

RESOLUTION AMENDING THE INTERGOVERNMENTAL AGREEMENT ADOPTED JULY 8, 2009 AND AUTHORIZING THE WASHTENAW COUNTY TREASURER AS THE FORECLOSING GOVERNMENTAL UNIT TO ENTER INTO THE AMENDED INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF MICHIGAN LAND BANK FAST TRACK AUTHORITY FOR THE PURPOSE OF CONTINUING AN ESTABLISHED WASHTENAW COUNTY LAND BANK AUTHORITY EFFECTIVE OCTOBER 5, 2009 AND APPROVING THE AMENDED INTERGOVERNMENTAL AGREEMENT BETWEEN THE MICHIGAN LAND BANK FAST TRACK AUTHORITY AND THE TREASURER OF THE COUNTY OF WASHTENAW, MICHIGAN AND PROVIDING FUNDING FOR THE COUNTY LAND BANK

WASHTENAW COUNTY BOARD OF COMMISSIONERS

July 7, 2010

WHEREAS, the Board of Commissioners approved an Intergovernmental Agreement to establish a Land Bank and authorized the Treasurer to enter into the Agreement on July 8, 2009, and

WHEREAS, the State of Michigan Land Bank Fast Track Authority approved an Intergovernmental Agreement on July 9, 2009, and

WHEREAS, the Washtenaw County Land Bank Authority became effective and began operating on October 5, 2009, and

WHEREAS, the extraordinarily poor economic conditions have continued to increase foreclosures and have established the need for Washtenaw County to bank blighted, hazardous, or crime-ridden property and a Land Bank provides a mechanism to do this until the property can be put back to productive use, and

WHEREAS, the Michigan Land Bank Fast Track Authority was created as a public body corporate and politic within the Michigan Department of Labor and Economic Growth, a principal department of the executive branch of the state government, under the Land Bank Fast Track Act, 2003 PA 258, MCL 124.751 to 124.774, and is authorized to enter into an Intergovernmental Agreement with a Foreclosing Governmental Unit providing for the creation of a County Authority to exercise the powers, duties, functions, and responsibilities of an authority under that act, and

WHEREAS, the Treasurer of the County of Washtenaw, Michigan is a Foreclosing Governmental Unit under the Land Bank Fast Track Act, 2003 PA 258, MCL 124.751 to 124.774, and Section 78 of The General Property Tax Act, 1893 PA 206, MCL 211.78, and

WHEREAS, the Michigan Land Bank Fast Track Authority and the Treasurer and the Board

of Commissioners of Washtenaw County seek to continue the Washtenaw County Land Bank Authority which became effective as a separate legal entity and as a public body on October 5, 2009 to exercise within Washtenaw County the powers, duties, functions, and responsibilities of an authority under the Land Bank Fast Track Act, 2003 PA 258, MCL 124.751 to 124.774, and

WHEREAS, the Board of Commissioners intends to make four changes to the Intergovernmental Agreement upon recommendation by the Treasurer with concurrence of the Authority Board of Directors and to provide funding for the Land Bank,

NOW THEREFORE BE IT RESOLVED that the Washtenaw County Board of Commissioners hereby amends Article IV, Section 4.01 which would change the Authority Board composition to add another Commissioner and to remove the designated slot for the Sheriff. With this amendment, the Authority Board would remain seven members and consist of the Treasurer, two Commissioners, Mayor or Council Member from the City of Ann Arbor, Mayor or Council Member from the City of Ypsilanti, the Supervisor of the Charter Township of Ypsilanti, and a Supervisor representing townships in the western geographic region of the County, and

NOW THEREFORE BE IT FURTHER RESOLVED that the Washtenaw County Board of Commissioners hereby amends Article IV, Section 4.07 to require that the Authority can act only after a majority vote of the entire Authority Board rather than a majority vote of a quorum present, and

NOW THEREFORE BE IT FURTHER RESOLVED that the Washtenaw County Board of Commissioners hereby amends Article IV, Section 4.10 to eliminate the requirement that the County Treasurer shall serve as the Chair of the Authority Board, and

NOW THEREFORE BE IT FURTHER RESOLVED that the Washtenaw County Board of Commissioners hereby amends Article VIII, Section 8.02 to strengthen the language so that Board of Commissioners could terminate the Land Bank by a resolution of its Board, and

NOW THEREFORE BE IT FURTHER RESOLVED that the Washtenaw County Board of Commissioners hereby establishes dedicated funding for the Land Bank by authorizing the transfer of the additional one half of one percent interest applied to properties that forfeit to the County Treasurer to the Land Bank Authority, such transfers to begin for those properties that were due to foreclose in 2010 (2007 and prior years taxes), and

NOW THEREFORE BE IT FURTHER RESOLVED that the Washtenaw County Board of Commissioners hereby amends the Intergovernmental Agreement and authorizes the Washtenaw County Treasurer as the Foreclosing Government Unit to enter into the amended Intergovernmental Agreement with the State of Michigan Land Bank Fast Track Authority for the purpose of continuing the Washtenaw County Land Bank Authority which became effective October 5, 2009, and

NOW THEREFORE BE IT FURTHER RESOLVED that the Washtenaw County Board of Commissioners hereby approves the amended Intergovernmental Agreement between the Michigan Land Bank Fast Track Authority and the Treasurer of the County of Washtenaw, Michigan continuing the Washtenaw County Land Bank Authority, subject if necessary, to technical, typographical, or non-substantive modifications approved by the Board of Directors or the Executive Director of, or legal counsel for, the Michigan Land Bank Fast Track Authority before the effective date of the amended Intergovernmental Agreement.