

Montgomery County Land Reutilization Corporation (MCLRC)
February Board Meeting
February 15, 2022

Attendees: Sheila Crane, Realtor/Community Dev. Specialist, HER Realtors (Vice-Chair of the Board)
Judy Dodge, Montgomery County Commissioner (Board Member)
John McManus, Montgomery County Treasurer (Board Member)
Todd Kinskey, Director of Plan. & Comm. Dev., City of Dayton (Board Member)
Sharon Lowry, Trustee, Washington Township (Board Member)
Cathy Nash, Chief Deputy, Montgomery County Treasurer's Office (Treasurer Representative)
Mike Grauwelman, MCLRC (Executive Director)
Derek Muncy, Attorney, Bieser, Greer & Landis, MCLRC (General Counsel Representative)

Absent: Carolyn Rice, Montgomery County Commissioner (Chair of the Board)
(Copies To) John Lumpkin, Jr., VP, Wealth Management, Morgan Stanley (Board Member)
Darren Andrews, Dir. of Finance, Treasurer's Office (Treasurer)

Call to Order

Sheila Crane, Vice-Chair of the Board, noting a quorum, called the meeting to order. A copy of the agenda is attached for reference.

Approval of Minutes

John McManus moved to approve the November 16, 2021, Board meeting minutes. The motion was seconded by Judy Dodge and approved unanimously by voice vote.

John McManus moved to approve the December 21, 2021, Board meeting minutes. The motion was seconded by Judy Dodge and approved unanimously by voice vote. Todd Kinskey abstained from the vote.

Other Business – ODOD Demolition Grant Policy

The Committee reviewed the Demolition 2.0/ODOD Demolition and Site Revitalization Program Policy Guidelines. Staff captured the differences between the Demo 2.0 program and the ODOD program programs and created guidelines to allow for as many participants as possible. The Land Bank has applied to the Ohio Department of Development to be the lead agency for this program, which means all projects will go through the Land Bank. The program requires having the property owner's permission to demolish the property or having the property declared a nuisance by the local jurisdiction. The eligible entities include all Montgomery County local governments under MOU with the Land Bank, as well as private and non-profit entities per ODOD. ODOD has expanded the use of the funds to remove site infrastructure (sidewalks, driveways) and for partial demolition (structure interior). Private owners will be required to provide a scope of work, budget estimate, proof of match, and authorization to conduct the work. The application deadline is February 28, 2022. The intent is to submit early as the program is structured on a first come, first serve basis. Publicly owned and single-family residential properties subject to nuisance orders will receive a 12.5% match and are exempt from liens. Commercial properties will receive a 12.5% match and are eligible for liens.

Non-profit and privately owned commercial properties proposed for redevelopment must provide the 25% match and are subject to a Land Bank loan. As well, for non-profit and privately owned commercial properties proposed for redevelopment, no match will be provided by the Land Bank or required of the participating community. *See attached Demolition 2.0/ODOD Demolition and Site Revitalization Program Policy Guidelines for details.*

Monthly Financials

The variance of \$1,200 in the fees and dues line item is due to an insurance cost. The change in the personnel line item of \$9,900 was due to changes in healthcare for employees who opted out of coverage. Later in the year, due to a change in providers, the Land Bank will no longer be a party to the County's insurance program. The Land Bank will have to procure health insurance, which will be a significant increase in cost.

Deposits totaling \$45,000 were refunded as the properties they pertain to no longer qualify under the new policy of the BOR Expedited Foreclosure program. Staff continues to search for properties to backfill the DIY program. ODOD expenditures noted are due to survey work being completed for the program. The TFAP program currently has 38 properties in the process. The cash balance after financial commitments and obligations is approximately \$5.7 million. This will be important as we will have to front the funds for the ODOD program and submit for reimbursement.

Announcement

The next Board meeting is scheduled for Tuesday, March 15, 2022, at 3:30 p.m.

Call to Adjourn

There being no further business, Judy Dodge moved to adjourn the meeting. Sheila Crane seconded the motion.

I hereby certify that the minutes related to the Board of Directors' monthly meeting February 15, 2022, set forth above, are the minutes approved by the Board of Directors at their meeting of March 15, 2022.

/s/ Angela Lilly
Angela Lilly, Secretary
Montgomery County Land Reutilization Corporation



Board Agenda

Montgomery County Land Reutilization Corporation

February 15, 2022 3:30 pm
Montgomery County Administration Building 11th Floor Conference Room

Call to Order: Vice Chair Sheila Crane

Roll Call:

Approval of Minutes: November 9 and December 21, 2021 (Attached)

Old Business:

New Business:

Other Business:

- ODOD Demolition Grant Policy (Attachment)
- Monthly Financials

Next Meeting: March 15, 2022 @ 3:30 pm

Adjourn

MONTGOMERY COUNTY LAND BANK
Demolition 2.0 / ODOD Demolition and Site Revitalization Program
Policy Guidelines

February 10, 2022

BACKGROUND

The state created the building demolition and site revitalization program “...to award grants for the demolition of commercial and residential buildings and renovation of surrounding properties on sites that are not brownfields”. The Montgomery County Land Bank (Land Bank) has been designated as the Lead Entity for the program. As the Lead Entity the Land Bank desires to make its policy guidelines for participation in the program clear through this document with specific emphasis on eligibility, participation agreements, scope of work, matching fund requirements, use of liens, and the submission of the Lead Entity application. For those communities participating in the Demo 2.0 program ODOD funds can be leveraged to reduce the Demo 2.0 match liability. The following is the framework under which communities, private and non-profit entities can avail themselves to the ODOD Demolition and Site Revitalization program.

PROGRAM OBJECTIVES

The Land Bank’s objectives for the program are as follows:

- Facilitate the maximum use and benefits of the ODOD demolition funds in support of the community’s development / redevelopment goals.
- Reposition distressed real estate to encourage market acceptance and investment.
- Recapture ODOD, community and / or Land Bank demolition investment to support future activities.

ELIGIBLE ENTITIES:

Eligible entities in the Demo 2.0 program include all Montgomery County local governments under Memorandum of Agreement with the Land Bank. The ODOD guidelines allow for private and non-profit entities to benefit from its program. The Land Bank has augmented its Demo 2.0 guidelines to allow for their participation in the ODOD program as provided below.

AGREEMENTS: The Ohio Demolition and Site Revitalization Program is being administered under the Montgomery County Land Reutilization Corporation's Demolition 2.0 Program for communities. Under this program agreements are required for all participants. All participant identified properties submitted under the Demo 2.0 program will be submitted as a part of the ODOD application. The ODOD program guidelines expand both eligible entities and the use of its funds beyond that which is allowable under the Demo 2.0 program. Private property owners and non-profits will operate under separate development agreements with the Land Bank obligating them to reimburse the ODOD grant investment and / or demonstrate community benefits that result from the grant investment. The owner / developer will also be required to provide: a scope of work, budget estimate, proof of match, authorization to conduct the work (if the owner is not submitting the request) and other information necessary to complete the application. Upon award by ODOD the owner will be required to provide the Land Bank bid documents defining the scope of work, an identified representative available to support scope questions that may arise during the demolition process, and the required 25% match payable to the Land Bank.

SCOPE OF WORK: The Demo 2.0 program was intended to completely demolish existing vacant abandoned structures. The ODOD program allows for partial demolition of structures (interior walls, asbestos abatement) in a blighted structure to facilitate redevelopment. Guidance provided in the January 10, 2022, ODOD letter to Ohio Land Bank Association confirms..." property wide demolition is not needed..... Development does not classify demolition of walls in a blighted property as rehab. This would allow a blighted property to then be utilized to benefit the neighborhood". The program also allows for the removal of site infrastructure in instances where a structure or a remnant (foundation) of a structure is a part of the project.

LIENS: A stated Ohio Department of Development (ODOD) objective of this program is to ***"encourage demolition and revitalization beyond its current funding allocation."*** To accomplish this objective, revenues resulting from the collection of liens, assessments, salvage proceeds, final disposition of vacant properties or any other revenue generated in connection with this program, will remain with the Lead Entity for future revitalization activities. Therefore, when funding from the Ohio Demolition and Revitalization Program are used to perform acts that remove blight, improve the value of property through demolition or abatement of contaminants, the Land Bank will have the option to place a lien and/or assessments on the property.

APPLICATION SUBMISSION: The ODOD guidelines provide that Lead Entity must submit its application by February 28th. ODOD will not allow applicants to amend applications once they have been submitted until after the award agreement is completed. The ODOD guidelines also will award funds based on a first come first serve (submission date) creating urgency to submit applications early. As the Lead Entity the Land Bank must balance its desire for an early submission with maximizing the total submission.

The Land Bank will determine when it believes it has maximized its submission based upon communications and the status of community efforts to provide eligible property information. In no case will the Land Bank withhold its application for a specific property putting at risk its targeted submission date. The date will be determined by the Executive Director when he believes it to be the optimal timeframe. The Land Bank is not responsible for participants inability to submit its information to meet the Land Bank's application submission date(s).

MATCH: The Land Bank's Demo 2.0 program provided a 50% match to communities participates for the demolition of residential and commercial properties up to a fixed amount provided to the community participant. The Land Bank will provide matching funds equal to the community to reach the 25% required by ODOD. The Land Bank will not offer a match to privately owned property owners and non-profits that wish to take advantage of the ODOD program.

SUMMARY: The following is a summary of the match, lien, and agreements associated with program participation.

Publicly Owned Properties

- **Match:** Communities participating in the program are eligible to receive up to 12.5% of the project cost from the Land Bank for the demolition of qualified properties under their ownership. The community must provide 12.5% of the cost of the project as match.
- **Lien:** All publicly owned properties shall be exempt from Land Bank efforts to recapture ODOD funds utilizing liens.
- **Agreements:** Land Bank Memorandum of Agreement and Demo 2.0

Single Family Residential Properties Subject to Nuisance Orders

- **Match:** Communities participating in the program will receive a 12.5% match from the Land Bank for the demolition of nuisanced single-family properties. The community must provide 12.5% of the cost of the project as match.

- **Lien:** All nuisanced single-family properties shall be exempt from Land Bank efforts to recapture ODOD funds utilizing liens.
- **Agreements:** Land Bank Memorandum of Agreement and Demo 2.0

Commercial Properties Subject to Nuisance Orders

- **Match:** Communities participating in the program will receive a 12.5% match from the Land Bank for the demolition of qualified commercial properties subject to nuisance orders. The community must provide 12.5% of the cost of the project as match.
- **Lien:** All commercial properties demolished under this program will be subject to liens.
- **Agreements:** Land Bank Memorandum of Agreement and Demo 2.0

Non-Profit and Privately Owned Commercial Properties Proposed for Redevelopment

- **Match:** Privately owned properties participating in the program must provide the 25% ODOD match. No match will be provided by the Land Bank or required of the participating community.
- **Development Agreement:** All privately owned commercial properties utilizing this program must be scheduled for redevelopment and will be subject to a Land Bank loan in an amount equal to the grant amount. The loan can be satisfied upon full payment of the lien amount, or the satisfaction of terms and conditions in the development agreement.

Property Type	Match	Lien Applicable	Agreement Type
Publicly Owned	Community 12.5%	No	MOU and Demo 2.0
Residential Nuisanced	Community 12.5%	No	MOU and Demo 2.0
Commercial Nuisanced	Community 12.5%	Yes	MOU and Demo 2.0
Redevelopment	Owner 25%	Yes	Development Agreement