



These typed minutes are a supplement to the official, recorded minutes on file with the CLRC secretary.

CLRC Chair, Nancy Nix called the meeting to order July 11, 2016 at 11:00 a.m.

Attendees:

Nancy Nix	TC Rogers	Charles Young	Larry V. Setsor
Michael McNamara	Tim Carlson	Kathy Dudley	Ed Dulle
David Fehr	Karen Gabbard	Dan Acton	Daniel Hoit
Denise Callahan	Doug Adkins	Kyle Fuchs	Aaron Wiegand

Nancy Nix called the meeting to order at 11:00 am. Mike McNamara conducted roll call.

	Charles Young				Kathy Dudley
Nancy Nix	For Don Dixon	TC Rogers (11:12am)	Dan Acton	Doug Adkins	For Rob Wile
Present	Present	Present	Present	Present	Present

Mike Juengling has retired leaving an open spot on the board.

Nancy Nix requested tabling the minutes of April 11, 2016, to reformat. No changes to content.

Treasurer's Report

Mike McNamara gave the treasurer's report. The first reimbursement for the Hardest Hit Funds was \$119,731.95. Income is \$371,714.20, expenditures \$441,408.60 which is \$70,000 more than income, but we will soon be receiving reimbursements to bring up the balance on the Income/Expense Report. The Annual Financial Statement for the Auditor of the State was prepared by Jim Andrew and sent in a timely manner, without any findings.

Charles Young thanked the land bank for their part of the audit. It was very important to the Commissioners to get the audit submitted timely so our Auditor could provide the comprehensive financial report. The Butler County Bond rating has been upgraded to an AA1. The land bank response was key and was appreciated. Dan Acton motioned to approve Treasurer's Report. Doug Adkins seconded. Motion passed.

Director's Report

IRS Letter Update – Last year Ohio land banks together began the process to procure, via an up-to-\$6,000 expenditure, a private letter ruling (PLR) to allow banks and others who want to donate to the land bank to receive IRS recognition of donation. The response from the IRS to the request along with 16 other counties, Clark County being the lead entity, was that the counties are not similar entities and there isn't an over-arching state agency or Butler County is not a chapter of a larger agency that makes the 16 counties similarly situated. After this determination discussions were started with other thriving communities, other counties and Senator Rob Portman's office that our counsel engaged with who then spoke directly to the IRS to determine what doesn't make the counties similar. They answered back that there are too many differences in how each of these land banks operate even though all are governed by the same Ohio Revised Code, the biggest factor is that there isn't an over-arching agency that Butler County reports to or that it's a part of, that makes all 16 counties similar; therefore, the IRS denied the request. Clark County will receive a PLR and Lucas County decided to pay the full \$28,000.00 for its own PLR. Our land bank has requested a refund of our fee paid directly to the IRS of \$2,700.00. The denial by the IRS will make the job of the land bank a little more cumbersome, but still will result in being able to move forward acquiring properties in the future. Paying the full \$28,000 fee can be considered in the future and at that time reference Clark and Lucas Counties, to be similar to our county and that they have their received PLR's. We should expect our \$2,700 refunded since we requested by June 26th, per counsel.



Miami University Study – The published study indicates increased property values in areas where the land bank has been active. This is a bigger win than just neutralizing the decline. The study contains a qualitative statement that the land bank does remove some harmful toxins from the environment that were utilized in buildings when these structures were built, such as lead and asbestos. In Middletown a positive correlation was made showing a decrease of foreclosures in areas where the land bank was active and in Hamilton this correlation was negligible. This may be due to the Hardest Hit Funds program being utilized largely in Hamilton. The Miami study states it is still very early to make broad assumptions about the effects of the land bank and they would like to include data from 2016, 2017 and 2018 to add to the study. This study was provided to the Land Bank free of charge through Miami University. They did a good job, which in turn strengthened relations with Miami University.

Dan Acton made a motion to officially send thank you letters to Miami University for their assistance with the study from the land bank board and the Board of Commissioners. Nancy Nix second. Motion passed.

Hardest Hit Funds Update – We are on track to meet the spend-down requirement of 50 percent by September 30th 2016. This requirement is very close to being met prior to the 30th and exceeds and meets every benchmark to this point. There is a conference call to discuss a potential expansion of the Hardest Hit Funds beyond the \$2 million we already receive caucusing with Hamilton and Middletown. In the next two years, other townships properties then may request another \$3 million dollars. This conference call with the state will provide specifics for the expansion and if the additional funds are a possibility. Nancy Nix states this will actually be another \$2 million and an additional \$3 million to total \$5 million dollars.

Nonprofit entry into properties – Mike McNamara reported there is no change in allowing nonprofit entry into land bank properties, as discussed in the last meeting, to keep the land bank out of liability. Commissioner TC Rogers stated it has always been the stance of the Sheriff's sales not to allow admittance to properties prior to sale. Doug Adkins stated only group work camps have come in from SELF to remove sinks, toilets, etc. for their rehab projects in the past, but he doesn't feel any need to do this with the land bank demolition properties. In the case of the Hardest Hit Funds the land bank has to own the properties which then goes to the City and is unique only to the Hardest Hit program. Some land banks do rehabs, but ours currently does not. Mike would alert the board if there are any specific requests from a nonprofit with attention being paid to the pace at which benchmarks are being accomplished.

New Land Bank Participants – St. Clair Township and Lemon Township are both townships have limited resources. David Fehr states he requested we go to these townships to offer participation since they have limited resources and are demographic areas that definitely qualify them as candidates for the land bank.

Kathy Dudley moved to approve Lemon Township 's admission and asked that on page 5 of their Memorandum of Understanding, insert "Butler County Land Reutilization Corporation and Lemon Township Trustee's execute this Master Agreement" wording be inserted, as an amendment, which was left out inadvertently. Doug Adkins seconded. Motion passed.

	Charles Young				Kathy Dudley
Nancy Nix	For Don Dixon	TC Rogers	Dan Acton	Doug Adkins	For Rob Wile
Yes	Yes	Yes	Yes	Yes	Yes



Kathy Dudley moved to approve St. Clair Township's admission and adopt their Memorandum of Understanding. Doug Adkins seconded. Motion passed.

	Charles Young				Kathy Dudley
Nancy Nix	For Don Dixon	TC Rogers	Dan Acton	Doug Adkins	For Rob Wile
Yes	Yes	Yes	Yes	Yes	Yes

Request for Land Bank Assistance – Former Wayne Township Administrator Ed Dulle and current Administrator Daniel Hoit requested additional funding for asbestos siding remediation on a prior approved demolition project in the amount of \$2,250.00. Dan Acton made a motion to approve assistance to Wayne Township. Doug Adkins seconded. Motion passed.

	Charles Young				Kathy Dudley
Nancy Nix	For Don Dixon	TC Rogers	Dan Acton	Doug Adkins	For Rob Wile
Yes	Yes	Yes	Yes	Yes	Yes

TC Rogers asked our board to consider a policy regarding unforeseen costs of future demolitions and what costs should be incurred by the requesting agency. Kathy Dudley suggested a policy by the Board for overages up to an amount of \$5,000 but over that amount requires the agency to match funds. Recommendation will be made at the next meeting.

Open Land Bank Board seat – Due to Mike Juengling's retirement, the CLRC is required to follow the Ohio Revised Code to replace the open township board seat. The ORC states townships with more than 10,000 residents are able to name their board representative. Butler County has three townships with 10,000 residents: Fairfield, Liberty and West Chester. The county also has three townships that are close to that threshold of Hanover, Ross and St. Clair. Mike McNamara will contact Liberty and Fairfield townships to explain this process and what they should be looking for in a representative since the O.R.C states these three townships' trustees will decide who that board member will be. Mike Juengling has been a valuable asset to the land bank and will be missed. His replacement is Aaron Wiegand. The appointment process of a Board Representative for the townships is the only position with this unique qualifier.

City of Hamilton - Kathy Dudley stated that, under this phase of Hardest Hit Funds, Hamilton will have 100 properties acquired by the end of July. OHFA was expecting Butler County as a whole to have 148. Middletown has 40, Hamilton 100, with 15 to 20 expedited foreclosures pending so that will put the land bank over the 140 number, according to acquisitions by the end of September. The city received its first reimbursement back, with \$250,000 to \$300,000 pending with approximately 50 down and more to be submitted. Hamilton is gearing to have the demos for the Hardest Hit Funds completed by the end of this year to separate out the different phases. The second phase is the application due in September. Based on the county's population the land bank is at \$2m and they want to see that pipeline continue but the process was stopped on expedited foreclosures to try to meet the September deadline, Hamilton will continue to have more in so there will be a pipeline for the next phase to give 10 extra points on the new application. The land bank should have demonstrated capacity and will ask for an additional \$3 million of a possible \$5 million to utilize between the two cities, villages and townships, and will bring operational discussions to the board.

City of Middletown - Kyle Fuchs stated the city just got out the last 22 properties on the IP watch list which the historical society submitted. Asbestos surveys should be returned in 2-3 weeks, Those properties will be down in 45-60 days and the city will then be set for more. On the new round of



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funding they hope to expand the city's territory since Middletown is very limited and are looking to acquire more properties.

Other Business –Dave Fehr raised the issue that the due date for the new funding application is prior to the next land bank meeting date. There may be a meeting called prior to the 10th with the Commissioners, to cover that agenda item only.

No executive session

The CLRC's next meeting will be held Monday, October 10th at 11:00 a.m. in the Commissioners meeting room, 6th Floor.

Mr. Acton moved to adjourn the meeting, Kathy Dudley seconded. Ms. Nix adjourned the meeting at 11:50 a.m.