OTTAWA COUNTY LAND BANK AUTHORITY

Agenda

Friday, May 23, 2025, at 1:00 p.m.
Conference Room E, Fillmore Administration Building, West Olive, MI

CALL TO ORDER:

ROLL CALL:

PUBLIC COMMENT: Limited to Agenda Items.

CONSENT ITEMS:

Approval of May 23, 2025, Agenda and the Land Bank Authority Meeting Minutes for April 14, 2025.

INFORMATION ITEMS:

1. Presentation of future project in City of Zeeland by Roman Wilson.

2. Possible Blight Elimination for 402 E. 8th St., Holland.

ACTION ITEMS:

1. Bylaws.
   Review changes and response from counsel.
   If approved by the Land Bank Board of Directors and Ottawa County Board of Commissioners, Ron Frantz would automatically become the Treasurer and Tim Maday would automatically become the Secretary.
   Suggested Motion: To forward the updated Bylaws of Ottawa County Land Bank Authority to the Ottawa County Board of Commissioners for approval.

OTHER BUSINESS:

1. Review of 2024 – 2025 revenues and expenditures for the Land Bank Authority.

PUBLIC COMMENT:

MISCELLANEOUS ITEMS:

1. Next meeting: TBD.

ADJOURNMENT:

OTTAWA COUNTY LAND BANK AUTHORITY

Monday, April 14, 2025
7:30 a.m.
Conference Room E
Fillmore Administration Building, West Olive, MI

CALL TO ORDER:

Clark called the meeting to order at 7:30 a.m.

ROLL CALL:

Members in attendance:
Jordan Jorritsma, John Teeples, Cheryl Clark, Ron Frantz, Daniel Strikwerda, Tim Maday, Laurie Vanhaitsma. Amanda Murry arrived at 7:50 a.m.
Members absent:
None.
Guests in attendance:
Becky Huttenga, Ottawa County Strategic Impact
Roman Wilson, Fishbeck

PUBLIC COMMENT: Limited to Agenda Items.

There was none.

CONSENT ITEMS:

Motion: To approve the April 14, 2025, Agenda and the Land Bank Authority Meeting Minutes for November 8, 2024.
Moved: Jorritsma Supported: Maday
Motion passed.

INFORMATION ITEMS:

1. Land Bank 101 Training by Roman Wilson
   Training on what utilizing the Land Bank Authority with either the County Brownfield Redevelopment Authority or a local unit's Brownfield Redevelopment Authority, would look like.

ACTION ITEMS:

1. Election of Officers.
   Motion: To nominate:
   Cheryl Clark as Chairperson
   Jordan Jorritsma as Vice-Chairperson
   Tim Maday as Treasurer and Secretary
   Moved: Murray Supported: Strikwerda
   Motion passed.

2. Annual Audit.

DRAFT

Motion: To approve the Ottawa County Land Bank Authority Financial Statements for Fiscal Year 2024.
Moved: Jorritsma Supported: Maday
Motion passed.

3. Fiscal Year 2025 Budget.
   Motion: To increase the Process Administration Expense from $0 to $2,250.00 in the 2025 Land Bank Authority Budget to cover the cost of the Audit.
   Moved: Jorritsma Supported: Teeples

4. Bylaws.
   Reviewed changes and tabled until the next meeting.

5. Board of Director Seat Corrections.
   Motion: To forward to the Ottawa County Appointment & Alignment Committee the recommendation that the term ending dates be changed for the following seats:
   a. Seat 1 / ID: 397 – Citizen Ottawa County to be changed from 12/31/2028 to 12/31/2025 (currently held by Jordan Jorritsma).
   b. Seat 8 / ID: 231 – Township Representative to be changed from 12/31/2029 to 12/31/2030 (currently vacant).
   c. Seat 9 / ID: 236 – Township Representative to be changed from 12/31/2030 to 12/31/2029 (currently held by Laurie Vanhaitsma).

   Moved: Maday Supported: Murray
   Motion passed.

Motion: To forward to the Ottawa County Appointment & Alignment Committee the recommendation to appoint Tom Oonk to Seat 8 / ID: 231 – Township Representative as he was mistakenly replaced in Seat 9 / ID: 236 by the Talent & Recruitment Committee in December of 2024.
Moved: Murray Supported: Strikwerda
Motion passed.

OTHER BUSINESS:

1. Review Draft 2023 – 2024 Ottawa County Land Bank Authority Annual Report.

2. Review of 2024 – 2025 revenues and expenditures for the Land Bank Authority.

3. Blight Elimination Update from Becky Huttenga

PUBLIC COMMENT:

MISCELLANEOUS ITEMS:

1. Next meeting: TBD.

ADJOURNMENT:

Clark adjourned the meeting at 9:25 a.m.

DRAFT

BYLAWS
OF
OTTAWA COUNTY LAND BANK AUTHORITY

An authority organized pursuant to
the Michigan Land Bank Fast Track Act and an
Intergovernmental Agreement between the Michigan Land Bank Fast Track
Authority, and
the Treasurer of the County of Ottawa, Michigan

Originally adopted by the Board of Director as of November 29, 2010 and approved by the Ottawa County Board of Commissioners on December 28, 2010.

Amended by the Board of Directors as of July 26, 2021, and amendments approved by the Ottawa County Board of Commissioners on August 24, 2021.

Amended by the Board of Directors as of May 23, 2025, and amendments approved by the Ottawa County Board of Commissioners on XXXXXXXXX, 2025.

TABLE OF CONTENTS

PAGE

ARTICLE ONE: NAME, LOCATION AND OFFICES 1

1.1 Name 1

1.2 Office and Agent 1

1.3 Other Offices 1

ARTICLE TWO: PURPOSE AND GOVERNING INSTRUMENTS 1

2.1 Public Body Corporate 1

2.2 Governing Instruments 1

ARTICLE THREE: BOARD OF DIRECTORS 1

3.1 Powers and Duties of the Board of Directors 1

3.2 Initial and Regular Board of Directors 2

3.3 Term of Office 2

3.4 Removal 2

3.5 Vacancies 3

3.6 Conflict of Interest 3

ARTICLE FOUR: MEETINGS OF THE BOARD OF DIRECTORS 3

4.1 Regular Meetings; Notice 3

4.2 Special Notice 3

4.3 Annual Meeting 3

4.4 Waiver 4

4.5 Quorum 4

4.6 Vote Required for Action 4

4.7 Adjournments 4

ARTICLE FIVE: NOTICE AND WAIVER 4

5.1 Procedure 4

5.2 Waiver 4

ARTICLE SIX: OFFICERS 5

6.1 Number and Qualifications 5

6.2 Removal 5

6.3 Chairperson 5

6.4 Vice-Chairperson 5

6.5 Secretary 5

6.6 Treasurer 6
ARTICLE SEVEN: COMMITTEES OF DIRECTORS 6
7.1 Executive Committee 6
7.2 Other Committees of Directors 6
7.3 Term of Appointment 6
7.4 Chairman 7
7.5 Vacancies 7
7.6 Quorum 7
7.7 Rules 7
ARTICLE EIGHT: EMPLOYEES, CONTRACTED SERVICES 7
8.1 Employees 7
8.2 Executive Director 7
ARTICLE NINE: CONTRACTS, CHECKS, DEPOSITS AND FUNDS 7
9.1 Contracts 7
9.2 Checks, Drafts, Notes, Etc 8
9.3 Deposits 8
9.4 Gifts 8
ARTICLE TEN: MISCELLANEOUS 8
10.1 Books and Records 8
10.2 Fiscal Year 8
10.3 Budget 8
10.4 Audit 8
10.5 Construction 9
10.6 Table of Contents Headings 9
10.7 Relation to Articles of Incorporation 9
ARTICLE ELEVEN: AMENDMENTS 9
11.1 Power to Amend Bylaws 9
11.2 Conditions 9

AMENDED BYLAWS

OTTAWA COUNTY LAND BANK AUTHORITY

Incorporated under the laws of the State of Michigan

ARTICLE ONE

NAME, LOCATION AND OFFICES

1.1 Name. The name of this corporation shall be "Ottawa County Land Bank Authority" (hereinafter referred to as the "Corporation"). The Corporation may also be known as the "Ottawa County Land Bank"

1.2 Office and Agent. The Corporation shall maintain an office in the State of Michigan, and more specifically, 12220 Fillmore St., West Olive, Michigan 49460. The agent of the Corporation shall be the elected Treasurer of Ottawa County, Michigan.

1.3 Other Offices. The principal office of the Corporation shall be located in West Olive, Ottawa County, Michigan. The Corporation may have other offices at such place or places, within the State of Michigan, as the Board of Directors may determine from time to time or the affairs of the Corporation may require or make desirable.

ARTICLE TWO

PURPOSE AND GOVERNING INSTRUMENTS

2.1 Public Body Corporate. The Corporation shall be organized and operated as a land bank authority under the provisions of the Michigan Land Bank Fast Track Act, 2003 P.A. 258, 124.751 (the "Land Bank Act") and the Intergovernmental Agreement by and between the Michigan Land Bank Fast Track Authority and the Treasurer of the County of Ottawa, Michigan, dated January 28, 2010, (hereinafter referred to as the Intergovernmental Agreement"). The Corporation is an authority governed by a Board of Directors.

2.2 Governing Instruments. The Corporation shall be governed by its articles of incorporation and its bylaws, with specific direction from its Priorities and Policies document.

ARTICLE THREE

BOARD OF DIRECTORS

3.1 Powers and Duties of the Board of Directors

(a) Except as otherwise provided in the articles of incorporation of the Corporation or in these bylaws, all the powers, duties, and functions of the Corporation conferred by the Land Bank~~,~~ Act, the Intergovernmental Agreement, the articles of incorporation, these bylaws, other state statutes, common law, court decisions, or otherwise shall by exercised, performed, or controlled by the Board of Directors.

(b) The Board of Directors shall be the governing body of the Corporation and shall have general charge of the affairs, property and assets of the Corporation. It shall

be the duty of the Board of Directors to determine the policies of the Corporation or changes therein, actively to prosecute the purposes and objectives of the Corporation, and, to this end, to manage and control all of its property and assets and to supervise the disbursement of its funds. The Board of Directors may adopt, by majority vote of the members appointed, such rules and regulations for the conduct of its business and the business of the Corporation as shall be deemed advisable, and, in the execution of the powers granted, may delegate certain of its authority and responsibility to an executive committee. Under no circumstances, however, shall any actions be taken which are inconsistent with the articles of incorporation and these bylaws, or the understanding that Local Unit control of property and developmental direction is foundational. Members of the Board of Directors shall receive no compensation for service as a member of the Board of Directors, but shall be entitled to be reimbursed by the Corporation for actual and necessary expenses incurred in connection with performance of official functions of the Corporation subject to available appropriations.

(c) The Board of Directors may, from time to time, appoint, as advisors, persons whose advice, assistance, and support may be deemed helpful in determining policies and formulating programs for carrying out the purposes and functions of the Corporation.

3.2 Board of Directors. The Board of Directors of the Ottawa County Land Bank shall consist of nine (9) members including:

(a) The elected and serving Treasurer of Ottawa County;

(b) Eight (8) members appointed by the Ottawa County Board of Commissioners all of whom must be residents of Ottawa County;

1. Two (2) representatives of the Cities & Villages – one from a large and one from a small municipality (from senior elective or appointed officials or an employee who is involved in economic development);

2. Two (2) representatives of the Townships - one from a large and one from a small municipality (from senior elective or appointed officials or an employee who is involved in economic development);

3. A member of the Ottawa County Board of Commissioners;

4. A representative from Ottawa County Administration;

5. A representative ~~from the Ottawa County Economic Development Office OCEDO;~~from Ottawa County's contracted Economic Development Organization.

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6. ~~A person~~An Ottawa County resident not married to or directly related to an Ottawa County employee~~.~~

3.3 Term of Office. The Treasurer of Ottawa County shall serve as a member of the Board of Directors without a term. ~~Other members shall serve a six (6) year term, subject to their continued service in the capacity through which they were originally appointed. Members can be appointed to additional terms in the discretion of the Ottawa County Board of Commissioners~~ The member of the Ottawa County Board of Commissioners and representative from Ottawa County Administration shall be appointed by the Ottawa County Board of Commissioners annually. The

representatives of the cities, villages, townships, and Ottawa County resident shall serve a six (6) year term. An elected official or employee appointed under this section may serve on the Board of Directors only while he/she maintains that elected or employee status. A vacancy resulting from an election or loss of employment will be filled by appointment of the Ottawa County Board of Commissioners, subject to their continued service in the capacity through which they were originally appointed. Members initially appointed had staggered terms per the Intergovernmental Agreement Between The Michigan Land Bank Fast Track Authority And The Treasurer Of The County Of Ottawa, Michigan dated January 28, 2010.

3.4 Removal. Other than the Treasurer of Ottawa County, a director may be removed from office for cause by the Board of Commissioners of Ottawa County, and shall be automatically terminated from any "ex officio" appointment upon leaving the office which was the basis for appointment.

3.5 Vacancies. Any vacancy in the Board of Directors, other than the Treasurer of Ottawa County, arising at any time and from any cause, may be filled for the unexpired term ~~by the Board of Commissioners of Ottawa County~~. The Chairperson of the Board of Directors shall screen all applicants and submit the name(s) for selection to the Ottawa County Board of Commissioners. Each director so appointed shall hold office until the expiration of his term, or the unexpired term of his predecessor, as the case may be, and until his successor is appointed.

3.6 Conflict of Interest. A director who has a direct or indirect personal or financial interest in any matter before the Corporation shall disclose his or her interest prior to any action on the matter by the Corporation, which disclosure shall become part of the record of the Corporation's official proceedings. The disclosure shall be made by written instrument, and copies of the disclosure form shall be filed with the Secretary of the Board of Directors. The interested director shall further refrain from participation in the Corporation's action relating to the matter. Each director, upon taking office and annually thereafter, shall acknowledge in writing that they have read and agreed to abide by this section.

ARTICLE FOUR

MEETINGS OF THE BOARD OF DIRECTORS

4.1 Regular Meetings. Regular meetings of the Board of Directors shall be held from time to time at such times and at such places as the Board of Directors may prescribe. Notice of the time and place of each such regular meeting shall be given by the secretary either personally or by telephone or by mail or by electronic mail not less than seven (7) nor more than thirty (30) days before such regular meeting. The meetings of the Board of Directors shall be public, and the appropriate notice of such meetings provided to the public. Notice of any and all meetings of the Board of Directors shall be given in accordance with the Open Meetings Act, (OMA") 1976 P.A. 267, as amended. The Board of Directors shall meet at least annually. As long as consistent with the OMA, any regular, special or annual meeting may be attended by a member digitally.

4.2 Special Meetings. Special meetings of the Board of Directors may be called by or at the request of the Chairperson, or by any three (3) of the directors in office at that time. Notice of the time, place and purpose of any special meeting of the Board of Directors shall be given by the secretary either personally or by telephone or by mail or by electronic mail at least twenty-four (24) hours before such meeting.

4.3 Annual Meeting. The first meeting of the Board of Directors in each calendar year shall be deemed to be the annual meeting of the Board of Directors. All officers of the Board of Directors shall be elected at the annual meeting by the Board of Directors, unless a vacancy in such office occurs prior to the annual meeting, and each officer shall hold such office until the following annual meeting.

4.4 Waiver. Attendance by a director at a meeting shall constitute waiver of notice of such meeting, except where a director attends a meeting for the express purpose of objecting to the transaction of business because the meeting is not lawfully called.

4.5 Quorum. A majority of the Board of Directors shall be required to constitute a quorum for the transaction of business. Unless otherwise required herein or by Michigan law, the Board of Directors shall act by a majority vote at a meeting at which a quorum is present. A quorum shall be necessary for the transaction of business. Presence in person for both quorum and voting may include electronic communication by which such member is both seen and heard by all members present.

4.6 Vote Required for Action. Except as otherwise provided in these bylaws or by law, the act of a majority of the directors present at a meeting at which a quorum is present at the time shall be the act of the Board of Directors. Adoption, amendment and repeal of a bylaw are provided for in Article Eleven of these bylaws. Vacancies in the Board of Directors may be filled as provided in Section 3.5 of these bylaws.

4.7 Adjournments. A meeting of the Board of Directors, whether or not a quorum is present, may be adjourned by a majority of the directors present to reconvene at a specific time and place. Notice of any reconvened meeting of the Board of Directors shall be given in accordance with the Open Meetings Act, MCL 15.261 et seq., as amended. At any such reconvened meeting at which a quorum is present, any business may be transacted which could have been transacted at the meeting which was adjourned.

ARTICLE FIVE

NOTICE AND WAIVER

5.1 Procedure. Whenever these bylaws require notice to be given to any director, the notice shall be given as prescribed in Article Four. Whenever notice is given to a director by mail, the notice shall be sent first-class mail by depositing the same in a post office or letter box in a postage prepaid sealed envelope addressed to the director at his or her address as it appears on the books of the Corporation; and such notice shall be deemed to have been given at the time the same is deposited in the United States mail. Notice may also be given by electronic mail addressed to the director at his or her email address as it appears in the records of the Corporation.

5.2 Waiver. Whenever any notice is required to be given to any director by the articles of incorporation or by these bylaws a waiver thereof in writing signed by the director entitled to such notice, whether before or after the meeting to which the waiver pertains, shall be deemed equivalent thereto but only in those circumstances in which such notice is not required by law.

ARTICLE SIX

OFFICERS

6.1 Number and Qualifications. The officers of the Corporation shall be appointed by the Board of Directors on an annual basis; shall be members of the Board of Directors; and shall consist of a Chairperson, who shall act as the chairperson of the Board of Directors, a Vice Chairperson, a secretary, a treasurer, and such other officers as may be designated by the Board of Directors. The Chairperson of the Corporation shall be the Treasurer of Ottawa County. The Treasurer shall be the Director from the Administration of Ottawa County.

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6.2 Removal. Any officer of the Corporation other than the Chairperson may be removed as an officer by the Board of Directors of the Corporation with or without cause at any time.

6.3 Chairperson. The Chairperson shall be the principal executive officer of the Corporation and shall preside at all meetings of the Board of Directors. Subject to any policies adopted by the Board of Directors, the Chairperson shall have the right to supervise and direct the management and operation of the Corporation and to make all decisions as to policy and otherwise which may arise between meetings of the Board of Directors, and the other officers and employees of the Corporation shall be under the Chairperson's supervision and control during such interim. The Chairperson shall perform such other duties and have such other authority and powers as the Board of Directors may from time to time prescribe.

6.4 Vice-Chairperson. The Vice-Chairperson, ~~if such office has been designated by the Board of Directors,~~ shall, in the absence or disability of the Chairperson, perform the duties and have the authority and exercise the powers of the Chairperson. The Vice Chairperson shall perform such other duties and have such other authority and powers as the Board of Directors may from time to time prescribe or as the Chairperson may from time to time delegate.

6.5 Secretary. The secretary shall attend all meetings of the Board of Directors and record all votes, actions and the minutes of all proceedings in a book, to be kept for that purpose and shall perform like duties for the executive and other committees when required.

(a) The Secretary shall give, or cause to be given, notice of all meetings of the Board of Directors.

(b) The Secretary shall verify by his or her signature, contracts, deeds or other legal documents approved by the Board of Directors.

(c) The Secretary shall be under the supervision of the Chairperson. He or she shall perform such other duties and have such other authority and powers as the Board of Directors may from time to time delegate.

6.6 Treasurer.

(a) The Treasurer shall have the custody of the corporate funds and securities and shall keep full and accurate accounts of receipts and disbursements of the Corporation and shall deposit all monies and other valuables in the name and to the credit of the Corporation into depositories designated by the Board of Directors.

(b) The Treasurer shall disburse the funds of the Corporation as ordered by the Board of Directors, and prepare financial statements each month or at such other intervals as the Board of Directors shall direct.

(c) The Treasurer shall be under the supervision of the Chairperson. The Treasurer shall perform such other duties and have such other authority and powers as the Board of Directors may from time to time prescribe or as the Chairperson may from time to time delegate.

ARTICLE SEVEN

COMMITTEES OF DIRECTORS

7.1 Executive Committee. By resolution adopted by a majority of the directors in office, the Board of Directors may designate from among its members an executive committee which shall consist of three (3) or more directors, including the Chairperson or a Vice Chairperson of the Corporation, which executive committee, to the extent provided in such resolution, shall have and exercise the authority of the Board of Directors in the management of the affairs of the Corporation; provided, however, the designation of such executive committee and the delegation thereto of authority shall not operate to relieve the Board of Directors, or any individual director, of any responsibility imposed upon it or him by law and such executive committee may not do the following:

(a) Approve the dissolution or the sale, pledge, or transfer of all or substantially all of the Corporation's assets;

(b) Elect, appoint, or remove directors or fill vacancies on the Board of Directors or on any of its committees; or

(c) Adopt, amend, or repeal the Corporation's Articles of Incorporation or these Bylaws.

7.2 Other Committees of Directors. Other committees, each consisting of two (2) or more directors, not having and exercising the authority of the Board of Directors in the management of the Corporation may be designated by a resolution adopted by a majority of directors present at a meeting at which a quorum is present. Such resolution shall assign the duties and responsibilities of such committees. Except as otherwise provided in such resolution, members of each such committee shall be appointed by the Chairperson of the Corporation. Any member of any committee may be removed by the person or persons authorized to appoint such member whenever in their judgment the best interests of the Corporation shall be served by such removal.

7.3 Term of Appointment. Each member of a committee shall continue as such until his successor is appointed, unless the committee shall be sooner terminated, or unless such member shall be removed from such committee, or unless such member shall cease to qualify as a member thereof.

7.4 Chairman. One member of each committee shall be appointed chairman thereof.

7.5 Vacancies. Vacancies in the membership of any committee may be filled by appointments made in the same manner as provided in the case of the original appointments.

7.6 Quorum. Unless otherwise provided in the resolution of the Board of Directors designating a committee, a majority of the whole committee shall constitute a quorum; and the act of a majority of members present at a meeting at which a quorum is present shall be the act of the committee.

7.7 Rules. Each committee may adopt rules for its own government, so long as such rules are not inconsistent with these bylaws or with rules adopted by the Board of Directors.

ARTICLE EIGHT

EMPLOYEES, CONTRACTED SERVICES

8.1 Employees. The Corporation may not employ or otherwise contract for the services of any staff deemed necessary to carry out the duties and responsibilities of the Corporation. Such staff as needed shall be provided by Ottawa County or by independent contract approved by the Board of Directors.

8.2 Executive Director. Notwithstanding the above, and with the approval of the Ottawa County Board of Commissioners, the Board of Directors may select and retain an Executive Director. An Executive Director selected and retained by the Board of Directors shall administer the Corporation in accordance with the operating budget adopted by the Board of Directors, general policy guidelines established by the Board of Directors, other applicable governmental procedures and policies, and the Intergovernmental Agreement. The Executive Director shall be responsible for the day-to-day operations of the Corporation, the control, management, and oversight of the Corporation's functions; and supervision of all Corporation employees. All terms and conditions of the Executive Director's length of service shall be specified in a written contract between the Executive Director and the Board of Directors, provided that the Executive Director shall serve at the pleasure of the Board of Directors.

ARTICLE NINE

CONTRACTS, CHECKS, DEPOSITS AND FUNDS

9.1 Contracts. The Board of Directors may authorize any officer or officers, agent or agents of the Corporation, in addition to the officers so authorized by these bylaws, to enter into any contract or execute and deliver any instrument in the name and on behalf of the Corporation. Such authority must be in writing and may be general or confined to specific instances. In the absence of such express authority granted by the Board of Directors, or a vacancy in the office to which the authority is delegated by the Board of Directors, the Chairperson shall have all authority necessary and appropriate to execute any and all documents, instruments and agreements on behalf of the Corporation.

9.2 Checks, Drafts, Notes, Etc. All checks, requests, drafts or other orders for the payment of money, notes or other evidences of indebtedness issued in the name of the Corporation shall be approved by the Treasurer and signed by the Chairperson of the Corporation Treasurer of the Corporation and in such other manner as may from time to time be determined by resolution of the Board of Directors. In the absence of such determination by the Board of Directors, such instruments shall be signed by the Treasurer and countersigned by the Chairperson or the Vice-Chairperson of the Corporation. The Board of Directors shall require all individuals who handle funds of the Corporation to qualify for a security bond to be obtained by the Corporation, at the expense of the Corporation, in an amount not less than $100,000.00.

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9.3 Deposits. All funds of the Corporation shall be deposited from time to time to the credit of the Corporation in such banks, trust companies or other depositories as the Board of Directors may select.

9.4 Gifts. The Corporation may acquire by gift, bequest, or devise any real or personal property or interests in real or personal property for the general purposes or for any special purpose of the Corporation on terms and conditions and in a manner the Board of Directors considers appropriate.

ARTICLE TEN

MISCELLANEOUS

10.1 Books and Records. The Corporation shall keep and maintain at the principal office of the Corporation all documents and records of the Corporation. The records of the Corporation shall include, but not be limited to, a copy of the Intergovernmental Agreement along with any amendments to the Intergovernmental Agreement. The records shall also include correct and complete books and records of accounts and minutes of the proceedings of its Board of Directors and committees having any of the authority of the Board of Directors. A list of the revenues received, and expenses paid shall be provided to the Board of Directors at every meeting. All records of the Corporation shall be made available to the public to the extent required by the Michigan Freedom of Information Act, 1976 P.A. 442, as amended. Not less than annually the Corporation shall file with the parties to the Intergovernmental Agreement, and with the Board of commissioners of Ottawa County a report detailing the activities of the Corporation and any additional information as requested by such parties.

10.2 Fiscal Year. The fiscal year of the Corporation shall begin on October 1 of each year and end on the following September 30.

10.3 Budget. The Board of Directors shall adopt annually a budget for all operations, income, expenses and assets. The Corporation shall be subject to and comply with the Budget Act, 1968 PA 2, MCL 14 1.421 to 141 .440a. The Chairperson or Executive Director shall prepare, and the Board of Directors shall approve a budget for the Corporation for each Fiscal Year. Each budget shall be approved by August 1 immediately preceding the beginning of the Fiscal Year of the Corporation.

10.4 Audit. The Corporation shall provide for the conduct of audits in accordance with section 6 to 13 of the Budget Act, 1968 PA 2, MCL 141.421 to 141.440a, which shall be made available to the parties to the Intergovernmental Agreement. The Corporation shall establish a dedicated audit committee of the Board of Directors for the purpose of overseeing the accounting and financial reporting processes of the Corporation and audits of its financial statements. The Corporation shall establish specific duties and obligations of the audit committee and standards and qualifications for membership on the audit committee. The Corporation may require at least one member to be specifically knowledgeable about financial reports.

10.5 Construction. Whenever the context so requires, the masculine shall include the feminine and neuter, and the singular shall include the plural, and conversely. If any portion of these bylaws shall be invalid or inoperative, then, so far as is reasonable and possible:

(a) The remainder of these bylaws shall be considered valid and operative.

(b) Effect shall be given to the intent manifested by the portion held invalid or inoperative.

10.6 Table of Contents Headings. The table of contents and headings are for organization, convenience and clarity. In interpreting these bylaws, they shall be subordinated in importance to the other written material.

10.7 Relation to Articles of Incorporation. These bylaws are subject to, and governed by, the articles of incorporation and the Land Bank Act.

ARTICLE ELEVEN

AMENDMENTS

11.1 Power to Amend Bylaws. With the subsequent approval of the Ottawa County Board of Commissioners, the Board of Directors shall have the power to alter, amend, or repeal these bylaws, or adopt new bylaws; provided, however, that the Board of Directors shall have no power or authority to make any changes in the bylaws which would be inconsistent with the Land Bank Act or the Intergovernmental Agreement.

11.2 Conditions. Action by the Board of Directors with respect to these bylaws shall be taken by the affirmative vote of a majority of all directors then holding office.

Whereas the Amended Bylaws of the Ottawa County Land Bank Authority were approved by the Board of Directors on the ~~26th~~ 23rd day of ~~July, 2021~~May, 2025.

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~~Amanda Price,~~Cheryl Clark Chairperson

Ottawa County Land Bank Authority

_____

~~Tom Oonk~~ Tim Maday, Secretary

Ottawa County Land Bank Authority

Whereas the Amended Bylaws of the Ottawa County Land Bank Authority were approved by the Ottawa County Board of Commissioners on the ~~24th~~ ?? day of ~~August, 2021~~XXXXXXXX, 2025.

_____

~~Roger Berman~~John Teeples, Chairperson
Ottawa County Board of Commissioners

_____

Justin F. Roebuck, Ottawa County Clerk

Ottawa County
Legal Services

Douglas W. Van Essen
Senior Litigator

12220 Fillmore Street, Room 331
West Olive, Michigan 49460
(616) 738-4861
dvanessen@miottawa.org

May 21, 2025

Confidential—Attorney/client Privilege
Ms. Cheryl Clark
Ottawa County Treasurer
12220 Fillmore Street
West Olive, MI 49460

Re: Land Bank Bylaw changes

Dear Cheryl:

I have reviewed the proposed bylaw changes for Ottawa County Land Bank Authority and with a few minor changes, approve them as commercially appropriate and as consistent with the Land Bank Act, Intergovernmental Agreement with the State and the Ottawa Land Bank Authority's Articles of Incorporation.

My changes were to tie bar the term of appointed Directors who are "employees" of a municipality rather than elected officials (a practical change) to their employment status (which we do for elected officials). Also, since the County Treasurer is the Chair, I think the Administration's appointee to the Board should be the "Treasurer" of the Board of Directors. This will enable the check and balance that Chair Teeples was concerned about. As you also pointed out, there is an additional control with the Clerk being a signatory as well. Having someone who is in Fillmore sign the checks is a necessary practicality. If your staff is presently keeping all the financial books for the Land Bank, I do not think that appointment of the Administration's representative as "Treasurer" of the Land Bank need change that. All that need occur is that he or she approve the release of the checks or disbursements in some form—whether by voucher, email approval, etc.…

I hope this letter answers your questions. If not, please let me know. This letter is exempt from disclosure under Section 13g of FOIA and any discussion of the contents of this letter may occur in closed session pursuant to Section 8(h) of the OMA.

Very Truly Yours,

Douglas W. Van Essen

_____/

Ottawa County Senior Litigator

Cc: John Teeples, Ottawa County BOC Chairperson
Gary Rosema, Interim Ottawa County Administrator
Ron Frantz, Interim Deputy County Administrator

OTTAWA COUNTY LAND BANK AUTHORITY
Org: 53670501

GL #		2025 Budget	2025 Actual	
	REVENUE			
402010	CURRENT PROPERTY TAXES	$ -	$ -	
665000	INTEREST ON INVESTMENTS	$ 700.00	$ 849.60	
672000	OTHER REVENUE	$ 32,806.00	$ 32,400.00	Revenue from Blight Elimination grant
673000	GAIN/LOSS ON SALE OF ASSETS	$ -		
		$ 33,506.00	**$ 33,249.60**	
GL #	**EXPENSES**			
801100	PROF SERVICES LEGAL	$ 550.00	$ -	
802011	PROF SERVICES AUDIT	$ 2,250.00	$ 1,000.00	Audit
804000	MEMBERSHIP/DUES/LICENSING	$ 250.00	$ 250.00	Michigan Association of Land Banks (MALB)
807030	PROCESS ADMINISTRATION	$ -	$ -	
860000	TRAVEL MILEAGE	$ 1,000.00	$ 158.12	MALB Annual Conference
956000	CONFERENCE & TRAINING REG FEE	$ 2,000.00	$ -	MALB Annual Conference registration, hotel & meals
967010	PROJECT COSTS	$ 32,806.00	$ 30,000.00	Expenses from Blight Elimination grant
		$ 38,856.00	**$ 31,408.12**	
	NET	**$ (5,350.00)**	**$ 1,841.48**	

2024	**YEAR END FUND BALANCE**	**$**	**71,046.48**
2025	**YEAR END FUND BALANCE**	**$**	**65,696.48**

4/14/25 Budget Amendment for 2025: Create 802011 Prof Services Audit account with budget of $2,250.00 for cost of Audit.

OTTAWA COUNTY LAND BANK AUTHORITY REVENUE & EXPENSE BREAKDOWN
Org: 53670501

As of 4/30/2025

GL #				
	REVENUE			
402010	**CURRENT PROPERTY TAXES**	**$**	**-**	
665000	**INTEREST ON INVESTMENTS**	**$**	**849.60**	3/31/25 Interest Earned on Investments
672000	**OTHER REVENUE**			
	State of Michigan	$	30,000.00	Round 1 Blight Elimination Grant, Final Draw - Chester Twp
	State of Michigan	$	2,400.00	Round 1 Blight Elimination Grant - Chester Twp for Grant Admin.
		$	**32,400.00**	
673000	**GAIN/LOSS ON SALE OF ASSETS**	**$**	**-**	
	EXPENSES			
801100	**PROF SERVICES LEGAL**	**$**	**-**	
802011	**PROF SERVICES AUDIT**	**$**	**1,000.00**	Vredeveld Haefner - Audit
804000	**MEMBERSHIP/DUES/LICENSING**			
	Michigan Association of Land Banks	$	250.00	2025 MALB Dues
		$	**250.00**	
807030	**PROCESS ADMINISTRATION**	$	-	
860000	**TRAVEL MILEAGE**			
	Becky Weavers	$	45.56	Mileage to training
	Cheryl Clark	$	112.56	Mileage to training
		$	**158.12**	
956000	**CONFERENCE & TRAINING REG FEE**	$	-	
967010	**PROJECT COSTS**			
	Site Work Solutions Inc.	$	30,000.00	Site restoration & grain bin removal - Chester Twp
		$	**30,000.00**	