

**UNION COUNTY LAND REUTILIZATION CORPORATION BOARD
SPECIAL MEETING MINUTES OF JULY 13, 2023**

Attendance:

Voting Members Andrew Smarra, President and Union County Treasurer; David A. Lawrence, Union County Commissioner; Dave Burke, Union County Commissioner; Terry Emery, Marysville City Manager; and Shelley Beeney, Local Realtor were present.

Also in attendance were: Savannah Allen, Union County-Marysville Economic Development Project Coordinator; Thayne Gray, Union County Assistant Prosecuting Attorney; Zach Andrews, City of Marysville Code Enforcement; William Narducci, Union County Administrator; Brad Lutz, Marysville Deputy City Manager/Finance Director; Eric Phillips, Economic Development Director; Letitia Rayl, Assistant County Administrator/Budget Officer; and Sara Early, Clerk to the Board of Commissioners and Acting Secretary to the Land Reutilization Corporation Board.

Mr. Smarra called the meeting to order at 8:29 a.m.

Resolution 23-32 – Approval of June 1, 2023 Meeting Minutes

A motion was made by Commissioner Lawrence and seconded by Commissioner Burke to approve the June 1, 2023 meeting minutes. All in favor, motion carried.

Financial Report

The following information was circulated by Ms. Rayl prior to this meeting:

From: Letitia Rayl
Sent: Friday, July 7, 2023 12:43 PM
To: Andrew Smarra; Bill Narducci; Brad Lutz; Dave Burke; Dave Lawrence; Letitia Rayl; Sara Early; Savannah Allen; Shelley Beeney; temery@marysvilleohio.org; Thayne Gray; Tim Aslaner; Zach Andrews
Subject: LRCB June Finance Report
Attachments: June 23 FR.pdf

Good Day,

I would like to provide the attached June bank reconciliation report.

Additionally, there are three invoices that have been paid to date for July.

Ck# 1035	\$(135.00)	TAG Property Landscaping- 301 N Main
Ck# 1036	\$(117,200.23)	Advanced Demolition Serv. - 401 E 5th St
Ck# 1037	\$(43.37)	City Marysville Water - 301 N Main St Apr 23

The State Auditor is reporting that our current account balance is 0.00.

OHIO AUDITOR OF STATE KEITH FABER	\$0.00 Current Balance	HINKLE FILING STATUS: Up-to-date
Home	Welcome, Letitia Rayl Union County Land Reutilization Corporation - (08E05)	
Statements	Billing Information	
Make a Payment	Current Balance:	\$0.00
Account Activity	Past Due Amount:	\$0.00
Audit History/StaRS	Last Payment Posted On:	N/A

Please let me know if you have any questions or concerns.

Regards,

Letitia Rayl

Union County Commissioners
Assistant County Administrator / Budget Officer
<https://www.unioncountyoohio.gov/commissioners>

**Union County Land Reutilization Corporation
Monthly Bank Reconciliation**

Ending 6/1/2023

Beginning Balance	\$	962,545.58	
Ck# 1032	\$	(213.20)	Auditor of State additional basic audit fee
Ck# 1033	\$	(1,750.45)	Liberty Tire Recycling - 301 N Main St
Ck# 1034	\$	(85.52)	City Marysville Water - 301 N Main St Apr 23
Other Expense	\$	-	
Wire Fee	\$	-	
Interest Earned	\$	118.57	
6/2/2023	\$	517.03	Treasurer DTAC funds
Incoming Wire	\$	-	
Other Income	\$	-	
Ending Balance	\$	961,132.01	

Letitia Rayl 7/13/2023
Union County LRBC Treasurer

PUBLIC FUNDS-XXXXXXXX8655

Account Summary			Interest Summary		
Date	Description	Amount	Description	Amount	
06/01/2023	Beginning Balance	\$962,545.58	Interest Earned From 06/01/2023 Through 06/30/2023		
	2 Credit(s) This Period	\$635.60	Annual Percentage Yield Earned	0.15%	
	3 Debit(s) This Period	\$2,049.17	Interest Days	30	
06/30/2023	Ending Balance	\$961,132.01	Interest Earned	\$118.57	
			Interest Paid This Period	\$118.57	
			Interest Paid Year-to-Date	\$589.38	
			Average Ledger Balance	\$961,764.63	

Thank you for choosing Richwood Bank!

Account Activity

Post Date	Description	Debits	Credits	Balance
06/01/2023	Beginning Balance			\$962,545.58
06/02/2023	DEPOSIT		\$517.03	\$963,062.61
06/12/2023	CHECK # 1033	\$1,750.45		\$961,312.16
06/13/2023	CHECK # 1034	\$85.52		\$961,226.64
06/14/2023	CHECK # 1032	\$213.20		\$961,013.44
06/30/2023	INTEREST		\$118.57	\$961,132.01
06/30/2023	Ending Balance			\$961,132.01

Checks Cleared

Check Nbr	Date	Amount	Check Nbr	Date	Amount	Check Nbr	Date	Amount
1032	06/14/2023	\$213.20	1033	06/12/2023	\$1,750.45	1034	06/13/2023	\$85.52

* Indicates skipped check number

Daily Balances

Date	Amount	Date	Amount	Date	Amount
06/02/2023	\$963,062.61	06/13/2023	\$961,226.64	06/30/2023	\$961,132.01
06/12/2023	\$961,312.16	06/14/2023	\$961,013.44		

Mr. Smarra stated that the payment for Advanced Demolition Services is for 401 East 5th Street/Forme Swifty Gas Station. It was well under budget.

Mr. Andrews stated that he will schedule the final inspection.

Mr. Emery asked how the property will get mowed.

Mr. Smarra stated that the LRC has an increasing number of properties that need mowed.

Ms. Rayl stated that Larry Poling provides mowing services for Union County.

Commissioner Lawrence asked if that person can be hired to mow the LRC properties on a regular basis.

Mr. Andrews and Mr. Emery stated that the mowing should be scheduled on a biweekly basis.

Resolution 23-33 – Approve Administrative Services Agreement Between the LUC Regional Planning Commission and the Union County Land Reutilization Corporation

Mr. Smarra stated that there have been previous discussions regarding the LUC Regional Planning Commission providing administrative services. There was a subsequent meeting and they agreed to engage them for administrative services. Presently, they do not provide accounting services. Mr. Smarra stated that he will continue to do the accounting.

Mr. Smarra noted that Ms. Rayl has resigned as treasurer and Mr. Emery has indicated that Mr. Lutz would be willing to handle the check writing for the corporation. In advance of a vote, Mr. Smarra stated that he has put Mr. Lutz on the signature card for the bank.

Ms. Rayl stated that she will meet with Mr. Lutz and provide the rest of the documents in her possession.

Mr. Smarra stated they want to do a number of properties and with the Brownfield and demolition appropriation, they need to move forward on this. They have targeted properties in Richwood and Magnetic Springs. Ms. Beeney has volunteered to coordinate with Richwood on a number of properties.

Ms. Rayl stated that the website is built into the agreement. There has been some discussion regarding scanning previous minutes and bylaws onto the website.

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ADMINISTRATIVE SERVICES AGREEMENT
Union County Land Reutilization Corporation

This Administrative Services Agreement ("Agreement") is made and entered into and effective on July 13, 2023 ("Effective Date") by and between the LOGAN-UNION-CHAMPAIGN REGIONAL PLANNING COMMISSION (hereinafter referred to as "LUC") with an address of 10820 SR 347, P.O. Box 219, East Liberty, Ohio 43319, and the Union County Land Reutilization Corporation (hereinafter referred to as "Land Bank"), with an office and principal place of business located at 233 W 6th St, Marysville OH 43040

Recitals

WHEREAS, Land Bank consists of a working board of community-minded board members with no employees; and

WHEREAS, Land Bank desires to engage LUC for assistance to the Land Bank's working board as more fully described in the attached Exhibit A (the "Services"); and

WHEREAS, LUC desires to perform the Services and desires to be so engaged.

NOW, THEREFORE, in consideration of the foregoing and of the covenants and agreements herein contained, the parties, intending to be legally bound, agree as follows:

Provisions

- I. **Performance of the Services.** LUC shall:
 - A. Perform the Services as set forth in Exhibit A.
 - B. Give prompt notice to Land Bank should LUC observe or otherwise become aware of any fault or deficit in the project or any non-conformance with the Agreement.

- II. **Obligations of Land Bank.** Land Bank shall:
 - A. Assist LUC by placing all available information pertinent to the Services for the project at its disposal.
 - B. Provide its own legal counsel by working with the Union County Prosecuting Attorney's office or another attorney to provide legal counsel for Land Bank operations.
 - C. Give prompt notice to LUC should the Land Bank observe or otherwise become aware of any fault or deficit in the project or any non-conformance with the Agreement.
 - D. Join and maintain membership with the Ohio Land Bank Association

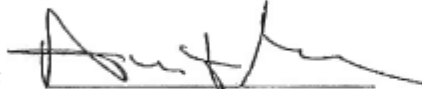
III. **Term and Termination.** The Agreement shall commence on July 13, 2023 and shall terminate on the 15th day of July 2024. Land Bank may terminate this Agreement at any time by giving LUC thirty (30) days advance written notice. If this Agreement is terminated by Land Bank prior to its natural expiration, LUC shall be paid the amounts for work performed in accordance with this Agreement to the date of this early termination. Likewise, LUC may terminate this Agreement at any time by giving Land Bank thirty (30) days advance written notice.

IV. **Payment.**

- A. Land Bank shall compensate LUC at LUC's staff hourly rate plus fringe benefits plus the cost of materials and mileage; however, total payments to LUC for this agreement will not exceed ten thousand dollars (\$10,000.00)
- B. LUC may invoice Land Bank periodically for services rendered and Land Bank agrees to pay within thirty (30) days of receipt of the invoice. LUC's invoice will include an itemization of tasks performed.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the 18th day of July, 2023.

UNION COUNTY LAND REUTILIZATION CORPORATION

BY: 
ITS: President

LUC REGIONAL PLANNING COMMISSION


BY: 
ITS: Director

EXHIBIT A

SCOPE OF SERVICES

- A. Assist the Land Bank Board of Directors, understanding that the Board of Directors is a working board, with the implementation of Land Bank operations.
- B. Secretarial Duties - Keep the minutes of all meetings and proceedings of the Land Bank Board of Directors and shall make proper records of the same.
- C. Assist with the Land Bank's acquisition, holding, disposition, and redevelopment of properties as follows:
 1. Property Management
 - Coordinate property management contracts that are executed between the Land Bank and contractors.
 2. Demolition
 - Coordinate demolition contracts that are executed between the Land Bank and contractors.
 3. Rehabilitation of Property
 - Develop partnerships with rehabbers on terms desirable for rehabbers and the Land Bank.
 4. Planning and Development
 - Engage in land use planning with political subdivisions and the Land Bank for strategic partnerships and the creation of development revenue streams for the Land Bank.
- D. Website Development and Maintenance
 1. Creation of a website and continued maintenance. LUC will pay the cost of the web domain and website cost and will seek reimbursement for this expense through the invoicing process.

A motion was made by Mr. Emery and seconded by Commissioner Lawrence to approve the Administrative Services Agreement. All in favor, motion carried.

401 East 5th Street/Former Swifty Gas Station/Brownfield Project

Mr. Smarra stated that this property is 95% complete. Monitoring wells have been placed and there is some finality from BUSTR. He has spoken to Mr. Emery and Eric Phillips, about the best use of that property, which is a restaurant. They are working on changing zoning for that property, because it is currently zoned for 40 parking spaces.

Mr. Andrews stated that it will depend on the size of the restaurant and the outdoor patio. To change the zoning, an application must be made to the Planning Commission and then it would go to City Council for three readings. There will be three zoning districts back to back and he suggested checking with adjacent property owners to see if they are interested in zoning changes. They have to transition by having a buffer between commercial and residential, which is up to City Council.

Mr. Smarra asked the board to give him permission to request a zoning change for this property.

Resolution 23-34 – Authorizing the President of the Land Reutilization Corporation Board, Andrew Smarra, to Request a Zoning Change for the Property Located at 401 East Fifth Street, Marysville, Ohio

A motion was made by Commissioner Lawrence and seconded by Commissioner Burke to approve this resolution. All in favor, motion carried.

301 North Main Street

Mr. Smarra stated that Mr. Narducci sent out a link to the environmental report. The building, although they did not test for, had asbestos, so there will have to be an asbestos remediation.

Mr. Andrews stated that he can contact Dayton Environmental regarding the asbestos remediation.

Ms. Smarra stated that there was nothing unexpected in that report. He stated that he thinks he previously requested authorization to allow him to initiate a contract for asbestos identification and contractually start the process of bidding for the demolition and remediation of that site.

Resolution 23-35 – Authorizing the President of the Land Reutilization Corporation Board, Andrew Smarra, to Initiate A Contract for Asbestos Identification and to Initiate the Bid Process for the Demolition and Remediation of the Property Known as 301 North Main Street, Marysville, Ohio

A motion was made by Commissioner Burke and seconded by Mr. Emery to approve this resolution. All in favor, motion carried. *(Please note that Resolution 23-35 duplicates Resolution 23-25, which was approved on May 4, 2023.)*

21910 Raymond Road/ Nash Property

Mr. Gray stated that he has no update on this property.

Ms. Smarra stated that this is a property in need of demolition that the owner received through an inheritance.

Mr. Gray stated that the property owner denies owning it and there is also a divorced spouse involved. They will probably have to do a foreclosure on the property.

Mr. Smarra stated that this is a nuisance property in Liberty Township.

303 South Main Street/Former Goodwill Location

Mr. Andrews stated that he spoke to the attorney. The property needs some updates and continues to deteriorate.

Mr. Smarra stated that they are not delinquent on their taxes. The cost to fix or demolish the building is prohibitive.

Mr. Emery stated that the lot next to it will be cleaned up and will be a new parking lot.

Parcel No. 2900051180000/Small Parcel in Front of 351 North Maple Street

Mr. Gray stated that he needs to verify that the notice of foreclosure was sent.

Mr. Smarra stated that if it ends up in the land bank, the determination will need to be made as to what to do with the property. Mr. Emery had mentioned that it might be something the city is interested in, and since it has no value, the board could consider giving it to the city.

12947 St. Rt. 739/Parcel No. 1300190290000/Lambert Property

Mr. Smarra stated that this is a nuisance lot that is subject to foreclosure.

Mr. Gray stated that the owners vacated the property or could be deceased. The property stays under the owner's name even if they are deceased. The spouse moved to Oklahoma. *(Subsequent to the meeting, Mr. Gray provided the following owner information: Charles E. and Pamela J. Lambert, with the last known address of 26877 Walls Road, Cameron, OK.)*

Ms. Beeney stated that she thought it had a visibility issue. She asked if they could use the LUC Regional Planning Commission to help locate the owners.

Mr. Gray stated that thinks that there had been a foreclosure on this property but will have to verify. He had been working on it and knows that there were issues making service in Oklahoma, so he may have to restart the process. He has to comply with the civil rules for service and internet service is not acceptable or posting on a website.

Mr. Smarra stated that he thinks this property has gone through foreclosure once before.

Mr. Gray stated that service can be done by publication, but they have to go through some processes to get permission to do that.

Mr. Smarra stated that this property has several dilapidated structures on it and 3' high grass in the summer.

250 West 7th Street/ Raymond Couch Property

This property has been sold and will be removed from future agendas.

Resolution 23-36 – Appointing Brad Lutz as Treasurer of the Union County Land Reutilization Corporation

A motion was made by Commissioner Lawrence and seconded by Mr. Emery to appoint Brad Lutz as treasurer of the Union County Land Reutilization Corporation. All in favor, motion carried.

Other Business:

***Designation of William Narducci to act on behalf of Commissioner Burke as a director for the Union County Land Reutilization Corporation Board at such times that he is unable to attend the meetings of said board**

Ohio Revised Code 1724.03(B) provides that three of the members of the board of directors of a county land reutilization corporation shall be the county treasurer and two county commissioners. It is also a provision of this code that the treasurer and the county commissioners each may appoint a representative as a director of the corporation, to act for the officer at any of the meetings of the corporation.

I, Dave Burke, designate William A. Narducci to act on my behalf as a director for the Union County Land Reutilization Corporation Board at such times that I am unable to attend the meetings of said board.

Date: 6/14/23



Dave Burke

***Designation of Letitia Rayl to act on behalf of Commissioner Lawrence as a director for the Union County Land Reutilization Corporation Board at such times that he is unable to attend the meetings of said board**

Ohio Revised Code 1724.03(B) provides that three of the members of the board of directors of a county land reutilization corporation shall be the county treasurer and two county commissioners. It is also a provision of this code that the treasurer and the county commissioners each may appoint a representative as a director of the corporation, to act for the officer at any of the meetings of the corporation.

I, David A. Lawrence, designate Letitia Rayl to act on my behalf as a director for the Union County Land Reutilization Corporation Board at such times that I am unable to attend the meetings of said board.

Date: 6-14-23



David A. Lawrence

*There was discussion about how to engage LUC Regional Planning Commission now that there is a contract.

Ms. Allen stated that she thinks Heather Martin sends out packets and asks them for submissions on blighted properties.

Ms. Beeney stated that the Village of Richwood has a committee on blighted properties and had already identified several.

Mr. Smarra stated that there have been conversations with the prosecutor's office regarding moving forward on more matters. The treasurer's budget does provide for outside counsel and has money budgeted for that. The prosecutor's office is inundated with work, but perhaps they can have another conversation with Mr. Phillips regarding hiring outside counsel to move forward on some of the identified properties.

Commissioner Burke stated that Richwood has been waiting two years for some assistance.

Ms. Allen stated that that if things are submitted through the Land Reutilization Corporation, it can be prioritized accordingly.

Commissioner Burke stated that they want to coordinate with the prosecutors so that they are able to move forward when the funding is ready.

Ms. Beeney stated that she will contact Ms. Martin to begin the process to deal with the identified properties.

Mr. Smarra stated that they do not have to use state funds only to move forward on projects since they have other funds available.

Commissioner Burke stated that the Mayor of Magnetic Springs sent him information on two properties, which he will forward to Mr. Smarra.

Mr. Smarra stated that they can choose to buy some of these properties from the owner and remediate the sites. They can also purchase properties at sheriff sales.

Mr. Gray stated that normally they do not purchase them at sheriff sales, because there is no reason to do that. He will look at the status to see what the tax treatment of property would be if purchased by the land bank at a sheriff's sale.

Resolution 23-37 – Adjourn Meeting

A motion was made by Commissioner Lawrence and seconded by Commissioner Burke to adjourn the meeting at 9:08 a.m. All in favor, motion carried.