

**STATE OF MICHIGAN
STATE LAND BANK AUTHORITY (SLBA)
BOARD MEETING MINUTES**

**Wednesday – June 28, 2023 – 2:00 p.m.
MSHDA Building
735 E Michigan Avenue, Lansing, Michigan 48933**

Board Members Present:

Susan Corbin
Amy Hovey
Helen J. Lehman
Michele Wildman (designee for Quentin Messer Jr.)
Krysta Pate

SLBA Staff Present:

Jeff Huntington
Linda Horak
Ryan McNeil
Adam Robach
Brian Woodin

AG Office Staff Present:

Erik Graney

Absent:

Lisa Webb Sharpe
Kylee Mitchell Wells

1. Call to Order
Susan Corbin, Chair, called the meeting to order at 2:08 p.m.
2. Roll Call
Roll call taken. Quorum established.
3. Approval of Agenda
The motion was made by Helen Lehman to approve the agenda as presented. Michele Wildman seconded the motion. Motion carried without dissent.
4. Approval of Meeting Minutes from May 27, 2022
Helen Lehman moved to approve the minutes from January 25, 2023. Amy Hovey seconded the motion. Motion carried without dissent.
5. Public Comment
The Chair asked for public comments – none offered.
6. Staff Report
Jeff Huntington, Operations Director, reviewed the Staff Reports on grant activities and financial information.

Krysta Pate arrived at 2:21 pm.
7. Executive Director Search
 - a. Resolution 2023-02: Resolution Appointing Interim Executive Director and Delegating to an Authorized Officer. Amy Hovey moved to adopt Resolution 2023-02 with the removal of the word “mortgagor” in Section IV. Real Property, number 4, to read “The Authorized Officer may execute in the name of the Authority all mortgages with respect to real property (as mortgagee), including

- amendments, as the Authorized Officer determines is reasonably necessary to achieve the purposes of the Act.” Michele Wildman seconded. Motion carried without dissent.
- b. Resolution 2023-03: Resolution Approving Position Description for Permanent Executive Director. Amy Hovey moved to adopt Resolution 2023-03 as presented. Helen Lehman seconded. Motion carried without dissent.
 - c. Resolution 2023-04: Resolution for Advisory Committee Pertaining to Executive Director Search. Amy Hovey moved to adopt Resolution 2023-04 modified to read “For the Board’s deliberation and decision, the advisory committee will present all applications to the Board and recommend to the Board three (3) candidate(s) from among all the candidates.” The Advisory Committee members are to be Amy Hovey, Krysta Pate and Michele Wildman. Krysta Pate seconded. Motion carried without dissent. The Board discussed potential meeting dates to interview candidates.
8. Resolution 2023-05: Resolution for Approval and Authorization to Create and Administer a Blight Elimination Program Pursuant to 2023 P.A. 1. Amy Hovey moved to adopt Resolution 2023-05 as presented. Michele Wildman seconded. Motion carried without dissent.
 9. Resolution 2023-06: Resolution for Authorization for Amendment to Loan to Alger County Land Bank Authority. Helen Lehman moved to adopt Resolution 2023-6 as presented. Amy Hovey seconded. Motion carried without dissent.
 10. Adjournment
The motion was made by Michele Wildman to adjourn. Helen Lehman seconded the motion. Motion carried without dissent. The Chair adjourned the meeting at 3:09 p.m.

STATE LAND BANK AUTHORITY

RESOLUTION

APPOINTING INTERIM EXECUTIVE DIRECTOR AND DELEGATING TO AN AUTHORIZED OFFICER

Resolution No. 2023-02

Background

A. The State Land Bank Authority (the “Authority”) was established by 2003 P.A. 258 (MCL 124.751 *et seq.* (the “Act”)), as a public body corporate and politic, for the purpose of acquiring, assembling, disposing of, and quieting title to property, including tax reverted property, to foster the development of property, and to promote economic growth in the State of Michigan.

B. Executive order 2019-03 directs the Authority’s Board of Directors to appoint an individual to serve as the Authority’s executive director and to perform the authorities, duties, functions, and responsibilities vested in the executive director under the Act;

C. The position of executive director, held by Emily M. Doerr, has been vacant since June 3, 2023;

D. It is desirable to appoint an interim executive director to fill this vacant position until such time as the Authority is able to appoint a permanent executive director;

E. Section 4(h) of the Act states in pertinent part: “The board of directors of an authority may delegate to 1 or more members, officers, agents, or employees any powers or duties it considers proper.”

F. It is desirable to designate an agent of the Authority to act as an authorized officer (the “Authorized Officer”) on behalf of the Board of Directors in limited signatory capacity as set forth herein.

G. It is desirable to remove Emily M. Doerr as an Authorized Officer on behalf of the Board of Directors, modify the delegated authority to authorize nonrecourse mortgages on Authority properties, and maintain Jeffrey M. Huntington as an Authorized Officer.

NOW THEREFORE, BE IT RESOLVED THAT:

1. The designation and delegation of authority to Emily M. Doerr by Resolution 2020-05 is hereby rescinded effective June 3, 2023. Any actions taken by Emily M. Doerr, as Authorized Officer, prior to that date shall remain in full force and effect.
2. The Authority appoints Joseph Rivet as its interim executive director with the authority described in EO 2019-03 and the Act and designates him as an Authorized Officer to act

on its behalf to carry out the Authority's functions under the Act effective as of June 28, 2023.

3. The appointment of Joseph Rivet as interim executive director and his designation as Authorized Officer shall be automatically rescinded upon the Authority's appointment of a permanent executive director, unless rescinded earlier by the Authority.
4. Additionally, the Authorized Officer may enter into contracts and other instruments necessary, incidental, or convenient to the performance of the Authority's duties and the exercise of its powers as follows:

I. Procurement of Good and Services

1. The Authorized Officer may enter into contracts of up to \$500,000.00 for goods and services, including the services of private consultants, managers, legal counsel, engineers, accountants, auditors, and realtors.

II. Interlocal and Intergovernmental Agreements

1. The Authorized Officer may enter into interlocal agreements under the Urban Cooperation Act if the Authority's financial obligation does not exceed \$500,000.00 annually.
2. The Authorized Officer may enter into intergovernmental agreements with a county, city, qualified city, township, village, other governmental entity or the Michigan Economic Development Corporation, if the Authority's financial obligation does not exceed \$500,000.00 annually, providing for the transfer to the Authority of tax reverted property held by a county, city, township, or village, for title clearance, for maintenance and security, for the disposition of the proceeds from the sale of the property, for related property services, and for other activities authorized under the Act, including the return or transfer of property under the control of the Authority to the county, city, township, village, or other governmental entity.
3. The Authorized Officer may enter into intergovernmental agreements with the Michigan Economic Development Corporation, for the provision of expert advice and services related to the necessary exercise of the Authority's powers and duties, the management and operation of the Authority and for the provision of economic development services.

III. Environmental Contamination

1. The Authorized Officer may enter into any agreement necessary to carry out the requirements of MCL 124.760(2).

2. The Authorized Officer may enter into contracts of up to \$500,000.00 to remediate environmental contamination on any property held by the Authority.

IV. Real Property

1. The Authorized Officer may enter into any and all contracts, including amendments, deeds, and all other related documents, to purchase or acquire and sell or dispose of any and all real property or interests in real property.
2. The Authorized Officer may enter into any and all contracts, including amendments and all other related documents, to lease real property or an interest in real property as lessee or lessor.
3. The Authorized Officer may grant or acquire a license, easement, or covenant with respect to real property, including amendments, as the Authorized Officer determines is reasonably necessary to achieve the purposes of the Land Bank Fast Track Act. This shall include the Authorized Officer placing deed restrictions or restrictive covenants upon real property.
4. The Authorized Officer may execute in the name of the Authority all mortgages with respect to real property (as mortgagee), including amendments, as the Authorized Officer determines is reasonably necessary to achieve the purposes of the Act.

V. Grants, Gifts, and other Aid

1. The Authorized Officer may accept on behalf of the Authority gifts, grants, volunteer labor, and other aid (collectively "Gifts") not to exceed \$5,000,000.00 per "Gift" from any person or entity; the federal government, or agency of the federal government; this State, or agency of this State; a political subdivision of this State, or agency of a political subdivision of this State; or an intergovernmental entity created under the laws of this State. Any terms or conditions of the grant, gift or other aid must be permitted by law.
2. The Authorized Officer may award, grant or subgrant pursuant to a federal or state program on behalf of the Authority gifts, grants, and other aid (collectively "Grants") not to exceed \$500,000.00 per "Grant" to any person or entity; this State, or agency of this State; a political subdivision of this State, or agency of a political subdivision of this State; any municipal entity, or agency of a municipal entity, any statutory entity, or an intergovernmental entity created under the laws of this State. Any terms or conditions of the Grant must be permitted by law.
3. The Authorized Officer may execute all documents on behalf of the Authority necessary to apply for any federal, state, local, private or other program for which the Authority is eligible to apply subject to final acceptance by the Authority Board.

VI. Administration of Authority

1. The Authorized Officer shall supervise all employees of the Authority if the position of executive director is vacant.
2. The Authorized Officer may authorize all payments of up to \$500,000.00 on behalf of the Authority, accept all payments on behalf of the Authority, and take any and all actions consistent with and reasonably necessary to achieve the purposes of the Act. This shall include, but not be limited to, authorizing, negotiating, endorsing, depositing, or otherwise handling financial instruments including insurance.
3. The Authorized Officer may act to carry out the Authority's functions under the Tax Reverted Clean Title Act, including, but not limited to, MCL 211.1025a.
4. The Authorized Officer, with the consent and recommendation of the Attorney General, may authorize payments of such amounts not to exceed \$500,000.00, execute and deliver any and all documents, instruments or agreements deemed necessary or advisable in connection therewith, and undertake such other acts as are necessary to comply with the terms of a settlement of any dispute or litigation.
5. The Authorized Officer shall be authorized to sign and perform any functions or duties previously authorized by the Board for the Authority's executive director.

VII. Term of Authorized Officer

1. Except as otherwise provided herein, such designation shall continue indefinitely until modified or rescinded by the Board.

Ayes: Susan Corbin, Amy Hovey, Helen Lehman, Michele Wildman, Krysta Pate

Nays: None

Recused: None

Lansing, Michigan
June 28, 2023

STATE LAND BANK AUTHORITY
RESOLUTION
APPROVING POSITION DESCRIPTION
FOR PERMANENT EXECUTIVE DIRECTOR

Resolution No. 2023-03

Background

A. The State Land Bank Authority (the “Authority”) was established by 2003 P.A. 258 (MCL 124.751 et seq. (the “Act”)) as a public body corporate and politic, for the purposes expressed in the Act;

B. Executive Order 2019-13 directs the Authority’s Board of Directors to appoint an individual to serve as the Authority’s executive director and to perform the authorities, duties, functions, and responsibilities vested in the executive director under the Act;

C. The position of executive director, held by Emily M. Doerr, has been vacant since June 3, 2023;

NOW THEREFORE, BE IT RESOLVED, that the Board approves the attached Civil Service Position Description for the position of a permanent executive director of the Authority.

Ayes: Susan Corbin, Amy Hovey, Helen Lehman, Michele Wildman, Krysta Pate

Nays: None

Recused: None

Lansing, Michigan, June 28, 2023

STATE LAND BANK AUTHORITY
RESOLUTION
ADVISORY COMMITTEE
PERTAINING TO EXECUTIVE DIRECTOR SEARCH

Resolution No. 2023-04

Background

A. The State Land Bank Authority (the “Authority”) was established by 2003 P.A. 258 (MCL 124.751 et seq. (the “Act”)) as a public body corporate and politic, for the purposes expressed in the Act;

B. Executive Order 2019-13 directs the Authority’s Board of Directors to appoint an individual to serve as the Authority’s executive director and to perform the authorities, duties, functions, and responsibilities vested in the executive director under the Act;

C. The position of executive director, held by Emily M. Doerr, has been vacant since June 3, 2023;

D. The Board desires to establish an advisory committee to assist in carrying out ministerial functions in regard to its search to fill the vacancy on a permanent basis;

NOW THEREFORE, BE IT RESOLVED, that the Board creates an advisory committee to review applications that meet the qualifications, as determined by Civil Service, for the position of the Authority’s executive director. For the Board’s deliberation and decision, the advisory committee will present all applications to the Board and recommend to the Board three (3) candidate(s) from among all the candidates.

BE IT FURTHER RESOLVED, that the advisory committee shall consist of the following three members of the Board:

- Krysta Pate
- Amy Hovey
- Michele Wildman

BE IT FURTHER RESOLVED, that the advisory committee shall cease to exist upon the Board’s appointment of a permanent executive director.

Ayes: Susan Corbin, Amy Hovey, Helen Lehman, Michele Wildman, Krysta Pate

Nays: None

Recused: None

Lansing, Michigan, June 28, 2023

STATE LAND BANK AUTHORITY

RESOLUTION

APPROVAL AND AUTHORIZATION TO CREATE AND ADMINISTER A BLIGHT ELIMINATION GRANT PROGRAM PURSUANT TO 2023 P.A. 1

Resolution No. 2023-05

WHEREAS, the State Land Bank Authority (the “Authority” or “SLBA”) was established by 2003 P.A. 258 (MCL 124.751 *et seq.* (the “Act”)), as a public body corporate and politic, for the purpose of acquiring, assembling, disposing of, and quieting title to real property, including tax reverted real property, to foster the development of real property, and to promote economic growth in the State of Michigan;

WHEREAS, the SLBA is authorized by MCL 124.754(1)(d) to enter into contracts and other instruments necessary, incidental, or convenient to the performance of its duties and the exercise of its powers;

WHEREAS, the SLBA may, pursuant to MCL 124.754(1), do all other things necessary or convenient to achieve the objectives and purposes of the authority or other laws that relate to the purposes and responsibility of the authority;

WHEREAS, pursuant to 2023 P.A. 1, Seventy-Five Million (\$75,000,000.00) Dollars from the American Rescue Plan Act were appropriated to SLBA for a Blight Elimination Grant Program. These funds were to be distributed to land bank authorities and local units of government to address blighted properties (collectively the “Blight Elimination Program”) as follows:

- \$2.5 million to each of the ten (10) largest land banks or state land bank municipal partnership;
- \$500,000 to each remaining land bank; and
- the remaining approximately \$30 million shall be awarded by a competitive process to land bank authorities and local units of government.

WHEREAS, pursuant to 2023 P.A. 1, definitions for eligible properties, eligible activities and grant award allocation parameters are set forth for the Blight Elimination Program; and

WHEREAS, the SLBA staff recommends that the SLBA Board of Directors authorize the Authorized Officers to create a Blight Elimination Program, to enter into grant agreements for these Blight Elimination Program grants as provided by 2023 P.A. 1, to disburse the grant funds and to do all other things reasonably necessary and appropriate for the administration of the Blight Elimination Program and these grants consistent with this Resolution and 2023 P.A. 1.

NOW, THEREFORE, BE IT RESOLVED, the SLBA Board of Directors authorizes the Authorized Officers to create a Blight Elimination Program, to enter into grant agreements for these Blight Elimination Program grants as provided by 2023 P.A. 1, to disburse the grant funds and to do all other things reasonably necessary and appropriate for the administration of the Blight Elimination Program and these grants consistent with this Resolution and 2023 P.A. 1.

Ayes: Susan Corbin, Amy Hovey, Helen Lehman, Michele Wildman, Krysta Pate

Nays: None

Recused: None

Lansing, Michigan
June 28, 2023

STATE LAND BANK AUTHORITY

RESOLUTION

**AUTHORIZATION FOR AMENDMENT TO LOAN TO ALGER COUNTY LAND BANK
AUTHORITY**

Resolution No. 2023-06

WHEREAS, the State Land Bank Authority (the “Authority” or “SLB”) was established by 2003 P.A. 258 (MCL 124.751 *et seq.* (the “Act”)), as a public body corporate and politic, for the purpose of acquiring, assembling, disposing of, and quieting title to property, including tax reverted property, to foster the development of property, and to promote economic growth in the State of Michigan;

WHEREAS, the Authority pursuant to the Act may enter into contracts and other instruments necessary, incidental, or convenient to the performance of its duties and the exercise of its powers;

WHEREAS, the Authority pursuant to the Act may invest money of the Authority in instruments, obligations, securities, or property;

WHEREAS, the Alger County Land Bank Authority (the “ACLBA”) requested a direct loan of up to \$250,000, along with other general terms, all of which were approved by this Board in Resolution 2022-002;

WHEREAS, the ACLBA has requested an amendment to the direct loan of an increase of up to \$375,000, an increase of \$125,000, along with other general terms which are outlined in the term sheet attached as Exhibit A (the “Revised Term Sheet”) (collectively the “Amended Loan Request”);

WHEREAS, the Authority’s staff recommends that the SLB Executive Director/Authorized Officer be authorized to determine and negotiate, consistent with this resolution, the amended final loan terms and conditions and execute all final loan and security documents necessary to effectuate the Amended Loan Request (the “Amended Loan Documents”); and

WHEREAS, the Authority’s staff recommends that the SLB Board of Directors authorize the Authority to approve the ACLBA’s Amended Loan Request in accordance with the Revised Term Sheet attached as Exhibit A subject to: (i) available funding, (ii) final due diligence performed to the satisfaction of the SLB Executive Director/Authorized Officer, and (iii) execution of the Amended Loan Documents within 90 days of the date of this resolution, or this resolution shall have no effect (the “Recommendation”).

NOW, THEREFORE, BE IT RESOLVED, the SLB Board of Directors approves the Recommendation; and

BE IT FURTHER RESOLVED, the SLB Board of Directors authorizes the Authority's Executive Director/Authorized Officer to determine and negotiate the final terms and conditions of the Amended Loan Documents pursuant to the Recommendation and to execute all final loan and security documents necessary to effectuate the Recommendation.

Ayes: Susan Corbin, Amy Hovey, Helen Lehman, Michele Wildman, Krysta Pate

Nays: None

Recused: None

Lansing, Michigan
June 28, 2023

EXHIBIT A
REVISED TERM SHEET

| | |
|--------------------------|---|
| Lender: | State Land Bank Authority |
| Borrower: | Alger County Land Bank Authority |
| Loan Amount: | up to \$375,000 |
| Interest Rate: | 5% calculated on a simple interest basis |
| Fees: | none |
| Term: | up to 24 months |
| Repayment Terms: | all loan funds disbursed, together with all interest due and payable, shall be repaid to Lender upon the earlier of: (i) the Borrower securing permanent financing for the total development costs, estimated at \$18.7 million dollars, or (ii) June 8, 2024 |
| Guaranty: | an acceptable guaranty of the full Amended Loan Amount supported by a line of credit and/or untethered and liquid assets fully dedicated and available to the guaranty |
| Other Conditions: | <ul style="list-style-type: none">- a final due diligence analysis with respect to the business, assets, operations, condition (financial and otherwise) and prospects of the Borrower shall be performed to the satisfaction of the Lender- an attainable housing component targeting families at or below 80% AMI for a period of time acceptable to the Executive Director- evidence of project support by the local unit of government to the satisfaction of the Lender- execution of all loan and security documents within 90 days of authorization of the Amended Loan Request |