



MINUTES

Board of Directors Meeting
 February 3, 2020
 The Land Bank Center, 845 Parsons Ave.
 Columbus, OH 43206

The meeting was called to order by Gus Frangos at 10:28 A.M. with the following Directors present:

- X Patrick Bravo
- ✓ Shawn Carvin
- ✓ Eddy Eckart
- ✓ Deb Flora
- ✓ Gus Frangos
- ✓ Rachel Gilroy
- ✓ Mike Grauwelman
- ✓ Amy Hamrick
- ✓ Carol Knapp
- ✓ David Mann
- ✓ Jessica Powell
- ✓ Tom Schneider
- ✓ Curtiss Williams

Also in attendance: Robin Thomas, Hope Paxson, Haylee Lowry (Allen County staff)

1. Approval of December 17, 2019 Minutes

Frangos asked the Board to review the December 17, 2019 meeting minutes prepared by Robin Darden Thomas. Amy Hamrick moved and Curtiss Williams seconded a motion to approve the minutes as presented. Motion passed unanimously.

2. Secretary/Treasurer's Report

A. David Mann, Secretary/Treasurer, presented the final 2019 ledger, 2020 ledger to date and 2020 budget to actuals. The cash balance at the end of 2019 was \$79,509.88 and the 2020 balance as of 1/21/2020 is \$108,635.88. The 2020 budget to actuals projected a year-end balance of \$45,669.

1/27/2020	2019 Budget Actual	2020 Budget Approved	2020 Budget Actual
Unencumbered Beginning Balance	\$ -	\$ 45,669	\$ 45,669
REVENUES			
Full Member Dues	\$ 106,500	\$ 105,000	\$ 63,500
Associate Member Dues	\$ -	\$ 2,500	\$ -
Sponsorships	\$ 1,000	\$ 22,500	\$ 1,000
Misc. Income	\$ -	\$ -	\$ -
Total Revenues	\$ 107,500	\$ 130,000	\$ 64,500

OPERATING EXPENSES

Management & Consulting	\$ 50,000	\$ 50,000	\$ -
Legislation & Advocacy	\$ -	\$ 10,000	\$ -
Services & Support	\$ 3,000	\$ 10,000	\$ 909
Legal & Legal Defense	\$ 6,356	\$ 40,000	\$ -
Accounting	\$ 723	\$ 5,000	\$ 50
Insurance	\$ 1,752	\$ 2,500	\$ 574
Marketing Communications	\$ -	\$ 10,000	\$ -
Misc. Expenses	\$ -	\$ 2,500	\$ -
Total Expenses	\$ 61,831	\$ 130,000	\$ 1,533
<u>Unencumbered Ending Balance</u>	<u>\$ 45,669</u>	<u>\$ 45,669</u>	<u>\$ 108,636</u>

- B. Mann presented the offer from Lawrence County Treasurer Steven Burcham, CPA, to perform the necessary accounting work to file with the IRS for tax year 2019. Mr. Burcham provided an engagement letter for signature. His work would be pro bono. After discussion concerning a potential conflict of interest and the concern that pro bono work occasionally resulted in excess work requiring payment, it was moved by David Mann and seconded by Rachel Gilroy to engage Mr. Burcham to file IRS Form 990 for Fiscal Year 2019 on behalf of the Ohio Land Bank Association. The Board unanimously approved the motion.
- C. The discussion regarding amendments to the 2020 budget was delayed until the President's Report.

3. President's Report

- A. Mr. Frangos brought the Board up to date regarding cases in the Northern District Court (Tarrify Properties v. Cuyahoga County) and the Southern District Court (Harrison v. Montgomery County), both related to Board of Revision foreclosures. Briefs and responses have been filed and the parties are waiting for each court to rule on a motion to dismiss. Frangos reported that the plaintiffs in the Tarrify case recently requested discovery while the motion to dismiss is pending, which is somewhat unorthodox but not prohibited. Frangos also reported that the Ohio Supreme Court has not issued a decision regarding the Feltner case as of this date and he believes it may be another several months before we hear anything.
- B. Mr. Frangos provided the Board with a spreadsheet of legal expenses incurred by the Cuyahoga Land Bank totaling \$101,978.72 for the period 10/15/2018 through 12/31/2019. Frangos asked that the OLBA provide some level of financial support to the Cuyahoga Land Bank for these legal expenses.

Date	Transaction number	Type	Status	Description	Amount
12/31/19	1285305	Invoice	Approved	Legal Services Harrison V. Montgomery Cty./CM 141439.00001	\$4,553.00
12/31/19	1285281	Invoice	Approved	Legal Services Tarrify Props. ET AL. V. Cuyahoga Cty, OH	\$12,217.50
12/10/19	1281941	Invoice	Paid	Legal Services: State of OH EX Rel. Feltner V. Cuy. Cty. BOR	\$8,416.32
12/6/19	1281503	Invoice	Paid	Professional Svs. thru Nov. 2019 - Harrison V. Montgomery	\$611.20

11/30/19	1281477	Invoice	Paid	Professional Services for Nov. 2019 - Tarrify Props, LLC	\$611.50
11/15/19	1280139	Invoice	Paid	Professional Services Rendered for Tarrify Properties Case	\$6,318.00
11/15/19	1280163	Invoice	Paid	Legal Services for Harrison V. Montgomery Cty. OH	\$11,282.00
11/8/19	1278724	Invoice	Paid	Professional Services Rendered thru October 31, 2019	\$395.00
10/11/19	1276067	Invoice	Paid	Legal Services: Client Matter: 139390.0001	\$197.50
8/13/19	1270248	Invoice	Paid	Legal Services: Client Matter: 139390.0001	\$237.00
7/5/19	1266106	Invoice	Paid	Legal Services: Client Matter: 139390.0001	\$513.50
6/19/19	1264661	Invoice	Paid	Legal Services - Client/Matter: 139390.0002	\$3,230.00
6/19/19	1264660	Invoice	Paid	Legal Services: Clint/Matter: 139390.0001	\$4,424.00
5/15/19	1261028	Invoice	Paid	Legal Services - Client/Matter: 139390.0001	\$22,211.00
4/10/19	1257612	Invoice	Paid	Legal Services: Client/Matter 139390.00001	\$4,828.00
					<u>\$80,045.52</u>
11/14/18	1241410	Invoice	Paid	Client/Matter 139390.0001 Legal Services	\$14,173.70
10/15/18	1238156	Invoice	Paid	Legal Services - Client/Matter: 139390.0001	\$7,759.50
					<u>\$21,933.20</u>
					<u><u>\$101,978.72</u></u>

Comments from Board members included the following:

- Outcomes from these cases will have an impact on all land banks
- Additional costs will be incurred for 2020
- The OLBA should assist CCLRC with these expenses
- The 2020 OLBA budget includes \$40,000 for legal expenses
- County Prosecutors in Montgomery and Cuyahoga have not paid any expenses for outside attorneys and are not likely to
- Larger land banks with sufficient funding should be asked to make voluntary contributions toward legal expenses
- All funds contributed for legal expenses should flow through the OLBA

David Mann **moved** that the 2020 budget be amended to move \$10,000 from the unencumbered balance to legal expenses; contribute \$35,000 on behalf of the OLBA to the Cuyahoga Land Bank for legal expenses related to the Feltner case; seek voluntary contributions from other land banks for legal expenses; and revisit the expenses related to the other 2 cases at a future date. Debora Flora seconded the motion. Discussion of the motion followed. Items discussed included seeking financial assistance from all land banks, providing a letter to the Boards of each land bank explaining the issue and requesting their financial support, the pros and cons of using all budgeted funds at this time, and discussion of legal costs with all OLBA members at next Land Bank Network meeting.

Given the general desire of Board members to provide a larger up front contribution to Cuyahoga Land Bank for costs incurred following Board discussion, Mann **withdrew** his original motion and **moved** that the 2020

budget be amended to move \$20,000 from the unencumbered balance to legal expenses and contribute \$50,000 to the Cuyahoga Land Bank for expenses occurred for the cases before the Ohio Supreme Court, and Northern and Southern District Courts. Deb Flora seconded the motion. The motion was unanimously approved, and Frangos abstained.

4. Committee Reports

- A. Lobbying & Advocacy Committee – a summary of the proposed legislation amending various sections of the land bank statutes, including sections regarding other county offices, was provided to each Board member. Gus Frangos stated that the bill had not yet been introduced in the Legislature. Once a number is assigned we will need to solicit support from all land banks and from Associations for Ohio County Treasurers, Auditors and Prosecutors. The Lobbying & Advocacy Committee asked to schedule a conference call with Jim Rokakis to discuss HB252 and other issues. Robin will schedule the call.
- B. Services & Support Committee – has not met since most recent committee assignments were made. Mike Ringle (Delaware County Treasurer) and Amanda Hike (Richland County) have been appointed to the Education subcommittee.
- C. Nominating Committee – no report
- D. Finance & Membership Committee – the status of OLBA dues was provided to each Board member. At the time of the report 61% of the 2020 dues had been paid. 4 additional payments were made after the issuance of the report. Robin will send out additional invoices to land banks which have not paid their 2020 dues. Board members will contact the 11 remaining land banks that have not joined the Association. David Mann moved and Jessica Powell seconded that Pike County Land Bank be accepted into the OLBA. The motion was unanimously accepted.

5. Old Business

- A. Legal fees – covered during President’s report
- B. Legislative amendments – Covered during Committee reports
- C. Demo funding – Robin Thomas, on behalf of Jim Rokakis, reported that he is still working on the request to reallocate unused Hardest Hit Funds to Ohio. Governor DeWine and Senator Portman have contacted the White House regarding this issue. Rokakis will contact Dan Gilbert asking that he reach out to the President to move these funds to Ohio and Michigan and extend the date for utilizing the funds. HB 252 is still in committee.
- D. Loveland-Dynamo Metrics proposal. A summary of the proposal and examples of utilizing grant funds was provided to Board members in their meeting packet. Members discussed the two software packages that would be made available to OLBA members. It was acknowledged that both products provided land banks with valuable information, but some land banks were using other similar software and would need to evaluate what works best for their county. David Mann suggested that we look to finding grant funds to create a “technology pool” that could be controlled by the Association and would be used to subsidize land banks’ technology needs and provide the opportunity for reduced costs due to economies of scale. Robin and David will explore this further.

6. New Business

- A. Candidates for committees & subcommittees - OLBA members will be encouraged to serve on committees. Opportunities will be included in correspondence from Robin.

- B. Lead abatement program – e-mail sent to land banks by OHFA provided sufficient information on this topic. No further discussion took place.
 - C. Spring Network meeting will take place in Perry County on a date to be determined. Topics will include non-NIP land bank activities, legal expenses, technical issues and others. If no other sponsor is available, the Cuyahoga Land Bank will sponsor the meeting.
 - D. Land Bank Conference – will be held in Cleveland on September 23 – 25, 2020. Western Reserve Land Conservancy will put on this conference with assistance from an OLBA subcommittee in planning sessions. This will be the 10th Annual Land Bank Conference. Planning of the 2021 Conference will include OLBA Board members through the Education subcommittee as the OLBA may take over the annual conference in 2022.
 - E. Legislative Day – Robin conveyed a proposal from Steven Berk at the Land Conservancy to schedule a date when OLBA members can meet with their legislators. The idea was discussed and grew to OLBA hosting a reception for legislators to explain county land banks and their needs as well as lobby legislators to vote for HB252 and other land bank related legislation. COCIC (Franklin County Land Bank) will assist with sponsorship. This issue will be discussed with Jim Rokakis on the conference call previously mentioned.
7. The next OLBA Board meeting will take place on March 24, 2020 in Perry County, prior to the Spring Network Meeting. The meeting will take place at 8:45 a.m., with the Network Meeting beginning at 11:00.

With no further business before the Association the meeting was adjourned at 1:30 PM.

As approved by the Board of Directors at their regular monthly meeting of March 24, 2020.

Respectfully submitted by: Robin Darden Thomas

Date: March 24, 2020