

**Montgomery County Land Reutilization Corporation (MCLRC)**  
**Board Meeting**  
June 20, 2023

**Attendees:** Carolyn Rice, Montgomery County Commissioner (Chair of the Board)  
Sheila Crane, Realtor/Community Dev. Specialist (Vice-Chair of the Board)  
Judy Dodge, Montgomery County Commissioner (Board Member)  
John McManus, Montgomery County Treasurer (Board Member)  
Sharon Lowry, Trustee, Washington Township (Board Member)  
Todd Kinskey, Director of Plan. & Comm. Dev., City of Dayton (Board Member)  
Brian Sharp, Realtor/Director of Market Dev., Berkshire Hathaway (Board Member)  
Cathy Nash, Chief Deputy, Treasurer (Treasurer Representative)  
Mike Grauwelman, MCLRC (Executive Director)  
David Williamson, MCLRC (General Counsel) (Via Zoom Call)  
Jaren Hardesty, Attorney, Bieser Greer, MCLRC (General Counsel Representative)  
Darren Andrews, Montgomery County Treasurer's Office (Treasurer)

**Absent:** Angela Lilly, Montgomery County Treasurer's Office (Secretary)  
**(Copies To)**

**Call to Order**

Carolyn Rice, Chair of the Board, noting a quorum, called the meeting to order. A copy of the agenda is attached for reference.

**Approval of Minutes**

John McManus moved to approve the April 19, 2023, Board meeting minutes. The motion was seconded by Judy Dodge and approved unanimously by voice vote.

**Other Business - Monthly Financials**

There is a negative variance of about \$5,000 on the fees and dues line item which is due to the Ohio Land Bank Association conference. The surplus in the personnel line is due to benefits. The TFAP program net is negative \$12K to pay for expenses, and we recognize revenue from these properties once they have completed the foreclosure process, and we can transfer the deed. The DIY program has had about \$140,000 in expenses this year. This is to improve properties to put them on the market. We have acquired some of Dayton's Lot Link properties, which must be brought up to a minimum standard before they can be offered to the public. On the sale side, we have sold three properties with a negative net. On the commercial side, we are projecting \$33K. In Land Banking, the \$23K is a repayment of an advance to West Carrollton. Huffman was the targeted neighborhood in the Thriving Neighborhoods program. We had strategically identified properties to acquire, but the plans were indefinitely delayed as a result of the BOR related litigation and COVID. During this period the market has continued to move the neighborhood forward and our plans and data will need to be updated. \$41K has been allocated to demolish non-NIP demos. This is our safety valve if we end up with a property that needs to be torn down. The ODOB program sent a letter that stated if you have properties on your list that you no longer need to demolish, you can substitute them with other properties. This is welcome news as two large projects are in jeopardy as a result of financing challenges. Special programs spent \$74k for 115 in the

Carillon neighborhood, which took three years to acquire the properties. ODOD demolition saw \$770K in expenditures this year alone. We received \$780K in reimbursements from ODOD and – communities are providing their 12.5% match. The Tree Equity Reforestation program has a \$25K match to the ODNR \$25,000. We fully expect trees to be planted in the fall. The Brownfields expenditures are ours. The NIP program, which is effectively closed, still requires mowing grass on some lots, which is charged back to the communities. The miscellaneous investment increase comes from the STAR OHIO interest rate increase. The cash balance after financial commitments and obligations is approximately \$5.6 million.

### **Other Business – State Budget: ODOD Site Demolition and Revitalization, Brownfield, and Welcome Home Housing Program**

In both the House and Senate versions of the state budget, there is \$150M for the demolition and site revitalization program. The Brownfield's program also shows \$350M in both the House and Senate versions. There is a new program called Welcome Home, a housing program on the Senate side. It shows \$50M that would be allocated in \$30K increments principally for single-family residential purposes, and it is a grant to help bridge the gap for renovations. There is \$50M in tax credits for the construction of housing. An organization like St. Mary's Development could take advantage of those credits to subsidize the cost of housing. Another \$50M allows for \$90K to acquire properties and another \$30K to repair the properties. It capped the maximum sales price at \$180K per unit. On the House side, the county would be the administrator of the programs, and on the Senate side, the Landbank would be the administrator of the programs. The Land Bank would administer the Welcome Home Senate program if their language is adopted.

### **Other Business – US Supreme Court Ruling: Harris Tyler vs. Hennepin County**

David Williamson gave an overview of the United States Supreme Court ruling in the Tyler vs. Hennepin County case. This case brings full circle all the litigation, including the Harrison case that began a few years ago. The constitution says the government may only take private property with just compensation. The issue is what happens when there is a foreclosure proceeding and the property's value exceeds the amount of the tax debt owed. In our case, it was after the fact that Ms. Harrison did not take advantage of any of the options to get involved. If someone is given multiple chances to claim their property and they don't, it is considered forfeited or abandoned. The case in Minnesota is that the state never allowed the taxpayer to claim their excess value. If a reasonable process gives the property owner sufficient notice and opportunity to be heard and participate in the process and claim their excess value, then it is their money. They forfeit the property if they choose not to do any of these things. What is needed is a process and procedure, very carefully constructed, where the property owner is given every opportunity to claim a property's excess value. The court did not state that the process had to be completed in a court of law as opposed to the BOR, which was the process we had been doing. The BOR process is sufficient if it incorporates all of these necessary steps. The current BOR process also allows the option to take the case to court. Per Mike, The Ohio Land Bank Association proposes legislation that makes this issue abundantly clear. Right now, the BOR process doesn't say specifically how to get your equity as the property owner. So it needs to be made clear that any owner at the BOR can raise the concern that they would like to have the equity, which would automatically transfer the case to the courts and then to the Sheriff sale.

## **Other Business – Executive Session**

Sharon Lowry moved to enter Executive Session to discuss personnel. The motion was seconded by Sheila Crane. Carolyn Rice took roll call of those Board members in favor of entering Executive Session.

Roll Call:

Judy Dodge, aye  
Sheila Crane, aye  
Todd Kinskey, aye  
John McManus, aye  
Sharon Lowry, aye  
Brian Sharp, aye  
Carolyn Rice, aye

Todd Kinskey moved to exit Executive Session. Brian Sharp seconded the motion. Carolyn Rice took roll call of those Board members in favor of exiting Executive Session.

Roll Call:

Judy Dodge, aye  
Sheila Crane, aye  
Todd Kinskey, aye  
John McManus, aye  
Sharon Lowry, aye  
Brian Sharp, aye  
Carolyn Rice, aye

## **Announcement**

The next Board meeting is scheduled for Tuesday, July 18, 2023, at 3:30 p.m.

## **Call to Adjourn**

There being no further business, the meeting was adjourned.

**I hereby certify that the minutes related to the Board of Directors' monthly meeting June 20, 2023, set forth above, are the minutes approved by the Board of Directors at their meeting of July 18, 2023.**

**/s/ Angela Lilly**  
**Angela Lilly, Secretary**  
**Montgomery County Land Reutilization Corporation**



# **Board Meeting Agenda**

## **Montgomery County Land Reutilization Corporation**

**June 20, 2023 3:30 pm**

**Montgomery County Administration Building 11<sup>th</sup> Floor Conference Room**

**Call to Order:** Chair Carolyn Rice

**Roll Call:**

**Approval of Minutes:** April 19, 2023 (Attached)

**Old Business:**

**New Business:**

**Other Business:**

- Monthly Financials
- State Budget: ODOD Site Demolition and Revitalization, Brownfield, and Welcome Home Housing Program
- US Supreme Court Ruling: Harris Tyler vs. Hennepin County

***Adjourn to Executive Session to Discuss Personnel***

**Adjourn**

**Next Meeting:** July 18, 2023 @ 3:30 pm