Heinz replied he did not see it on the books and records that we are paying for it, even though the bylaws say we should. Gallagher said the County currently pays his bond through the General Fund. He recommended it state the bond could be paid by the County or the Land Bank.

Galla asked how much the bond cost, and who is covered by it. Gallagher answered it is aggregated and all elected officials are covered. For him, it is a \$1 million coverage. Galla replied that would cover Gallagher, but what about the rest of the members? Gallagher stated it covers the duties of the Treasurer's office and he was told that includes the Land Bank.

Isphording asked if it covered the County Treasurer and the Land Bank Treasurer. He felt it should cover every member. Janik suggested we check with the Michigan Municipal Risk Management Authority (MMRMA) to see if we are covered. Gallagher said he would follow up and get clarity on how his bond interacts with the Land Bank.

Heinz said his suggested wording was what the attorney suggested. We need to know if the county's bond is all inclusive of the members of the Land Bank, and if the Brownfield is covered. The bylaws make it sound like the Land Bank is the one to get the bond for at least \$100,000 and reflect it on the books of the corporation, which is the Land Bank. Gallagher said it was never brought up during the audit. We are audited every year. We are a component unit of the county government so it is a footnote in our annual audit. Heinz said he understood that the Land Bank is part of the single audit but the bylaws say the Land Bank has to get an audit and Land Bank members have to form an audit committee. He is trying to clarify. Gallagher felt we could reduce and redact the document because we are a component unit and for the past 12 years or so since Land Bank was established it was always incorporated into the county's General Audit. We could eliminate the need for a special audit or single audit and remove that there needs to be an audit committee.

Heinz suggested adding language at the end of Section 11.5 from our attorney: 'As an alternative, the county and its auditing committee may assume the auditing responsibilities if the Land Bank is included in the county's audit.'

Heinz commented on Treasurer, Item 7.6. The attorney is suggesting language that the Land Bank Treasurer has the responsibility. Under a. and b. of Item 7.6, add language in a few places to reflect that "the Land Bank Treasurer is responsible". In reality, the County Treasurer and his office do this work. Gallagher added it is not just for this body, but for all funds including the road commission and senior services. The only one he doesn't do is the Brownfield because they elected not to have him on the account. Heinz said Gallagher is responsible for millions of dollars of property taxes so why not be responsible for the \$40-\$50,000 in the Land Bank. However, the attorney says it is the Land Bank Treasurer that is responsible. Evidently the attorney feels there should be a segregation of these two. Gallagher drew attention to past practice, then stated he has no objection to the proposed changes.

Galla stated she was fine with the proposed changes. We need to get a clean copy and make sure the attorney has a copy to confirm we have all the changes.

Motion by Janik, seconded by Isphording to get a clean copy to the attorney for review and bring back in March for full adoption. Motion carried 7-0.

Heinz requested a correction under Programmatic, #1 of the Goals. Galla will correct for the final version.

2. Marek Road property discussion

Gallagher stated the Marek Road Request for Proposals (RFP) has been drafted but is not ready for distribution. Galla asked if members should see the document before it is sent out. Janik added we have never approved RFPs at the county level and this body can accept or reject bids when they come in. He suggested just sending a copy of the RFP to all members. Gallagher stated the previous owners contacted him and requested to purchase the property back. They said because of oversight and miscommunication they lost the property to tax foreclosure and would like the opportunity to buy it back. He did not include it in today's meeting packet because we did not

have the RFP to review and weigh all our options. He expressed concern about setting a precedent if we consider selling back to owners who lost property due to tax foreclosure. He commented on the new property tax act amendments that have been approved by the Senate and Department of Treasury. We did quiet title on this property. The owner may still be able to recoup monies as the amended property tax act allows, however; transfer of the property itself was for minimum bid which was back taxes. There was no gain to the county Treasurer's office for transfer of the property.

Janik said the previous owners can submit a proposal when the RFP goes out. We can consider any and all proposals.

Galla asked if the RFP was just to purchase the property or are we looking for any restrictions to keep it affordable. Gallagher said it was just to purchase. We will make the determination on who is awarded the property.

Wessell asked if a motion was needed. Gallagher responded the RFP will be published and have a due date. Bids will be opened and then presented at the next meeting. Janik added there is always a clause in the RFPs that we have a right to reject or accept any or all bids.

Isphording asked about interested parties and Gallagher replied he has a non-profit that is interested in it for affordable housing, a realtor, previous owner, and a neighbor all interested in the property. It is all up to this board as to what we want to see there and what is the best use of the property. Isphording asked if the Land Bank will review the proposals and make a decision and Gallagher replied, yes.

Wessell commented on the goal of the Land Bank. Galla asked if previous owners are aware of the RFP process and Gallagher replied, yes. Gallagher said his goal would be to work with Galla and get the RFP released this week and then bring bids to the Land Bank in March.

Claims & Accounts – none

Post Audit - none

Correspondence/Communication Items – a copy of the 2021 Goals was included in the agenda packet.

Public Comment

Phone number was announced for public comment. There were no public comments.

Member/Chair Comments

None

ADJOURNMENT

Motion by Wessell, seconded by Heinz to adjourn. Meeting adjourned at 9:35 am.

From: Tim Perrone
Sent: Thursday, March 11, 2021 3:10 PM
To: Trudy Galla <tgalla@leelanau.gov>; John Gallagher <jgallagher@leelanau.gov>
Cc: Chet Janik <cjanik@leelanau.gov>
Subject: RE: RFP Purchase and Development of Property (002)

Trudy:

The Land Bank Board has broad authority to convey the property, with very few restrictions.

There is no statutory restriction prohibiting the conveyance of property to an individual who lost the property through tax foreclosure.

Rather, the Land Bank adopted its own Policy that prohibits the conveyance of property to anyone who lost any property in the County through tax foreclosure.

The Land Bank Board may determine to waive a provision of its Policies for a particular transaction.

It may otherwise rely on Sec. J.1.d. , giving Board approval to a transaction that is not specifically allowed.

However, if the Land Bank Board makes an exception to its Policies in this instance, it may expose itself to potential liability for discrimination if it enforces the Policy against another prospective purchaser.

The Land Bank Board should take into account the purpose of the Policy prohibiting conveyances to persons whose property was lost through tax foreclosure, and the risks involved, before determining to waive it in this instance.

Please contact me if you have any questions, or wish to discuss further.

Timothy M. Perrone
Cohl, Stoker & Toskey, P.C.
(517) 372-9000

This transmission is intended to be delivered only to the named addressee(s) and may contain information that is confidential, proprietary, attorney work-product or attorney-client privileged. If this information is received by anyone other than the named addressee(s), the recipient should immediately notify the sender by E-MAIL and by telephone (517-372-9000) and obtain instructions as to the disposal of the transmitted material. In no event shall this material be read, used, copied, reproduced, stored or retained by anyone other than the named addressee(s), except with the express consent of the sender or the named addressee(s). Thank you.

From: Trudy Galla <tgalla@leelanau.gov>
Sent: Thursday, March 11, 2021 2:26 PM
To: Tim Perrone; John Gallagher <jgallagher@leelanau.gov>
Cc: Chet Janik <cjanik@leelanau.gov>
Subject: RE: RFP for Purchase and Development of Property (002)

Tim;

We received 2 bids on this RFP which the Land Bank Authority will review on Tuesday, March 26 and consider action to sell the property. One bid came from the prior owner who lost the property through tax foreclosure. Our Policies & Procedures state we can not convey real property to someone who lost it through tax foreclosure (excerpt from Policies & Procedures below). I do not find anything in our Policies & Procedures that says we can 'waive' this. Does the Land Bank have that ability? Perhaps through a Public Act?

Thank you.

Trudy

C. Disposition of Property

1. Conveyances

The following apply to the conveyance of property:

- a. Real property conveyances by the LCLBA will be made directly by the LCLBA to the individual or entity responsible for undertaking the proposed development and in accordance with its stated use of the property.
- b. The LCLBA will not convey real property to an individual or entity for future speculative conveyances to third parties. However, simultaneous closings involving property of the LCLBA may occur.
- c. The LCLBA will not convey real property to an individual or entity that was the prior owner of any real property in Leelanau County that was tax foreclosed.
- d. Conveyance(s) will be made at the sole discretion of the LCLBA.
- e. The consideration received by the LCLBA for any conveyance will be determined in the sole discretion of the LCLBA.
- f. Once a property is sold or otherwise conveyed by the LCLBA, the LCBA will collect 50% of a five-year specific tax as allowed by PA 260 of 2003.

Leelanau County Board of Commissioners
 Landbank Property – *RFP-LCAO-2021-002*

Bids Due: **Wednesday, March 10, 2021 @ 1:00 p.m.**
 Bid Opening: **Wednesday, March 10, 2021 @ 1:30 p.m.**

Opened by: Chet Janik
 Present: Janik, L. Evans, Jennifer Zywicki
 Recorded by: J. Zywicki

	Bidder	Amount	Comments
1	John and Debra Watkins 1815 Ward Road Bloomfield Hills, MI 48302	\$10,000.00	
2	Marek Road Apartments 524 N. Marek Rd. Suttons Bay, MI 49682	\$1.00	
3			
4			
5			
6			

County of Leelanau
Treasurer's Office/Land Bank Office
8527 E. Government Center Dr. Suite #104
Suttons Bay, Michigan 49682

March 8, 2021

To Whom This May Concern,

My wife and I are pleased to have this opportunity to bid on 525 Marek Road, Suttons Bay, Michigan.
As you will recall from my previous letter we have been attempting to regain ownership for some time now. Our plan would be to build a single family residence on the property.

We are offering a bid of \$10,000.00, this would be cash with no financing required.

Thank you for your consideration in this endeavor.

Respectfully,



John and Debra Watkins
1815 Ward Road
Bloomfield Hills, Mi 48302
231-392-2575
tom@watkinsfurniture.com

CERTIFICATE OF COMPLIANCE WITH PUBLIC ACT 517 OF 2012

I certify that neither JOHN T. & Debra Ann WATKINS (Company), nor any of its successors, parent companies, subsidiaries, or companies under common control, are an "Iran Linked Business" engaged in investment activities of \$20,000,000.00 or more with the energy sector of Iran, within the meaning of Michigan Public Act 517 of 2012. In the event it is awarded a Contract as a result of this Request for Qualifications, Company will not become an "Iran Linked Business" during the course of performing the work under the Contract.

NOTE: IF A PERSON OR ENTITY FALSELY CERTIFIES THAT IT IS NOT AN IRAN LINKED BUSINESS AS DEFINED BY PUBLIC ACT 517 OF 2012, IT WILL BE RESPONSIBLE FOR CIVIL PENALTIES OF NOT MORE THAN \$250,000.00 OR TWO TIMES THE AMOUNT OF THE CONTRACT FOR WHICH THE FALSE CERTIFICATION WAS MADE, WHICHEVER IS GREATER, PLUS COSTS AND REASONABLE ATTORNEY FEES INCURRED, AS MORE FULLY SET FORTH IN SECTION 5 OF ACT NO. 517, PUBLIC ACTS OF 2012.

JOHN T. & Debra Ann WATKINS
(Name of Company)

By: [Signature]

Title: _____

Date: March 8, 2021

Subscribed to and sworn before me,
a Notary Public, on this 8 day of March, 2021.

JOY LAMPERT
Notary Public, State of Michigan
County of Livingston
My Commission Expires Apr. 16, 2021
Acting in the County of Oakland

[Signature]
Joy Lampert, Notary Public
Livingston County, State of Michigan
Acting in Oakland County, Michigan
My Commission Expires: 04.16.2021

MAREK ROAD APARTMENTS

525 N. Marek Road Suttons Bay, Michigan, 49640

A 4-Unit Affordable Workforce Housing Project

Brief Project

Narrative: Homestretch Nonprofit Housing Corporation in partnership with Leelanau Christian Neighbors and Goodwill Industries proposes to develop a 10-unit permanent affordable general housing project located on a 2.5-acre parcel in Leelanau County. We are offering to purchase the property from the Leelanau County Land Bank for \$1. A zoning variance will be required through the Suttons Bay Township Planning Commission. Marek Road Apartments will serve the work force population with *all* the units at or below HUD published 80% HOME Program Rent Limits. We will require a due diligence period of approximately 180 days to assemble the funding package under Section 538 USDA Guaranteed loan program and to prepare the 2021 Pre-Application submission to the Federal Home Loan Bank as well as private Foundations for Grant funding. If successful, the units will be placed in service by June of 2023.

Project: Marek Road Apartments

Developer

Owner: Homestretch Nonprofit Housing Corporation
400 Boardman Avenue, Suite 10, Traverse City, Michigan, 49684

Authorized

Applicant: Jonathan Stimson, Executive Director
Homestretch Nonprofit Corporation
400 Boardman Avenue, Suite 10, Traverse City, Michigan, 49684
231-947-6001
jon@homestretchhousing.org

Property

Ownership:

1. Leelanau County Land Bank Authority – John Gallagher
8527 E. Government Center Drive Suite 104
Suttons Bay, MI 49682

Project
Team

In addition to the owners, the following are part of the development team:

General Contractor: Homestretch Nonprofit Corporation
Property Manager: Homestretch Nonprofit Housing Corporation
Architectural Services: Sarah Keever
Engineering Services: TBD
Local Jurisdiction: Leelanau County Land Bank, Suttons Bay Township
Fundraising/Capital Subsidies: Michigan Economic Development Corp.,
Rotary Charities, Federal Home Loan Bank of Indianapolis, Goodwill
Industries, Leelanau Christian Neighbors, Private Donors, and area
Business Owners.

Sources
& Uses:

As of this application, the following is a true reflection of our Sources and Uses budget.

SOURCES

Financial Institution Loan	\$1,269,670
Grants/Capital Subsidies	\$650,000
Homestretch Equity	\$36,416
TOTAL	\$1,956,086

USES

Property Acquisition costs	\$2,500
Pre-Development	\$36,416
Construction	\$1,534,208
Construction Interest/Costs	\$188,893
Operations/Lease up Reserve	\$44,069
Developer Fee*	\$150,000
TOTAL	\$1,956,086

NOTES: Part or all of developer fee may be deferred on this project. This is a preliminary budget and is subject to change based upon availability of funding sources.*

Project

Timeline: The following reflects our estimated timetable to complete this project. Note: It is realistic to expect local fundraising will provide sufficient subsidies to achieve a September 2022 final lease period.

December 2021	Due Diligence and feasibility period ends
May 2022	Construction Begins
July 2023	All Construction Completed
September 2023	Final Lease Period Completed

Rent

Matrix: The following represents the rent determination on a per unit basis. It is important to note that the monthly rents do not include an estimated utility allowance taken from the MSHDA Utility Schedule for Region B.

Actual rents collected will be \$790.00 to \$900.00 per month, respectively. We are including the most recent rent and income limits published for your county as a reference.

UNIT DESCRIPTION	No. of UNITS	UNIT SIZE	UTILITIES	MONTHLY RENT	ANNUAL REVENUE
2 Bedroom/1.5 Bath - 30% AMI	2	968	\$ 160	*\$ 788	\$18,912
2 Bedroom/1.5 Bath - 50% AMI	2	968	\$ 160	\$ 650	\$15,600
3 Bedroom/1.5 Bath -50% AMI	2	1,170	\$ 199	\$ 737	\$17,688
2 Bedroom/1.5 Bath - 80% AMI	2	968	\$ 160	\$950	\$22,800
3 Bedroom/1.5 Bath -80% AMI	2	1,170	\$ 199	\$ 1,050	\$25,200
Total	10				\$ 100,200

**Housing Choice Voucher Unit rent. Tenant rent is income based.*

Other

Notes: We have developed this proposal based on a Residential Target Market Analysis of Annual Market Potential for Leelanau County in the year 2020. That a high demand exists for affordable rental housing in the Village of Suttons Bay, we recognize a portion of the units will be filled by tenants that work outside of the village. Tenant selection will be solely based on income limitations and no further criteria has been stipulated other than those required by Fair Housing Rules. As evidenced by the study, this development will target the two primary markets with income ranging from \$25,200 to \$38,880:

- Senior rental housing
- Workforce rental housing

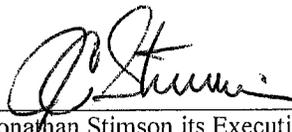
The lack of Public utilities to the site negates the use of gap funding from Michigan State Housing Development Authority (MSHDA) so alternative grants are being sought through the Federal Home Loan Bank of Indianapolis (FHLBI). This competitive grant seeking process relies on a point scoring basis. Homestretch staff will require 2-3 months to prepare the FHLBI application and utilize approximately thirty-six thousand dollars for pre-development activities such as appraisals, environmental reports, Title work, surveys, engineering, architectural plans, PILOT applications, etc.

As the Developer and General Contractor, Homestretch has been able to mitigate some of the impediments to affordable housing. The ability to reduce the cost of development is a critical component. The Marek Apartments will take advantage of our low overhead, zero sales tax for building materials, solid trade relationships, a hybrid of modular construction techniques and all the benefits of a Community Housing Development Organization (CHDO).

Our goal is to provide affordable, workforce housing units in Leelanau County and surrounding area.

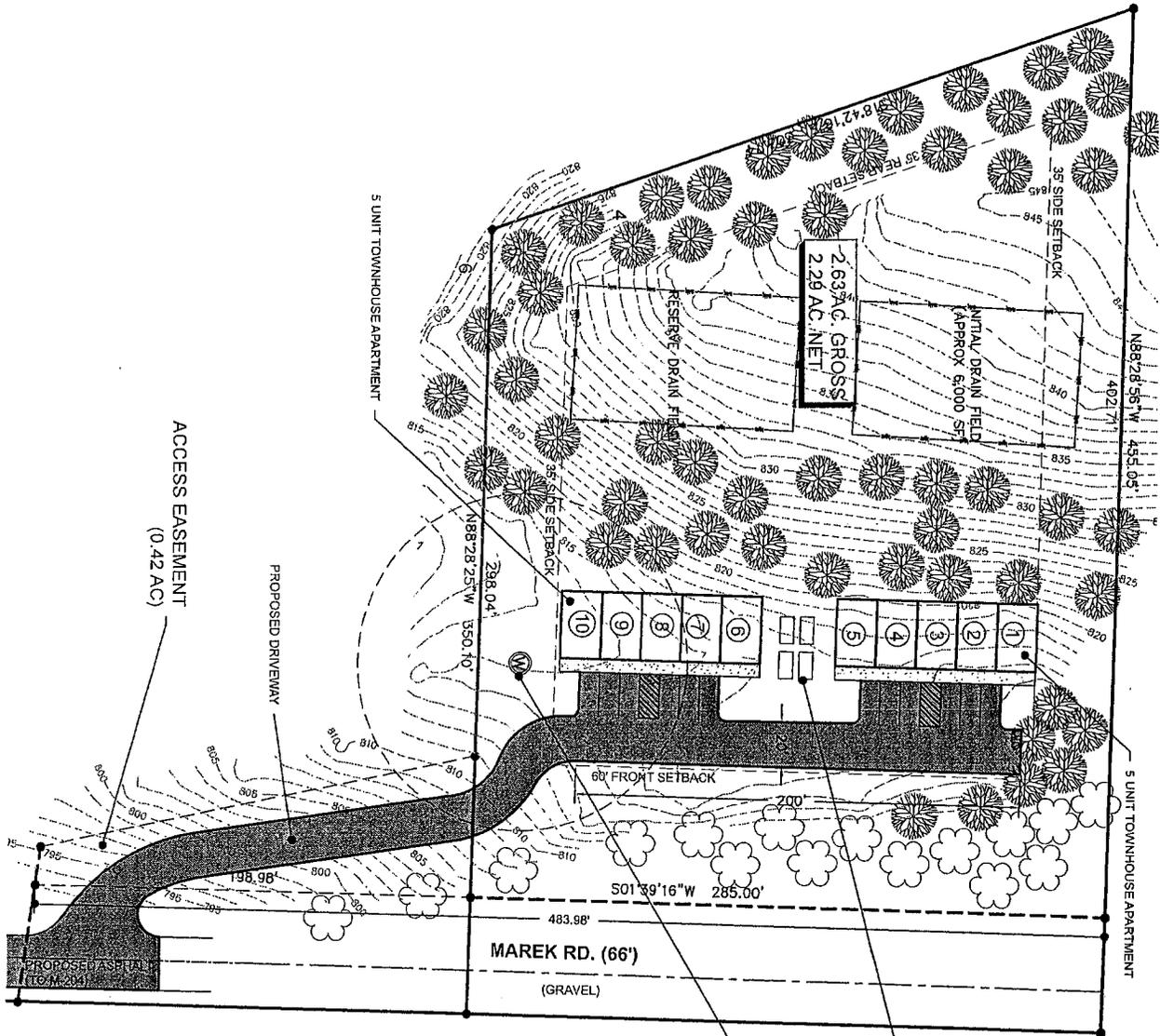
Date: March 9, 2021

Authorized Homestretch Representative:



Jonathan Stimson its Executive Director

ATTACHMENTS: Site Plan



ACCESS EASEMENT
(0.42 AC)

PROPOSED DRIVEWAY

PROPOSED ASPHALT
(104' x 20')

MAREK RD. (66')
(GRAVEL)

2.63 AC GROSS
2.29 AC NET

60' FRONT SETBACK

35' SIDE SETBACK

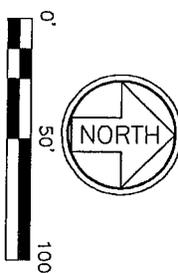
35' REAR SETBACK

RESERVE DRAIN FIELD

INITIAL DRAIN FIELD
APPROX. 6,000 SF

SEPTIC TANKS AND PUMP CHAMBERS

TYPE III WELL



- ZONING: AGRICULTURAL DISTRICT
- SPECIAL USE PERMIT REQUIREMENTS:
- 300' MIN. ROAD FRONTAGE
 - 2 ACRE MINIMUM
 - 60' FRONT SETBACK
 - DENSITY: 2-STORY MULTI-FAMILY 8 UNITS/ACRE
 - MAXIMUM 16 PER PARCEL

C1

SITE PLAN

2020-104

PROJECT: MAREK RD HOUSING

PROJECT LOCATION: Suttons Bay Township, Leelanau County, MI

ISSUE DATE:	6-12-2020
REVISIONS:	7-16-2020

Northview

22

PO Box 2362, Traverse City, MI 49685 231.942.0016

CERTIFICATE OF COMPLIANCE WITH PUBLIC ACT 517 OF 2012

I certify that neither Homestretch Nonprofit Housing Corp. (Company), nor any of its successors, parent companies, subsidiaries, or companies under common control, are an "Iran Linked Business" engaged in investment activities of \$20,000,000.00 or more with the energy sector of Iran, within the meaning of Michigan Public Act 517 of 2012. In the event it is awarded a Contract as a result of this Request for Qualifications, Company will not become an "Iran Linked Business" during the course of performing the work under the Contract.

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Homestretch
(Name of Company)
By: [Signature]
Title: Executive Director

Date: 3-10-2021

Subscribed to and sworn before me,
a Notary Public, on this 10th day of March, 2021.

[Signature]
_____, Notary Public
Leelanau County, State of Michigan
Acting in Leelanau County, Michigan
My Commission Expires: 11.29.2026

L DRZEWIECKI
NOTARY PUBLIC – STATE OF MICHIGAN
COUNTY OF LEELANAU
My Commission Expires November 29, 2026
Acting in the County of Leelanau

CERTIFICATIONS AND AUTHORIZED SIGNATURES

Return with your Qualification Package

Upon notice of acceptance of this packet, Respondent will execute a Contract and deliver properly executed insurance certificates to the Land Bank within seven (7) days.

This Qualification Package is submitted in the name of
HOMESTRETCH NONPROFIT HOUSING CORPORATION (Respondent)

ADDRESS, LEGAL STATUS, AND SIGNATURE OF RESPONDENT

The undersigned designates the address, given below, as the legal address to which all notices, directions, or other communications may be served or mailed.

P.O. Box (if applicable)			
Street address	400 Boardman Ave., Suite 10		
City State ZIP	Traverse City, MI 49684		
Email	jon@homestretchhousing.org		
Phone	231-947-6001	Fax	none

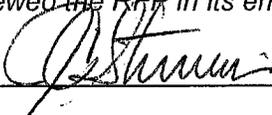
The undersigned declares that it has legal status checked below:

- Individual Limited Liability Corporation (LLC)
 Partnership Corporation, State of Incorporation: _____

The names and address of all persons indicated in this packet are as follows:

NAME	ADDRESS
Jonathan Stimson	400 Boardman Ave., Suite 10 Traverse City, MI 49684

Respondent certifies that the information provided in their submittal to the Land Bank is accurate and complete, and they are duly authorized to sign. Respondent certifies that they have reviewed the RFP in its entirety and accepts its terms and conditions.

Signed  Date 3-9-2021
 Print name Jonathan Stimson
 Title Director

**BYLAWS
OF
LEELANAU COUNTY LAND BANK AUTHORITY**

An authority organized pursuant to
the Michigan Land Bank Fast Track Act and an
Intergovernmental Agreement between the Michigan Land Bank Fast Track Authority, and
the Treasurer of the County of Leelanau, Michigan

Adopted by the Board of Directors as of October 21, 2008,
with amendments through March 16, 2021.

**BYLAWS OF
LEELANAU COUNTY LAND BANK AUTHORITY**
Incorporated under the laws of the State of Michigan

**ARTICLE ONE
NAME, LOCATION AND OFFICES**

1.1 Name

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

1.2 Office and Agent 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.

1.3

Other Offices The principal office of the Corporation shall be located in the Government Center, 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
PURPOSE AND GOVERNING INSTRUMENTS**

2.1

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, as amended, MCL 124.751 et seq. (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 is an authority governed by a Board of Directors.

2.2

Governing Instruments The Corporation shall be governed by its articles of incorporation and its bylaws.

**ARTICLE THREE
BOARD OF DIRECTORS**

3.1

Powers and Duties of the Board of Directors

- (a) Except as otherwise provided in the articles of incorporation of the Corporation or in these bylaws, all the powers, duties, and functions of the Corporation conferred by the Land Bank, Act, the Intergovernmental Agreement, the articles of incorporation, these bylaws, other state statutes, common law, court decisions, or otherwise shall be exercised, performed, or controlled by the Board of Directors.
- (b) The Board of Directors shall be the governing body of the Corporation and shall have general charge of the affairs, property and assets of the Corporation. It shall be the duty of the Board of Directors to determine the policies of the Corporation or changes therein, actively to prosecute the purposes and objectives of the Corporation, and, to this end, to manage and control all of its property and assets and to supervise the disbursement of its funds. The Board of Directors may adopt, by majority vote, such rules and regulations for the conduct of its business and the business of the Corporation as shall be deemed advisable, and, in the execution of the powers granted, may delegate certain of its authority and responsibility to an executive committee. Under no circumstances, however, shall any actions be taken which are inconsistent with the articles of incorporation and these bylaws. Members of the Board of Directors shall receive no compensation for service as a member of the Board of Directors, but shall be entitled to be reimbursed by the Corporation for actual and necessary expenses incurred in connection with performance of official functions of the Corporation subject to available appropriations.
- (c) The Board of Directors may, from time to time, appoint, as advisors, persons whose advice, assistance, and support may be deemed helpful in determining policies and formulating programs for carrying out the purposes and functions of the Corporation.

3.2

Initial and Regular Board of Directors The Board of Directors of the County Land Bank shall consist of:

- (a) The Treasurer of Leelanau County;
- (b) the County Board representative on the County Land Bank, and
- (c) five (5) other members as appointed by the County Board of Commissioners.

3.3

Term of Office The Treasurer shall serve as a member of the Board of Directors without a term. Other members shall be appointed three year terms, and shall continue to serve until his or her successor has been appointed.

3.4

Removal Other than the Treasurer of Leelanau County, a director may be removed from office for cause by the Board of Commissioners of Leelanau County.

3.5

Vacancies Any vacancy in the Board of Directors, other than the Treasurer, arising at any time and from any cause, may be filled for the unexpired term by the Board of Commissioners of Leelanau County. Each director so appointed shall hold office until the expiration of his term, or the unexpired term of his predecessor, as the case may be, and until his or her successor is appointed.

3.6

Conflict of Interest A director who has a direct or indirect personal or financial interest in any matter before the Corporation shall disclose his or her interest prior to any action on the matter by the Corporation, which disclosure shall become part of the record of the Corporation's official proceedings. The interested director shall further refrain from participation in the Corporation's action relating to the matter. Each director, upon taking office and annually thereafter, shall acknowledge in writing that they have read and agreed to abide by this section.

ARTICLE FOUR MEETINGS OF THE BOARD OF DIRECTORS

4.1

Regular Meetings Notice of Regular meetings of the Board of Directors shall be held from time to time at such times and at such places as the Board of Directors may prescribe. Notice of the time and place of each such regular meeting shall be given by the secretary either personally or by telephone or by mail not less than seven

(7) nor more than thirty (30) days before such regular meeting. The meetings of the Board of Directors shall be public, and the appropriate notice of such meetings provided to the public. Notice of any and all meetings of the Board of Directors shall be given in accordance with the Open Meetings Act, 1976 P.A. 267, as amended. The Board of Directors shall meet at least annually.

4.2

Special Meetings: Notice Special meetings of the Board of Directors may be called by or at the request of the Chairperson or by any three (3) of the directors in office at that time. Notice of the time, place and purpose of any special meeting of the Board of Directors shall be given by the secretary either personally or by telephone or by mail at least twenty-four (24) hours before such meeting.

4.3

Annual Meeting The first meeting of the Board of Directors in each calendar year shall be deemed to be the annual meeting of the Board of Directors. All officers of the Board of Directors shall be elected at the annual meeting by the Board of Directors, unless a vacancy in such office occurs prior to the annual meeting, and each officer shall hold such office until the following annual meeting.

4.4

Waiver Attendance by a director at a meeting shall constitute waiver of notice of such meeting, except where a director attends a meeting for the express purpose of objecting to the transaction of business because the meeting is not lawfully called.

4.5

Quorum A majority of the Board of Directors shall be required to constitute a quorum for the transaction of business. The Board of Directors shall act by a majority vote at a meeting at which a quorum is present. A quorum shall be necessary for the transaction of business. A Director may participate in a meeting by electronic communication by which such Director can hear and be heard, if such remote attendance is in compliance with the Open Meetings Act.

4.6

Vote Required for Action Except as otherwise provided in these bylaws or by law, the act of a majority of the directors present at a meeting at which a quorum is present at the time shall be the act of the Board of Directors. Adoption, amendment and repeal of a bylaw are provided for in Article Twelve of these bylaws. Vacancies in the Board of Directors may be filled as provided in Section 3.5 of these bylaws.

4.7

Adjournments A meeting of the Board of Directors, whether or not a quorum is present, may be adjourned by a majority of the directors present to reconvene at a specific time and place. Notice of any reconvened meeting of the Board of Directors shall be given in accordance with the Open Meetings Act, 1976 P.A. 267, as amended. At any such reconvened meeting at which a quorum is present, any business may be transacted which could have been transacted at the meeting which was adjourned.

ARTICLE FIVE NOTICE AND WAIVER

5.1

Procedure Whenever these bylaws require notice to be given to any director, the notice shall be given as prescribed in Article Four. Whenever notice is given to a director by mail, the notice shall be sent first-class mail by depositing the same in a post office or letter box in a postage prepaid sealed envelope addressed to the director at his or her address as it appears on the books of the Corporation; and such notice shall be deemed to have been given at the **time** the same is deposited in the United States mail.

5.2

Waiver Whenever any notice is required to be given to any director by the articles of incorporation or by these bylaws, a waiver thereof in writing signed by the director entitled to such notice, whether before or after the meeting to which the waiver pertains, shall be deemed equivalent thereto, but only in those circumstances in which such notice is not required by law.

ARTICLE SIX BOARD OF ADVISORS

6.1

Appointment The Board of Directors may appoint such persons as it reasonably deems necessary or desirable to act as the Board of Advisors of the Corporation. To the extent possible, the Board of Advisors should consist of representatives of the community who have demonstrated an interest in and commitment to the redevelopment of properties within the geographical boundaries of Leelanau County. The number of persons appointed to constitute the Board of Advisors shall be determined in the sole discretion of the Board of Directors.

6.2

Purpose It shall be the function and purpose of the Board of Advisors to advise the Board of Directors on matters relating to the business and affairs of the Corporation, and to suggest or be available for consultation with regard to projects or activities which the Corporation may undertake, consistent with its purposes, in furtherance of its goals and objectives. The Board of Advisors shall serve solely in an advisory capacity.

ARTICLE SEVEN OFFICERS

7.1

Number and Qualifications The officers of the Corporation shall be members of the Board of Directors and shall consist of a Chairperson, a Vice-Chairperson, a Secretary, a Treasurer, and such other officers as may be designated by the Board of Directors. The Treasurer of Leelanau County shall serve as the Chairperson of the Corporation.

7.2

Removal Any officer of the Corporation other than the Chairperson may be removed as an officer by the Board of Directors of the Corporation with or without cause at any time.

7.3

Chairperson The Chairperson shall be the principal executive officer of the Corporation and shall preside at all meetings of the Board of Directors. Subject to any policies adopted by the Board of Directors, the Chairperson shall have the right to supervise and direct the management and operation of the Corporation and to make all decisions as to policy and otherwise which may arise between meetings of the Board of Directors, and the other officers and employees of the Corporation shall be under the Chairperson's supervision and control during such interim. The Chairperson shall perform such other duties and have such other authority and powers as the Board of Directors may from time to time prescribe.

7.4

Vice-Chairperson The Vice-Chairperson, if such office has been designated by the Board of Directors, shall, in the absence or disability of the Chairperson, perform the duties and have the authority and exercise the powers of the Chairperson. The Vice Chairperson shall perform such other duties and have such other authority and powers as the Board of Directors may from time to time prescribe or as the Chairperson may from time to time delegate.

7.5

Secretary The secretary shall attend all meetings of the Board of Directors and record all votes, actions and the minutes of all proceedings in a book, to be kept for that purpose and shall perform like duties for the executive and other committees when required.

- (a) The Secretary shall give, or cause to be given, notice of all meetings of the Board of Directors.
- (b) The Secretary shall keep in safe custody the seal of the Corporation and, when authorized by the Board of Directors or the Chairperson, affix it to any instrument requiring it. When so affixed, it shall be attested by his or her signature or by the signature of the treasurer.
- (c) The Secretary shall be under the supervision of the Chairperson. He or she shall perform such other duties and have such other authority and powers as the Board of Directors may from time to time delegate.

7.6

Land Bank Treasurer

- (a) The Treasurer shall have responsibility for the custody of the corporate funds and securities and shall be responsible for full and accurate accounts of receipts and disbursements of the Corporation and shall be responsible for the deposit of all monies and other valuables in the name and to the credit of the Corporation into depositories designated by the Board of Directors.
- (b) The Treasurer shall be responsible for the disbursement of the funds of the Corporation as ordered by the Board of Directors, and shall be responsible for the preparation of financial statements each quarter or at such other intervals as the Board of Directors shall direct.
- (c) The Treasurer shall be under the supervision of the Chairperson. The Treasurer shall perform such other duties and have such other authority and powers as the Board of Directors may from time to time prescribe or as the Chairperson may from time to time delegate.

**ARTICLE EIGHT
COMMITTEES OF DIRECTORS**

8.1

Executive Committee By resolution adopted by a majority of the directors in office, the Board of Directors may designate from among its members an executive committee which shall consist of three (3) or more

directors, including the Chairperson or a Vice Chairperson of the Corporation, which executive committee, to the extent provided in such resolution, shall have and exercise the authority of the Board of Directors in the management of the affairs of the Corporation; provided, however, the designation of such executive committee and the delegation thereto of authority shall not operate to relieve the Board of Directors, or any individual director, of any responsibility imposed upon it or him by law and such executive committee may not do the following:

- (a) Approve the dissolution or the sale, pledge, or transfer of all or substantially all of the Corporation's assets;
- (b) Elect, appoint, or remove directors or fill vacancies on the Board of Directors or on any of its committees; or
- (c) Adopt, amend, or repeal the Corporation's Articles of Incorporation or these Bylaws.

8.2

Other Committees of Directors Other committees, each consisting of two (2) or more directors, not having and exercising the authority of the Board of Directors in the management of the Corporation, may be designated by a resolution adopted by a majority of directors present at a meeting at which a quorum is present. Such resolution shall assign the duties and responsibilities of such committees. Except as otherwise provided in such resolution, members of each such committee shall be appointed by the Chairperson of the Corporation. Any member of any committee may be removed by the person or persons authorized to appoint such member whenever in their judgment the best interests of the Corporation shall be served by such removal.

8.3

Term of Appointment Each member of a committee shall continue as such until his successor is appointed, unless the committee shall be sooner terminated, or unless such member shall be removed from such committee, or unless such member shall cease to qualify as a member thereof.

8.4

Chairman One member of each committee shall be appointed chairman thereof.

8.5

Vacancies Vacancies in the membership of any committee may be filled by appointments made in the same manner as provided in the case of the original appointments.

8.6

Quorum Unless otherwise provided in the resolution of the Board of Directors designating a committee, a majority of the whole committee shall constitute a quorum; and the act of a majority of members present at a meeting at which a quorum is present shall be the act of the committee.

8.7

Rules Each committee may adopt rules for its own government, so long as such rules are not inconsistent with these bylaws or with rules adopted by the Board of Directors.

ARTICLE NINE EMPLOYEES, CONTRACTED SERVICES

9.1

Employees The Corporation may employ or otherwise contract for the services of any staff deemed necessary to carry out the duties and responsibilities of the Corporation. Such staff may be employed as employees of the Corporation, or the services of such staff may be retained pursuant to contracts with Leelanau County, with the Treasurer of Leelanau County, or other public or private entities.

9.2

Executive Director The Board of Directors may select and retain an Executive Director. An Executive Director selected and retained by the Board of Directors shall administer the Corporation in accordance with the operating budget adopted by the Board of Directors, general policy guidelines established by the Board of Directors, other applicable governmental procedures and policies, and the Intergovernmental Agreement. The Executive Director shall be responsible for the day-to-day operations of the Corporation, the control, management, and oversight of the Corporation's functions; and supervision of all Corporation employees. All terms and conditions of the Executive Director's length of service shall be specified in a written contract between the Executive Director and the Board of Directors, provided that the Executive Director shall serve at the pleasure of the Board of Directors.

ARTICLE TEN CONTRACTS, CHECKS, DEPOSITS AND FUNDS

10.1

Contracts The Board of Directors may authorize any officer or officers, agent or agents of the Corporation, in addition to the officers so authorized by these bylaws, to enter into any contract or execute and deliver any instrument in the name and on behalf of the Corporation. Such authority must be in writing and may be general or confined to specific instances. In the absence of such express authority granted by the Board of Directors, or a vacancy in the office to which the authority is delegated by the Board of Directors, the Chairperson shall have all authority necessary and appropriate to execute any and all documents, instruments and agreements on behalf of the Corporation.

10.2

Checks, Drafts, Notes, Etc. All checks, drafts or other orders for the payment of money, notes or other evidences of indebtedness issued in the name of the Corporation shall be signed by such officer or officers, agent or agents, of the Corporation and in such other manner as may from time to time be determined by resolution of the Board of Directors. In the absence of such determination by the Board of Directors, such instruments shall be signed by the treasurer or an assistant treasurer and countersigned by the Chairperson or the Vice-Chairperson of the Corporation. The Board of Directors shall require all individuals who handle funds of the Corporation to qualify for a security bond to be obtained by the Corporation, at the expense of the Corporation, in an amount not less than \$100,000.00. As an alternative, the security bond may be obtained by the County at the County's or Land Bank's expense.

10.3

Deposits All funds of the Corporation shall be deposited from time to time to the credit of the Corporation in such banks, trust companies or other depositories as the Board of Directors may select.

10.4

Gifts The Corporation may acquire by gift, bequest, or devise any real or personal property or interests in real or personal property for the general purposes or for any special purpose of the Corporation on terms and conditions and in a manner the Board of Directors considers appropriate.

ARTICLE ELEVEN MISCELLANEOUS

11.1

Books and Records The Corporation shall keep and maintain at the principal office of the Corporation all documents and records of the Corporation. The records of the Corporation shall include, but not be limited to, a copy of the Intergovernmental Agreement along with any amendments to the Intergovernmental Agreement. The records shall also include correct and complete books and records of accounts and minutes of the

proceedings of its Board of Directors and committees having any of the authority of the Board of Directors. All records of the Corporation shall be made available to the public to the extent required by the Michigan Freedom of Information Act, 1976 P.A. 442, as amended. Not less than annually the Corporation shall file with the parties to the Intergovernmental Agreement, and with the Board of Commissioners of Leelanau County a report detailing the activities of the Corporation and any additional information as requested by such parties.

11.2

Corporate Seal The corporate seal (of which there may be one or more exemplars) shall be in such form as the Board of Directors may from time to time determine.

11.3

Fiscal Year The fiscal year of the Corporation shall begin on ~~October 1~~ **January 1** of each year and end on ~~the following September 30.~~ **December 31.**

11.4

Budget The Board of Directors shall adopt annually a budget for all operations, income, expenses and assets. The Corporation shall be subject to and comply with the Uniform Budgeting and Accounting Act, 1968 PA 2, as amended, MCL 141.421 to 141.440a. The Chairperson or Executive Director shall prepare and the Board of Directors shall approve a budget for the Corporation for each Fiscal Year. Each budget shall be approved by the September 1 immediately preceding the beginning of the Fiscal Year of the Corporation.

11.5

Audit The Corporation shall provide for the conduct of audits in accordance with sections 6 to 13 of the Uniform Budgeting and Accounting Act, 1968 PA 2, as amended, MCL 141.421 to 141.440a, which shall be made available to the parties to the Intergovernmental Agreement. The Corporation shall establish a dedicated audit committee of the Board of Directors for the purpose of overseeing the accounting and financial reporting processes of the Corporation and audits of its financial statements. The Corporation shall establish specific duties and obligations of the audit committee and standards and qualifications for membership on the audit committee. The Corporation may require at least one member to be specifically knowledgeable about financial reports. As an alternative, the County and its audit committee may assume the auditing responsibilities, if the Land Bank is included in the County's audit.

11.6

Construction Whenever the context so requires, the masculine shall include the feminine and neuter, and the singular shall include the plural, and conversely. If any portion of these bylaws shall be invalid or inoperative, then, so far as is reasonable and possible:

- (a) The remainder of these bylaws shall, be considered valid and operative.
- (b) Effect shall be given to the intent manifested by the portion held invalid or inoperative.

11.7

Headings The headings are for organization, convenience and clarity. In interpreting these bylaws, they shall be subordinated in importance to the other written material.

11.8

Relation to Articles of Incorporation These bylaws are subject to, and governed by, the articles of incorporation and the Land Bank Act.

ARTICLE TWELVE AMENDMENTS

12.1

Power to Amend Bylaws The Board of Directors shall have the power to alter, amend, or repeal these bylaws, or adopt new bylaws; provided, however, that the Board of Directors shall have no power or

authority to make any changes in the bylaws which would be inconsistent with the Land Bank Act or the Intergovernmental Agreement.

12.2

Conditions Action by the Board of Directors with respect to these bylaws shall be taken by the affirmative vote of a majority of all directors then holding office.



LEELANAU COUNTY

LAND BANK FAST TRACK AUTHORITY

POLICIES AND PROCEDURES

Adopted

November 19, 2019

INTRODUCTION

The Leelanau County ~~LCLBA~~-Fast Track Authority a.k.a., Leelanau County Land Bank Authority (LCLBA) was established on August 25, 2008 under the Michigan Land Bank Fast Track Act (Public Act 258 of 2003, as amended). The Leelanau County Land Bank Authority was created by an Intergovernmental Agreement between the Leelanau County Treasurer and the Michigan Land Bank Fast Track Authority, with the approval of the Leelanau County Board of Commissioners ~~in concert with the Leelanau County Treasurer who was responsible for negotiating a cooperative agreement with the State of Michigan Land Bank Fast Track Authority~~. In addition to the ~~e~~County ~~t~~Treasurer who, by law, must be a member of the LCLBA, the other members are appointed by the Leelanau County Board of Commissioners. The LCLBA has the authority to select and retain an Executive Director, however, in lieu of an Executive Director, the Chairman has ultimate authority. The entire board consists of seven (7) members.

The Michigan Land Bank Fast Track Act (Public Act 258 of 2003, as amended) provides for the creation of county land bank fast track authorities to:

- a. assist governmental entities in the assembly and clearance of title to property in a coordinated manner;
- b. facilitate the use and development of certain property;
- c. promote economic growth;
- d. prescribe the powers and duties of certain authorities;
- e. provide for the creation and appointment of boards to govern land bank fast track authorities and to prescribe their powers and duties;
- f. authorize the acquisition, maintenance, and disposal of interests in real and personal property;
- g. authorize the conveyance of certain properties to a land bank;
- h. authorize the enforcement of tax liens and the clearing or quieting of title by a land bank;
- i. provide for the distribution and use of revenues collected or received by a land bank;
- j. authorize the transfer and acceptance of property in lieu of taxes and the release of tax liens;
- k. exempt property, income, and operations of a land bank from tax; and
- l. extend protections against certain liabilities to a land bank.

Similarly, the purpose of the LCLBA is to assemble or dispose of public property, including tax reverted property, in a coordinated manner to foster the development of property, which in the judgment of the LCLBA Board should contribute to public good, and/or to promote economic growth in Leelanau County and in the local units of government within the county.

The acquisition and disposition of properties owned and managed by the LCLBA and its operations are in accordance with the Michigan Land Bank Fast Track Act, PA 258 of 2003, as amended; ~~PA 259 of 2003 which amends the Brownfield Redevelopment Financing Act (PA 381 of 1996)~~; the Tax Reverted Clean Title Act, PA 260 of 2003, as amended; PA 261 of 2003 which amends the General Property Tax Act (PA 206 of 1893), as amended; the Brownfield Redevelopment Financing Act (PA 381 of 1996, as amended), its operational By-Laws, and the general policies and procedures contained herein.

The purpose of these Policies and Procedures is to establish general principles on which sound decisions can be made and to determine specific parameters to guide the actions of the LCLBA. The LCLBA may amend these policies and procedures from time to time by resolution of the Board of Directors of the LCLBA (the “LCLBA Board”).

As an owner of property in the county, the LCLBA, within budgetary constraints, will make all reasonable efforts to:

1. maintain its property,
2. prevent the property from being a blighting influence,
3. prevent the property from being a danger, and
4. return the property to productive use consistent with the plans and goals of the community.

A. MISSION STATEMENT

The mission of the Leelanau County Land Bank Fast Track Authority is to enhance tax base by returning tax reverted properties to the tax rolls and to partner with community stakeholders to acquire and redevelop undervalued properties to support workforce housing and economic development. *(Adopted 3-15-2011)*

B. GOALS

1. Programmatic

- a. Use the LCLBA disposition program to promote the economic development and/or redevelopment in the creation of jobs that will promote the year-round economy of the county.
- b. Collaborate with other agencies to develop a comprehensive approach and a “one-stop-shop” for developers to access the LCLBA, Brownfield and the Economic Development Corporation development tools, including but not limited to access to grant funds, low interest loans and tax credits.

- c. Maintain an inventory of properties for potential development projects that will achieve the priority land uses established in the LCLBA 's policies.
- d. Establish a side lot program and convey all non-developable properties as they become tax foreclosed, to facilitate the elimination of abandoned property that is not on the tax rolls.
- e. Create an evaluation system to effectively analyze all property transfer requests.

2. Organization

- a. Create policies and procedures that will govern the decision making of the LCLBA consistent with the organization's programmatic goals.
- b. Keep the LCLBA operating as efficiently as possible by collaborating with existing programmatic capacity at the County and other nonprofit and governmental agencies. This would include incorporating housing programs into the LCLBA, when applicable.
- c. Create a communication plan to ensure public awareness of the LCLBA programs and how they can be accessed. In addition, the plan should cultivate dialogue and education on an ongoing basis.
- d. Establish a board and staff development training program which is dedicated to comprehensive and ongoing member education. This can be accomplished in several ways including mini trainings at board meetings, literature reviews, conference attendance, and consultant visits. *(Approved January 18, 2011)*

LAND BANK PROGRAM IMPLEMENTATION

A. ACQUISITION OF PROPERTY

The following criteria shall be considered in determining property to be acquired by the LCLBA, to facilitate development, in conjunction with the acquisition of property, to carry out the purpose of the LCLBA or to enhance the operation and function of the LCLBA:

1. Property which is strategic to implementing an economic development, neighborhood stabilization or revitalization plan or strategy undertaken by the LCLBA.
2. Property which is strategic to implementing an economic development, neighborhood stabilization or revitalization plan or strategy undertaken by a local government entity pursuant to an intergovernmental agreement with the LCLBA.
3. Property which is strategic to implementing an economic development, neighborhood stabilization or revitalization plan or strategy undertaken by a nonprofit corporation pursuant to a community or neighborhood plan approved by the local political jurisdiction.

4. Property necessary to complete a land assembly project to enhance the marketability of or to protect property already held by the LCLBA.
5. Property that promotes health, safety and welfare.
6. Property that will generate financial resources for the operation and function of the LCLBA.

The LCLBA may acquire property as permitted by law. In determining the nature and extent of property to be acquired, the LCLBA shall consider the value of the property, the financial resources available for acquisition, the capacity of the LCLBA to own and manage the property, and the projected length of time required to convey or utilize the property for the purpose intended by the LCLBA in acquiring the property. All acquisitions shall require the approval of the LCLBA Board.

B. POLICIES GOVERNING THE ACQUISITION OF NON-TAX-FORECLOSED PROPERTIES

The Land Bank Fast Track Act, 2003 PA 258, MCL 124.755 et seq allows for the direct purchase of property. While the foundation of the LCLBA is property acquired through the tax foreclosure process, there will be opportunities for direct purchase of mortgage foreclosed, redevelopment project, and other properties that represent the mission of the LCLBA.

Policies and Procedures to carry out these Priorities are:

1. Accumulate property information such as assessment data, map location, photos, code violation information, zoning and other pertinent information regarding the property.
2. Personal inspection of the interior/exterior of the property.
3. Evaluate the need to conduct, if necessary, environmental due diligence (All Appropriate Inquiry) on the subject property since land banks are ~~not~~only exempt from environmental liability when property is acquired involuntarily (e.g., through the tax foreclosure process).
4. Obtain appraisal or market value estimate.
5. Submit all information to the chairman or executive director to establish purchase price and approval.
6. If purchase price is over \$100,000, LCLBA board approval is required.
7. All commercial property acquisition requires LCLBA board approval.

C. DISPOSITION OF PROPERTY

1. Conveyances

The following apply to the conveyance of property:

- a. Real property conveyances by the LCLBA will be made directly by the LCLBA to the individual or entity responsible for undertaking the proposed development and in accordance with its stated use of the property.
- b. The LCLBA will not convey real property to an individual or entity for future speculative conveyances to third parties. However, simultaneous closings involving property of the LCLBA may occur.
- c. The LCLBA will not convey real property to an individual or entity that was the prior owner of any real property in Leelanau County that was tax foreclosed.
- d. Conveyance(s) will be made at the sole discretion of the LCLBA.
- e. The consideration received by the LCLBA for any conveyance will be determined in the sole discretion of the LCLBA.
- f. Once a property is sold or otherwise conveyed by the LCLBA, the LCBA will collect 50% of a five-year specific tax as allowed by PA 260 of 2003.

2. Property Specific Criteria

The following criteria will be considered to determine property that will be conveyed by the LCLBA:

- a. to facilitate development pursuant to 2003 PA 258,
- b. to better carry out the purpose of the LCLBA, or
- c. to enhance the operation and function of the LCLBA.

The LCLBA will consider the following factors in pricing and conveying property:

- i. The proposed use of the property with emphasis on returning the property to taxable status or conveyance, which in the judgment of the LCLBA Board contributes to public good.
- ii. Development which results in preserving and rehabilitating neighborhoods, promoting affordable homeownership and multiple family housing, as well as facilitating economic development and creating jobs.
- iii. The feasibility of the proposed development including financial resources, time frame for completion, site suitability including, but not limited to, size, location, land use, environmental issues, and infrastructure requirements.
- iv. The stability, ability, financial resources, nature, identity and capacity of the proposed purchaser including development experience and readiness to commence and complete development.

- v. The potential impact of the conveyance on community and neighborhood plans approved by the local unit of government(s) with emphasis on preserving, stabilizing and restoring neighborhoods, improving and modernizing commercial and industrial areas, remediating environmental issues and/or promoting compatible uses of land.
- vi. The potential for the conveyance to generate proceeds to support and enhance the operation and function of the LCLBA.

The LCLBA may convey any property in its inventory in its sole discretion and establish disposition programs, including programs designed for specific areas.

D. GENERAL AGREEMENTS WITH LOCAL UNITS OF GOVERNMENT

The LCLBA may enter into Agreements with local units of government. The intent of the Agreements is to share information on a continuing basis to identify the parcels of property within a specific geographical area that are owned by the LCLBA. Once identified, the LCLBA and local units of government can solicit, receive and evaluate requests and proposals for the conveyance of property held by either the LCLBA or by a local unit of government. Once received, the LCLBA and the local unit of government can prepare recommendation packages for conveyance including information on the proposed purchaser, the proposed use of the property, and the consideration. Appropriate notice requirements to the LCLBA and the local unit of government will be followed in relation to the proposed conveyance of any property.

Note: Agreements will provide that the party holding legal title of the property to be conveyed will make final approval of the conveyance. The Executive Director or Chairman of the LCLBA may execute agreements consistent with this policy.

E. Requirements of Conveyance

The LCLBA, in its sole discretion, will determine all other terms and conditions of the conveyance. The documents that the LCLBA may use to convey an interest in property may include but are not limited to a quitclaim deed, a lease, a land contract and a grant of easement, as authorized by law and/or a development agreement.

F. TERMS OF CONVEYANCE

The following terms will be used to establish the consideration to be received by the LCLBA for the conveyance of real property.

1. It is the LCLBA's intent that the minimum monetary consideration will be no less than the Property Cost. "Property Cost" means the direct and indirect costs and expenses

attributable to the property including, but not limited to, cost allocation for overhead, costs of acquisition, maintenance, repair, rehabilitation by or on behalf of the LCLBA, demolition, marketing and litigation to quiet title.

2. The value of the property will be established by an appraisal or other valuation as determined by the LCLBA.

The LCLBA, in its sole discretion, will determine the consideration and terms of conveyance.

G. USE

Prior to conveying the property, the range of uses that will be considered by the LCLBA (which are not in any particular order of importance) include, but are not limited to the following:

- a. Dedication to public use by a governmental entity.
- b. Homeownership and affordable housing.
- c. Return of the property to taxable status.
- d. Land assemblage for economic development.
- e. Provision for financial resources for operating functions of the LCLBA.
- f. Green space or conservation purposes.
- g. Elimination of blight.
- h. Uses for childcare.
- i. Dedication to use by a social, educational or faith-based institution.
- j. Recreation centers.
- k. Agricultural uses.

H. ADJACENT LOT DISPOSITION PROGRAM

Property may be conveyed to an adjacent property owner in the LCLBA's sole discretion.

1. Qualified Property

Property eligible for inclusion in the Adjacent Lot Disposition Program must meet the following minimum criteria:

- a. The Property is used for residential purposes and has a common boundary line with the Purchaser's property.
- b. The Property is not buildable according to current zoning and building codes.
- c. The Property is not part of a proposed plan or development supported by the local unit of government requiring land assembly.

2. Purchaser(s)

To convey property to Purchaser(s), the LCLBA will determine the following:

- a. Purchaser(s) own a contiguous property.
- b. When more than one adjacent property owner exists and each wants the same adjacent Property, the Property may be conveyed in whole or divided and conveyed at the discretion of the LCLBA. The LCLBA staff may contact adjacent property owners to ascertain interest in the Property.
- c. Purchaser(s) has submitted a completed application to the LCLBA indicating the address(es) of the Properties to be purchased.
- d. Purchaser(s) are current on all property taxes owed for parcels within the county held by said purchaser.
- e. Purchaser(s) has submitted any financial information requested by the LCLBA.
- f. Purchaser(s) has submitted any other information requested by the LCLBA.

3. Consideration

Property conveyed through the Adjacent Lot Disposition Program will have the consideration determined by the LCLBA, in its sole discretion.

I. APPLICATION PROCESS

1. Application from an Individual

For Individual Purchasers, other than those applying for property offered through the Adjacent Lot Program, the LCLBA will consider a completed application from Individual Purchaser(s), which includes, but is not limited to the following:

- a. The address(es), legal description(s), and recent photos of the property to be purchased.
- b. The proposed development and/or use of the property.
- c. The time frame for rehabilitation, improvement or development.
- d. Financial documentation, which includes but is not limited to a Pre-Qualification Letter from a Lender (if financing the transaction).
- e. Proof of personal identification by an official state or federal document.

2. Applications from Organizations

For Organizations, including but not limited to, nonprofit corporations, partnerships, institutions, community groups, limited liability corporations, and joint ventures, the LCLBA will consider a completed application from Organizations, which includes, but is not limited to the following:

- a. The address(es), legal description(s), and recent photos of the property to be purchased.
- b. The proposed development and/or use of the property.
- c. Names of key individuals on the Development Team.
- d. The time frame for rehabilitation, improvement or development.
- e. Financial documentation, which includes but is not limited to a Pre-Qualification Letter from a Lender (if financing the transaction).

3. LCLBA Review

The LCLBA staff will attempt, within ninety (90) days of receiving a completed application, to complete a review of the application. After review, the LCLBA staff will notify the applicant of the determination or request additional information.

J. CONVEYANCES REQUIRING BOARD APPROVAL AND EXECUTIVE DIRECTOR/CHAIRMAN AUTHORITY

1. Conveyances Requiring Board Approval

The Executive Director/Chairman can approve all conveyances with the following exceptions which require Board approval:

- a) Any conveyance for which the ultimate use of the property will result in an exemption from property taxes.
- b) Conveyances for projects containing greater than fifteen (15) parcels.
- c) Conveyances involving transactions greater than \$100,000 in value.
- d) Any transaction not specifically authorized shall require LCLBA Board approval.

2. Executive Director/Chairman Authority

The Executive Director/Chairman of the LCLBA may enter into agreements to finalize property transactions and execute conveyances on behalf of the LCLBA regarding the following:

- a) Conveyances issued pursuant to the Adjacent Lot Disposition Program.
- b) Conveyances of fifteen (15) parcels or less, unless to a single purchaser during the LCLBA's fiscal year.
- c) Conveyances approved by the LCLBA Board.

Other restrictions notwithstanding, the Executive Director/Chairman may contract for demolition of a structure on LCLBA owned property provided that the demolition contract is less than

\$50,000.00, and the contract complies with applicable procurement requirements. Additionally, the Executive Director/Chairman may enter into a Temporary License or an Agreement & Consent to Enter State-Owned Property as determined by the Executive Director/Chairman to be in the best interest of the LCLBA.

3. Reporting Requirement

All conveyances entered into by the Executive Director/Chairman will be reported in writing to the LCLBA Board at the next LCLBA Board meeting.

K. Policy on Borrowing Money, Issuing Bonds or Notes

The LCLBA Board by resolution can authorize the LCLBA to borrow money and issue bonds and notes according to the Act.

LEELANAU COUNTY
LAND BANK AUTHORITY

Claims & Accounts
March 16, 2021

2/25/21 Leelanau Enterprise ~ Request for Proposals insertion 23.90

POST AUDIT	\$23.90
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AMOUNT RECOMMENDED FOR APPROVAL: _____

AMOUNT REJECTED: _____

Leelanau Enterprise

The Leelanau Enterprise
7200 E Duck Lake Rd
Lake Leelanau, MI
49653
Tel : (231) 256-9827

Invoice

Leelanau County Administrators Office
8527 E Government Center Dr. Suite 101
Suttons Bay, MI
49682-9718

Cust # : 3283
Tel # : (231) 256-9711
Statement Date: 02/25/21
Contact: Laurel or Chet

Detailed Statement of transactions between 02/01/21 to 02/28/21

Date	Description	Charge	Amount
	Balance forward as of 01/31/21		604.52
02/04/21	INVOICE Ref : 324908		
<i>parks</i>	Leelanau County Request For Proposals Leelanau Co... The Leelanau Enterprise, 1 insertions, 02/04/21 - 02/...	23.90	
	Total for Ad		23.90
02/04/21	INVOICE Ref : 324909		
<i>parks</i>	2021 Parks & Rec. Regular Meeting Sched. Legal Notices, 1 insertions, 02/04/21 - 02/04/21	75.15	
	Total for Ad		75.15
02/11/21	INVOICE Ref : 325115		
<i>parks</i>	Leelanau County Request For Proposals Leelanau Co... The Leelanau Enterprise, 1 insertions, 02/11/21 - 02/...	23.90	
	Total for Ad		23.90
02/19/21	Payment received - Check Reference #:113272	-604.52	-604.52
02/25/21	INVOICE Ref : 325508		
<i>LCSAPE</i>	3x8 4C SAPC The Leelanau Enterprise, 1 insertions, 02/25/21 - 02/... WEB \$7 FULL COLOR	286.80 7.00 120.00	
	Total for Ad		413.80
02/25/21	INVOICE Ref : 325509		
<i>Boc</i>	3x8 4C Resolution- First Responders The Leelanau Enterprise, 1 insertions, 02/25/21 - 02/... FULL COLOR WEB \$7	286.80 120.00 7.00	
	Total for Ad		413.80
02/25/21	INVOICE Ref : 325510		
	Leelanau County Request For Proposals Leelanau Co... The Leelanau Enterprise, 1 insertions, 02/25/21 - 02/...	23.90	
	Total for Ad		23.90
02/25/21	INVOICE Ref : 325511		
	Leelanau County Planning Secretary The Leelanau C... The Leelanau Enterprise, 1 insertions, 02/25/21 - 02/...	29.88	
	Total for Ad		29.88

Balance Due	1,004.33
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850.756 (parks) 122.95
 101.100.101.900.000 (BDC) 413.80 
 (landbank) 23.90
 101.967.019 (LESAPC) 413.80 
 (planning) 29.88 

Summary

To assure proper credit return this portion with payment

Cust # 3283
 Leelanau County Administrators
 Office
 8527 E Government Center Dr.
 Suite 101
 Suttons Bay, MI
 49682-9718

Statement Date: 02/25/21

Balance forward	604.52
Total Charges	1004.33
Total Credits	-604.52

Please remit payment by the 20th of current month

Current	30+ days	60+ days	90+ days	120+ days	Balance Due
1004.33	0.00	0.00	0.00	0.00	1,004.33

Notice

Thank you for advertising with us. We appreciate your business.