

**ATHENS COUNTY LAND REUTILIZATION CORPORATION**  
**BOARD OF DIRECTORS – MINUTES**  
**www.AthensCountyLandBank.com**

**LOCATION:** Live meeting held at Athens County Records Center with guests joining virtually on Google Meet (<https://meet.google.com/bbz-ywph-ygf>)

**DAY/TIME:** Called to order Wednesday, June 26<sup>th</sup>, 2024 @ 11:01 AM

**PURPOSE:** Regular meeting to consider the following business:

Board Administration

1. The meeting was called to order by Ric Wasserman, Chair. Roll Call by Aaron Dye, Secretary. Board members present were Ric Wasserman, Chris Chmiel, Steve Patterson, Lenny Eliason, and Steve Pierson for Gregg Andrews.
2. Motion to approve the agenda by Mr. Chmiel, 2<sup>nd</sup> by Mr. Patterson. All Yeas.
3. Motion to approve minutes from May 15<sup>th</sup>, 2024 board meeting by Mr. Eliason, 2<sup>nd</sup> by Mr. Pierson. All Yeas.
4. Financial Report from Treasurer LaVerne Humphrey

**Summary**

Starting Balance	184,026.41
Actual Cash In	10,234.23
Actual Cash Out	16,010.25
Ending Balance	178,250.39

Ms. Humphrey notes that cash out has slowed down as the renovation at 11 Maple Street, Glouster is complete. The cash in includes two Land Bank properties that were sold (631 Cherry Street, Nelsonville and 1128 High Street, Nelsonville). Motion to approve financial report by Mr. Chmiel, 2<sup>nd</sup> by Mr. Eliason. Mr. Wasserman notes that the Land Bank is awaiting a large deposit from the Ohio Department of Development for a final reimbursement from the Building Demolition & Site Revitalization program. Aaron adds that the reimbursement is in the ballpark of \$130,000. All Yeas.

Business:

Old Business

1. Update on acquisition process/pipeline from Mr. Wasserman
  - i) Assistant Prosecutor TL Warren is currently working on several foreclosures for the Land Bank. Several foreclosure decrees have been adjudicated in the last month and those properties will be scheduled for Sheriff sale in the next couple of months. Additionally, several new cases have been filed with more to come. Mr. Wasserman notes that there are approximately 8 cases that have already gone through an adjudication of foreclosure that are waiting to be sent to sheriff sale. Some of the cases are Land Bank cases, and some are not necessarily Land Bank projects, but they could be claimed by the Land Bank. He continues that 9 Johnson Road, The Plains was recently claimed. Aaron notes that he was recently in a meeting with Ken Oehlers of Habitat for Humanity of Southeast Ohio who expressed potential interest in a Habitat build on the property at 9 Johnson Road. Mr. Wasserman asks Mr. Pierson if building is permissible on the lot. Mr. Pierson responds that residential is permitted in that zone. Mr. Pierson asks if everything is going to sheriff sale. Mr. Wasserman responds yes, unless an unusual property comes forward where the taxes owed exceed the Auditor's value. In that case, the Land Bank is still permitted to engage Direct Transfer.
  - ii) 45 Atkins Street, Glouster (2024-07): This property was officially conveyed to the Land Bank on May 31<sup>st</sup>, 2024. Mr. Wasserman notes that 45 Atkins Street, Glouster was acquired via deed-in-lieu of foreclosure, and it will likely be a tear-down. Aaron notes that a level one inspection needs to be done here.

2. State Demo project

The final report for the last round of the Building Demolition & Site Revitalization program was submitted by Aaron at the end of May. We are waiting on our final reimbursement.

The 2024-25 BD&SR application was submitted on Friday, March 29<sup>th</sup>. Other Land Banks across the state have begun receiving cure lists for the applications from ODOD, so we expect to receive one soon. Since we did not surpass the \$500,000 per county set-aside, we do not foresee any issues regarding funds. The final list of submitted properties includes:

Properties owned by the Athens County Land Bank: 25 Town Street, Glouster; 29 Hill Street, Glouster; 34 Spring Street, Glouster; 23 Morgan Street, Glouster; 319 Oak Street, Glouster; 10190/10194 Chase Road, Albany; 73 High Street, Glouster (partial demo only); 20 Campbell Street, Nelsonville.

Properties owned by private citizens or businesses: 2388 Trout Road, Albany; 4910 Vore Ridge Road, Athens; 14560 McDaniel Road, Amesville; 30 Connett Road, The Plains; 21 E. 1<sup>st</sup> Street, The Plains; 24518 Rowley Lane, Coolville; 26 N. Clinton Street, The Plains; 50 Front Street, Glouster; 20 Smith Street, Chauncey; 55 Mill Street, Chauncey; 8 Ellis Avenue, Chauncey; 14 Mound Street, Chauncey; 71 Main Street, Chauncey; 16 High Street, Chauncey; 16 Lexington Avenue, Chauncey; 100 Main Street, Chauncey; 4382 N. Gun Club Road, Athens; 17759 SR-377, Chesterhill; 805 River Front Road, Hockingport; 21196 Chapman Road, Guysville; 11535 Carbondale Road, Nelsonville; 5 Oak Street, The Plains; 902 Chestnut Street, Nelsonville.

Mr. Wasserman notes that he has heard ODOD is working through the Brownfield applications before moving on to the BD&SR applications.

### 3. State Brownfield Grant Application

In collaboration with the Athens County Port Authority, we made application for two brownfield remediation projects in conjunction with the Athens County Port Authority.

Cornerstone Harvest Church in Hollister is an old school that has been used as a church for several years. The congregation has built a new building and would like the old school torn down. Application has been made for a Level I and II assessment. 4070 Washington Road, Albany was also submitted as part of the application after we were informed the Abandoned Gas Station Program had run out of funding.

The Port Authority has noted that they are awaiting a grant agreement from ODOD. Once the grant agreement has been received, Tetra Tech will begin moving forward with the demolition of the service station on Washington Road as well as other remediation work.

The Port Authority notified us that there was an excess of available funds, and it has been decided that the funds will be utilized to expand infrastructure at the Washington Road property. Jody met with Richard Shultz on May 1<sup>st</sup>, 2024 to begin looking into the potential of running a new water tap, installing a fire hydrant, and routing a new sewer line to the property.

Aaron notes that the owners of the Cornerstone Harvest Church met with Tetra Tech and potential demolition bidders for a walkthrough.

### 5. Update on previously approved projects

A. Rehabs: Land Bank Rehabs underway or nearly completed in the county: 24 Cherry Street (new owner), Glouster; 141 Monroe Street, Nelsonville; 354 Chestnut Street, Nelsonville; 4667 Sand Ridge Road, Guysville; 14 Barbour Street, Glouster; 11 Maple Street, Glouster.

Mike Smith, end-user of 14 Barbour Street, Gloucester, informed us that folks will be moving into the residence shortly. Jody viewed the renovation and took several photos which will be presented by Aaron.

Mr. Wasserman notes that the 24 Cherry Street renovation is underway. Aaron notes that Jeremy Dixon has made progress on the Sand Ridge Road renovation. Mr. Wasserman continues that conversations will need to be had about two parcels on Poplar Street in Nelsonville. The end-user, Rex McCombs, agreed to demolish the existing structures and build a new residence. The demolition was completed, but the parcels have remained empty, and Mr. McCombs has indicated that a new build is not necessarily underway anytime soon. Mr. Chmiel asks if this would have been avoidable if the disposition process that we recently adopted with the disposition of 75 High Street had been in place. Mr. Wasserman responds yes, and notes that the disposition method for 75 High Street included the end-user not receiving the deed until the project reaches a point of completion. He is not sure that every end-user would agree to that, but we will have to address those cases as they occur. Mr. Pierson notes that 141 Monroe is in a similar position as the Poplar Street parcels, as it was purchased four years ago and the deed notes that the renovated structure will meet HUD standards for housing sometime in 2021. Mr. Chmiel asks what we can do in this situation. Mr. Wasserman responds that having a conversation with the end-user is the best option currently. As has been the case with 47 Main Street, not only is legal action expensive, but you are not guaranteed the outcome you'd like.

## 6. Rural Acquisition (Pay-in-advance) Program Projects

- 1) 4070 Washington Road (3 parcels, LB-2021-16): We have acquired this property. See above for update on environmental remediation at this property. See update regarding 4070 Washington Road above in the Brownfield section.
- 2) Haga Ridge Road, Rome Township (2 parcels, LB-2024-01): The foreclosure case has been filed. Motion for Summary Judgement will be filed on this case in July.
- 3) 6807 N. Coolville Ridge Road, Athens (1 parcel, LB-2024-08): The pay-in-advance contract was signed by Rebecca Wood on May 30<sup>th</sup>, 2024. The Treasurer will be selling the Land Bank a tax lien certificate shortly so that foreclosure can begin. Mr. Wasserman notes he believes there will be a fair amount of interest in this property. Mr. Chmiel asks if the previous issue the end-user had was the potential of not getting her deposit back. Mr. Wasserman responds that the only case where the end-user will not get their deposit back in a pay-in-advance project is if the foreclosure case is filed and the current owner of the property comes forward and pays the delinquent taxes. In that situation, the money has

been spent on the foreclosure and the current owner does not have to pay the court costs. In all other outcomes, the end-user gets their deposit back.

## 7. Update on pending dispositions

1. 32 Locust Street, Glouster: Disposition was approved to neighbors Joyce and Allen Flowers pending a new survey, of which the end-users agreed to fund half. The Land Bank has been unable to find a surveyor for the parcel.
2. 75 High Street, Glouster: Aaron met with Don Gillie on June 14<sup>th</sup>, 2024 to sign the sales agreement. This allows Mr. Gillie to begin work on the building. Aaron recaps Mr. Gillie's renovation plan for the board. He continues that the contract notes Mr. Gillie has until October 2025 to complete the first apartment, at which point the contract will be satisfied.
3. 1128 High Street, Nelsonville: Closing occurred on June 13<sup>th</sup>, 2024.
4. 631 Cherry Street, Nelsonville: Closing occurred on June 4<sup>th</sup>, 2024.

## 8. Update on 47 Main Street, Chauncey

In February, there was an adjudication from Judge McCarthy denying the opposing counsel's request to have the case dismissed. The judge in the case has approved mediation between the parties and dates are now being vetted for a mediation session. Mr. Wasserman notes that the judge has approved mediation in this case, which will look like himself, Aaron, David Mott, and representatives from Athens Preservation meeting at some point in the future to determine a compromise. Mr. Wasserman continues that he believes part of the motivation here is that the floodplain maps have changed in Chauncey, and the building is not useable in any way. Mr. Patterson asks if folks have seen the condition of the building recently. Mr. Chmiel asks if the board should authorize Mr. Wasserman to make a deal during the mediation. Mr. Wasserman asks if a motion is required to do that. Mr. Eliason responds yes. Motion by Mr. Pierson to allow Mr. Wasserman to represent the board in negotiations, 2<sup>nd</sup> by Mr. Chmiel. All Yeas.

## 9. Update from Jeff Jenkins on the Community Development Block Grant opportunity in collaboration with HAPCAP for downtown revitalization

Nathan Simons informed the Land Bank on May 6<sup>th</sup> that the state approved the Flexible Grant Program application for structural work on 87 High Street, Glouster. Aaron is currently looking for a structural engineer to engage the repair work. Aaron recalls that the specifics of the grant are that it is \$250,000 for a new roof and façade repair of 87 High Street. He notes that he will be checking with Don Dispenza, who initially met with Jeff Jenkins and Mr. Chmiel when assessing the building for the grant application. Mr. Wasserman advises

that he also reach out to Jeff Maiden. Mr. Chmiel notes that 75 High end-user Don Gillie may also have recommendations.

#### 10. 11 Maple Street, Gloucester Renovation

The house has been on the market since May 20<sup>th</sup>, 2024. Aaron and Jody hosted an open house on June 12<sup>th</sup>. We have not yet received an official offer.

Mr. Wasserman notes that we have not yet received an offer. He continues that if the situation does not change by the July board meeting, it may be in our best interest to engage a realtor. He addresses Mr. Chmiel's previous question regarding the funds spent on the renovation, which was \$166,000. This number includes what was categorized under capital improvements, and he notes that there may have been other amounts such as \$5,000-6,0000 that were not categorized as capital improvements and were expended before the renovation began on items such as basic exterior and interior cleanup. Mr. Chmiel follows up to clarify that the asking price is \$170,000, which Mr. Wasserman notes is correct. He responds that the asking price is at cost. Mr. Wasserman adds that we did receive the \$15,000 grant from the Athens County Foundation for the project. He recalls that going into the renovation, it was discussed that if the Land Bank lost \$10,000 on putting a very nice house up for sale in Gloucester, that the board would be okay with that.

Guest Kathy Trace noted that the Land Bank likely noticed many of the negative comments on the Facebook post about the house, noting the perceived high cost and the area in which the house is located. She continues that she attempted to explain that there was a lot in the house, it was completely renovated, and that nobody was making much money from the sale of the house. She asks if the items that were just discussed including the total cost of the renovation and how it compares to the list price is information that can be made available publicly. She explains that there are folks on Facebook who seem to think that the Land Bank is making out with a lot of money, and she does what she can to respond to those comments. She asks if there's anything that can be done to make this information known to the public or if the board thinks there is anything to be gained by doing that. Mr. Wasserman responds that it is all information that is available to the public, as everything discussed during the board meetings is freely available information. He continues that the usual process in real estate is if an interested party believes a price to be too high, that they can submit an offer for a different amount, but that has not yet happened. Ms. Trace responds that there were a lot of negative comments, but there were also many positive comments noting people that were thankful for the work the Land Bank has done in the area. She asks if she can disclose the information regarding the cost of the renovation. Mr. Wasserman responds that she may, and continues that any information discussed at the meetings is free to be disseminate.

## 11. Structural Assessment of Downtown Gloucester Buildings

At the July 2023 board meeting, contract was approved with Barber & Hoffman for the structural assessments of 73, 83/85, and 87 High Street, Gloucester. We received the final report late last week. It is recommended that any interested parties reach out to Aaron to view the report.

Through funding made available by Buckeye Hills, we had 110 High Street, Gloucester inspected as well. We have not yet heard back on when their findings will be made available to us.

Aaron notes that the structural reports from Barber & Hoffman are available to any who might be interested in viewing them. He notes that he has not heard from Buckeye Hills on when their findings on 110 High will be made available to the Land Bank. Mr. Wasserman asks how these reports are being made available to the public and if they are listed on the website with the property listings. Aaron responds that they are not on the website, and he will investigate uploading the reports to the documents section on the Land Bank's property management website, noting that the cumulative report is a very large file size. Mr. Wasserman asks Mr. Chmiel if he would be willing to reach back out to folks who expressed interest in the High Street buildings when they were first acquired and informing them of the new reports available. Mr. Chmiel responds that he will, noting the current momentum in downtown Gloucester.

## 12. Partnership with SAOP for Welcome Home Ohio (WHO) grant application

The Ohio Department of Development notified the Land Bank that our application was approved in full. The Athens County Land Bank is one of 17 counties in Ohio that will be utilizing WHO funding to build affordable housing across the state. In partnership with the Survivor Advocacy Outreach Program (SAOP), 13 new residences will be built. Four of these structures will be on Land Bank-owned lots.

Mr. Wasserman notes that many of the prohibitive provisions originally part of the program are being revised and removed, making the program more accessible. He continues that Jen Siefert at SAOP is ready to begin with the preliminary aspects of the project. This project includes 13 new total residences made available with 5 being built on Land Bank parcels. Aaron notes that it's exciting to see 3D printing being utilized for the builds. He continues that they were not listed on the agenda, but the Land Bank properties that are included in the WHO application are 32 Front Street, Gloucester, 20 Campbell Street, Nelsonville, 923 and 931 E. High Street, Nelsonville, and 823 Walnut Street, Nelsonville. Mr. Wasserman comments that this completes the Land Bank's Front Street/Summit Street project in Gloucester that began at the Land Bank's conception, including the demolition of several dilapidated properties and new builds by both Habitat for Humanity of Southeast Ohio and Integrated Services for Behavioral Health.

## New Business

1. Future Dispositions – Several potential dispositions are in progress, and we hope to bring them to the board soon. They include:
  - a. 55 Madison Street, Gloucester: The house at this address was also demolished during our Group M1 demolitions. A couple of Gloucester residents have reached out with interest in acquiring the property.

### 2. Money from Clerk of Courts

By statute, the Land Bank may be entitled to any “excess funds” held by the Clerk on overages from foreclosure sales that have not been claimed after 3 years. An analysis of these funds done by the Land Bank Chair shows more than \$25,000 of such funds. The Chair has been trying to get a meeting set up between the Prosecutor and the Clerk to discuss. Part of this discussion will also be outstanding court costs on direct transfer foreclosure cases where there was no sale, but the Land Bank ended up with the property.

Mr. Wasserman clarifies this item, noting that there is a law that says if there are excess funds from a foreclosure—such as a bank foreclosing on a property, the house sells at sheriff sale, and there is additional funding made available from the sale—the money goes into a fund in the Clerk of Courts’ office, and the person who owned the house prior to the foreclosure may apply for those funds. He notes that this happens frequently, but there are instances where the funds are not applied for. If the funds sit for 3 years, the Land Bank may apply to receive those funds. Many other counties do this on a regular basis and it can be a large stream of income. Mr. Wasserman’s analysis indicates that there is approximately \$26,000-32,000 depending on the exact dates of the 3-year lookback period. He has contacted the Prosecutor and Clerk of Courts to discuss the mechanics of this law. He continues that the Clerk of Courts has an issue with the Land Bank regarding unpaid court costs that the Treasurer initiated where the property eventually ended up owned by the Land Bank. There is a certain dollar amount of court costs that do not get paid in those cases. He continues that there is a mechanism available where the Auditor can assess the individual taxing entities where those houses sat—for example, if the foreclosure was done in the Village of Chauncey, Chauncey may be assessed out of their tax settlement for those costs, and then the costs would go to the Clerk of Courts to reimburse them for the funds to which they are entitled. He notes that we have never done this, as the properties have either sold and the Clerk is paid from that revenue stream, or it was a different type of foreclosure where court costs were not a factor. There is a backlog of cases where Direct Transfers took place from 2019 to 2022 where the Clerk of Courts was not paid the funds to which they were entitled. He adds that we need to figure out the costs associated with the

individual cases and then the mechanism by which to go back to bill the individual entities, as he hopes the Land Bank does not have to pay those out of its budget. He finishes that this work is ongoing and he hopes to bring this to a happy conclusion.

3. Disposition Action:

No disposition action.

4. New Projects:

<b>Taxes Owed</b>	<b>Last Pymt</b>	<b>Parcel ID</b>	<b>Owner Name</b>	<b>Property Address</b>
\$6,778.26	2009	A040240501600	Dodge, Robert M & Vichien, Techatanalai	9 Johnson Road, The Plains

Mr. Wasserman notes that this is a property that did not sell at a public sale and was then claimed via the petition process. He continues that there are only 10 days available to file the petition, so he must act quickly as soon as the petition comes in regardless of a board meeting. He notes that he hopes the board is agreeable with this process, as he will be frontrunning the process as we are not aware which properties will or will not sell at sheriff sale. Motion to accept 9 Johnson Road, The Plains as a Land Bank project by Mr. Chmiel, 2<sup>nd</sup> by Mr. Patterson. All Yeas. Mr. Pierson notes that the statute is interesting, as it allows the school district, township, or Land Bank to seek to acquire a property that does not sell at sheriff sale, and an entity only has 10 days to react. Mr. Wasserman adds that the Land Bank is last in line, so if another of the entities would like the claim the property, they have first right of refusal. Mr. Pierson notes that when he first received the notice that 9 Johnson Road did not sell at sheriff sale, his first thought was to reach out to Ken Oehlers at Habitat for Humanity of Southeast Ohio, but Ken noted an easement or some other challenge that could be prohibitive to Habitat building on the lot. Mr. Wasserman responds that Habitat has very particular guidelines for lots and builds, and that a potential issue for Habitat may not be an issue for another developer. All Yeas.

No new projects this month.

5. Scheduling of next meeting: July 17<sup>th</sup>, 2024.

6. Roundtable Discussion:

Guest Kathy Trace asks if Steve Patterson or a proxy is coming to the board meetings. Mr. Patterson responds that he is in attendance. Mr. Wasserman comments that the mayor of the largest city in the county is a required member

of a Land Bank board in Ohio. Ms. Trace comments that she is glad to see him at the meeting as she is not sure if she has before and wants to ensure that our communities are represented. Mr. Pierson notes that the board statute is interesting as you would think the chief administrator of the largest city in a county would have the most interest, while in smaller counties that may not be the case. Mr. Wasserman adds that the Athens County Land Bank is unique, as even in other predominantly rural counties like Scioto or Lawrence, it is still the largest city where the most Land Bank activity is being conducted. Mr. Patterson comments that it is because of the university. Mr. Wasserman adds that it is likely similar in the county where Miami University is located. Ms. Trace comments that she thinks there should be representation from one of the smaller communities. Mr. Wasserman notes that something that the Land Bank should discuss at a strategic planning session is the option to enlarge the board. He believes the board can go up to 9 members, which would allow other voices to be represented. Ms. Trace responds that the situations are so different in every community.

7. Adjournment: Motion to adjourn by Mr. Chmiel, 2<sup>nd</sup> by Mr. Pierson. All Yeas. Adjournment at 11:45 AM.

Minutes submitted for approval by Aaron Dye, Secretary



7/17/2024

Secretary

Date

Approved, as amended (if any) on 7/17/2024