

**UNION COUNTY LAND REUTILIZATION CORPORATION BOARD MEETING
MINUTES OF APRIL 6, 2023**

Attendance:

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

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



Mr. Smarra called the meeting to order at 8:30 a.m.

Resolution 23-16 – Approval of March 2, 2023 Meeting Minutes

A motion was made by Commissioner Lawrence and seconded by Commissioner Burke to approve the March 2, 2023 meeting minutes. All in favor, motion carried.

Resolution 23-17 – Approval of Invoice for 2021/2022 Audit by Ohio Auditor of State

The Land Reutilization Corporation Board approved the invoice from the Ohio Auditor of State:

		<p align="center">Invoice for Services</p> <p><small>How to Contact Us: 1-800-262-0370 Monday - Friday 8-4</small></p>															
<p>Customer Number: 08E05</p> <p>UNION COUNTY LAND REUTILIZATION CORPORATION LETITIA RAYL 233 WEST 6TH ST MARYSVILLE OH 43040</p>		<table border="0"> <tr> <th colspan="2">Account Summary</th> </tr> <tr> <td>Previous Balance</td> <td align="right">\$0.00</td> </tr> <tr> <td>Current Charges</td> <td align="right">\$184.50</td> </tr> <tr> <td>Payments, Credits</td> <td align="right">\$0.00</td> </tr> <tr> <td>Current Balance</td> <td align="right">\$184.50</td> </tr> <tr> <td>Statement Date:</td> <td align="right">3/31/2023</td> </tr> <tr> <td>Payment Due Date:</td> <td align="right">4/30/2023</td> </tr> </table>		Account Summary		Previous Balance	\$0.00	Current Charges	\$184.50	Payments, Credits	\$0.00	Current Balance	\$184.50	Statement Date:	3/31/2023	Payment Due Date:	4/30/2023
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03/31/2023	BILL0000000324202	Basic Audit - 08E05UNIO-BA222	\$184.50														
<p>The AOS is transitioning to accept only electronic payments. Please visit https://eservices.ohioauditor.gov</p>																	
Current	1-30	31-60	61-90	91-120	120+												
\$184.50	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00												
----- PLEASE RETURN BOTTOM PORTION WITH YOUR REMITTANCE -----																	
		<p>Balance Due: \$184.50 Payment Due Date: 4/30/2023 Customer Number: 08E05 Customer Name: UNION COUNTY LAND REUTILIZATION CORPORATION</p>															
<p>Make Check Payable To: Treasurer of State of Ohio</p>		<p>Apply Payment To: - Basic Audit - 08E05UNIO-BA222</p>															
<p>Remit To: Keith Faber Auditor of State Accounts Receivable Office P.O. Box 711825 Cincinnati, OH 45271-1825</p>		<p>Amount Enclosed: <input type="text"/></p>															

EXPLANATION OF BILLING RATES AND CHARGES

Ohio law requires the Auditor of State to charge public offices the total cost of audits conducted. ORC 117.13

However, the law also provides that, for **local public offices**, AOS audit charges shall be offset based on resources provided by the Ohio General Assembly. Resources currently available to subsidize AOS audit costs are the Local Government Audit Support Fund (LGASF)[1] and the state General Revenue Fund.

For **state agencies**, AOS audit charges are offset to comply with federal cost recovery guidelines by a subsidy provided by the Ohio General Assembly from the state General Revenue Fund.

The current federally approved cost recovery rate for **local public offices** is **\$82.81**. The subsidized AOS rate charged is **\$41.00 per hour**.

The current federally approved cost recovery rate for **state agencies** is **\$89.94**. The current subsidized AOS rate charged to **state agencies** is **\$85.00 per hour**.

For audit services performed by AOS interns, the AOS rate is 50 percent of the otherwise applicable rate.

The current subsidized AOS rates are financially feasible only due to state appropriations made by the Ohio General Assembly from the Local Government Audit Support Fund and the General Revenue Fund.

[1] The Auditor of State's Office proposed establishment of the LGASF in FY 2020 is to avoid an immediate and substantial increase in audit charges for AOS local audit clients.

A failure to pay the Auditor of State in full within forty-five days of the payment due date identified on this invoice shall constitute a delinquent account. Failure to make payment will result in the delinquent account being certified to the Ohio Attorney General's Office, Collection Enforcement, for collection under Ohio Revised Code 131.02(A). Alternatively, Ohio Revised Code section 117.13 (D) authorizes the Director of the Office of Budget Management or the county auditor, in order to satisfy certified balances owed to the office of the Auditor of State, to withhold from a public office with delinquent accounts any amounts that are available up to the amount owed by the public office from those funds lawfully payable and due to the public office.

The public office should contact the Auditor of State's Finance Department to make arrangements to pay delinquent balances prior to certification.

Current Invoice Charge Detail

Audit			Hours	Amount
08E05UNIO-BA222	Karlquist, Donald S	3/13/2023 - 3/25/2023	3.80	\$155.80
	Leu, Justin C	3/13/2023 - 3/25/2023	0.50	\$20.50
	Scholl, Stacie L	3/13/2023 - 3/25/2023	0.20	\$8.20
		BILL000000324202	4.50	\$184.50

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

Old Business

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

Ms. Allen stated that they started remediation of the project and are removing the concrete and the canopy.

Mr. Smarra stated that as of yesterday, one pump was left standing. They will not know the status of the property until the tanks are removed. He stated that he signed a disclosure for the only tank that still had liquids in it. It was a kerosene tank, which is not considered as hazardous as other materials. The project is slated for completion by the end of April assuming there are no unforeseen occurrences.

Update on 301 North Main Street/Minit Lube

Mr. Smarra stated that the Land Bank has acquired that property. He inspected the property and padlocked the doors, so it is secure. At this point, any liability would be on the person breaking into the property. He requested the board's approval to allow him to contract for Phase 1 and then solicit bids for demolition and remediation of the site pending approval of all bids by this board.

Resolution 23-18 – Authorizing the President of the Land Reutilization Corporation Board, Andrew Smarra, to Execute the Contract for Environmental Phase 1 of the Project Known as 301 North Main Street and to Solicit Bids for Demolition and Remediation of the Site Pending Approval of All Bids by This Board

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

Mr. Smarra stated that they must do an asbestos survey and a Phase 1. He was told that all tanks had previously been removed. If they have not been, it will be much more expensive. There is a lot of concrete on the site and there are oil and service pits that are concrete. Test wells at the site have been filled and sealed.

Mr. Emery stated that the city is working with a private developer on the redevelopment of the old water plant and silo sites. They are working on partnership agreements on what can be

created there and are gradually getting conceptual types of diagrams, which he will probably provide to this group at the next meeting. The developer is also interested in the Crazy Scott's Building Supplies' site as an overall part of their development plan. It will be a mixed use. They plan to keep the old water plant and the silos in their development to maintain the historical nature. There will be some demolition around the silos. The 301 North Main Street site is one they are interested in.

Mr. Smarra stated that it was a gas station at one point in time.

Commissioner Burke stated that the cost of remediation was never relinquished by Standard Oil. They can see who paid for the borings. If it was Standard Oil, they would still be liable for remediation.

Mr. Andrews stated that he thought BUSTR tanks were removed under previous ownership in the late 1980's or early 1990's. It was a Gulf Station before that.

Mr. Smarra stated that the Swifty site received an unsolicited offer for \$150,000, which has not been acted upon.

Mr. Emery stated that there is interest in that site.

Mr. Smarra stated that the Land Bank does not have to accept the highest offer. They can decide the best use of that site. They have flexibility, but there are restrictions such as the bid process and they are subject to audit. The draft of the Non-Binding Letter of Intent was included in the packet.

Ms. Allen stated that she and Eric Phillips spoke to a developer and a national pizza chain, (counter, not sit down), that are both interested in the bid.

Mr. Emery stated that the city prefers some type of sit down establishment in that area.

Mr. Smarra stated that it is a double residential lot.

Mr. Andrews stated that there is a house behind it, which has some interest as well.

Update on 21516 Main Street – Giles Property

Mr. Gray stated that the Giles' property is scheduled for the initial sheriff's sale on April 26th.

Update on 250 West 7th Street/Raymond Couch Property

Mr. Gray stated that the Couch property is scheduled for the initial sheriff's sale on April 26th as well.

Update on 21910 Raymond Road – Nash Property

Mr. Smarra stated that this is not far in the process and had no updates.

Update on 303 South Main Street – Former Goodwill Location

Mr. Andrews stated that the law firm representing the owner has not responded to him.

Update on Small Parcel in Front of 351 North Maple Street

Mr. Smarra stated this small parcel went to sheriff's sale and there were no bids. The second sheriff's sale is scheduled April 19th. There are no environmental issues with this property. Four Paws Resort, LLC, owns the house behind this parcel. There is not a lot of usage for the small parcel unless Maple Street is broadened.

Mr. Emery stated there are potentially some projects on the horizon that will probably not be ready for discussion until June.

Mr. Smarra stated that once the second sale occurs and if there are no bidders, the Land Bank may acquire the property if none of the other entities that have first choice want it. He requested passage of a resolution authorizing him to file a claim for the property if it becomes available.

Resolution 23-19 – Authorizing the President of the Land Reutilization Corporation Board, Andrew Smarra, Pursuant to Ohio Revised Code Section 5723.01, to File a Claim for the Property Known as Parcel No. 2900051180000, Should the Property Become Subject to Forfeiture

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

Other Old Business:

Commissioner Burke stated that he would like to reach out to Mayor Cantrell, Village of Magnetic Springs, to see if there are any potential projects in that area.

Mr. Smarra stated that several properties have been forwarded to the prosecutor, but that process takes a while. The Ohio Supreme Court ruled that the Board of Revision can foreclose on vacant properties with 28 day notice. That will be going through the United States Supreme Court. If the foreclosed property is surrendered, it will automatically go to the Land Bank.

Ms. Rayl suggested developing an inventory sheet of potential properties and their status.

Commissioner Burke stated that they could meet with Prosecutor Dave Phillips and discuss moving some of the properties forward.

Ms. Rayl stated that after the bank processes the most recent reconciliation, the account balance will be almost \$1,000,000.

Mr. Andrews stated that he went to a developer showcase at MORPC and there are developers interested in doing some infill projects. They might be able to renovate a dilapidated house.

Mr. Smarra stated that he had an informal discussion with Ms. Rayl about the amount of monies in the Land Bank when they sell the former Swifty site and other sites. It is not inconceivable to maintain \$1,000,000 in that fund. The Land Bank can do certain grants, which would put taxpayer money to good use. This is the purpose of the Land Bank besides cleaning up sites.

Commissioner Burke stated that if they start addressing some properties in Richwood, it will become more like Marysville.

Commissioner Lawrence asked if there is a list of properties that are seriously delinquent in taxes.

Mr. Smarra stated that a property owner has the right of redemption after foreclosure for either 30 or 60 days.

Mr. Gray stated that he does not know if that applies.

Mr. Smarra stated that in any case, even after a sheriff's sale, the owner has a right to pay back taxes until the end of the 30 or 60 day window. Once beyond that, they don't have the right of redemption. It is not easy to foreclose on a property in Ohio.

There was a general discussion regarding potential properties that the board may consider in the future.

New Business – Potential Partnership with LUC Regional Planning Commission

Ms. Allen stated that she spoke with Ben Vollrath who indicated that the Logan County Land Bank partnered with the LUC Regional Planning Commission (LUC) to do some administrative tasks. Subsequently, she had a conversation with Heather Martin from the LUC to find out what duties are performed. The LUC has done more extensive work with the Ohio Department of Development grants and they have worked with a lot of private property owners to demolish structures. She distributed a copy of the contract Logan County has with the LUC, which outlines their scope of services. This is a contract that is renewed annually and they pay the LUC on an hourly basis based on how much work they do. They have a website where they list the minutes and the projects. The LUC also has established relationships with other counties and all types of township trustees. If this board decides to do façade grant programs, the LUC could help with that as well.

Mr. Emery asked if it would be appropriate to have a representative of LUC come to the next meeting.

Mr. Smarra stated that Mr. Bodenmiller will come to the May meeting.

Commissioner Lawrence stated that he thinks it is a good idea.

Mr. Emery stated that he thinks it is a great idea.

Commissioner Burke stated that it is a very mature government with a great deal of knowledge and would be beneficial in helping find grants.

Mr. Narducci stated that the Land Reutilization Corporation Board is a quasi-corporate group and there have been some concerns about using county and city staff on government time to participate in this group. This would alleviate that concern.

Ms. Allen stated that she will confirm Mr. Bodenmiller's attendance at the May meeting.

Ms. Rayl stated that the LUC is doing the Comp Plan for the entire region. The county contracts with Heather Martin for Fair Housing and CDBG grants and she is very knowledgeable.

Commissioner Burke stated that they can think of programs that this board has not.

Ms. Rayl asked if the LUC could consider adding the fiscal responsibilities to the administrative duties.

***Received Engagement Letter Between the Board of Director and Management of the Union County Land Reutilization Corporation from the Ohio Auditor of State.**

Resolution 23-20 – Adjourn Meeting

A motion was made by Mr. Emery and seconded by Commissioner Burke to adjourn the meeting. All in favor, motion carried.

Mr. Smarra adjourned the meeting at 9:21 a.m.

