

The Board of Directors of the Lake County Land Reutilization Corporation (the "Board of Directors") met in regular session on the 22th day of November, 2013 at 3:06 p.m. in the Fifth Floor Conference Room of the Lake County Administration Center with the following Directors present:

ROBERT E. AUFULDISH
MALCOLM CHAFER
GABE CICONETTI
LORRAINE M. FENDE
(Alternate Lori Painter)

BLAIR J. HAMILTON
BETH A. KNEZEVICH
TIMOTHY S. MANROSS
DANIEL P. TROY
ANTHONY J. ZAMPEDRO

Mr. Manross moved to approve the minutes of September 26, 2013 and Mr. Hamilton seconded the motion.

AYES: 9 NAYS: 0 ASBSTENTION: -0-

**LAKE COUNTY LAND REUTILIZATION CORPORATION
MEETING**

Friday, September 26, 2013 @ 3:01 p.m.
5th Floor Conference Room
Lake County Administration Building

1. CALL TO ORDER: Daniel P. Troy called the meeting to order at 3:01 p.m.

ROLL CALL: The following were present:

ROBERT E. AUFULDISH
MALCOLM A. CHAFER
GABE CICONETTI
BLAIR J. HAMILTON
BETH A. KNEZEVICH
TIMOTHY S. MANROSS

DANIEL P. TROY
ANTHONY J. ZAMPEDRO
JOHN M. ROGERS
(Also in attendance)
Jason Boyd, County Administrator
Mike Manary, Painesville Twp.

2. MOTION TO APPROVE MINUTES OF THE AUGUST 16, 2013 MEETING

Motion: Manross
AYES: ALL

Second: Zampedro
NAYS: NONE

ABSTENTION: Aufuldish

3. SELECTION OF A NEW CHAIR PERSON

Commissioner Troy reviewed the history of the board member election process. As John Crocker is now officially retired as Lake County Treasurer, he is therefore no longer a member of the LCLRC, and a new chair person must be selected. Commissioner Troy was advised by Mayor Manross that he would be interested. Also interested are Beth Knezevich and Lorraine Fende. Discussion followed. Due to the absence of Lorraine Fende, a motion to table the selection until the next meeting was then brought forth.

Motion: Zampedro

Second: Chafer

AYES: ALL

NAYS: NONE

ABSTENTION: NONE

4. MOVING OHIO FORWARD UPDATE/DISCUSSION

A. PHASE 1

Mr. Rogers reported that the first house of Phase 1 of the Moving Ohio Forward program will be demolished on September 30, 2013 at 1:00 p.m. The location is 7395 Primrose Dr., Mentor-on-the-Lake. The news media will be invited to include WJW/Fox 8, WEWS/NewsNet5, WKYC/TV3, WOIO/19ActionNews, The News-Herald, Gazette News and the Plain Dealer. Mr. Rogers has invited the Attorney General to participate, but as yet has not heard if the State of Ohio will be represented at our first official demolition.

- Next on Phase 1 will be three homes on 300th St, Wickliffe to be taken down following the completion of the demolition of the Primrose property.
- The Mentor City property at 8343 Lake Shore Blvd. has been delayed because of a gas well within the perimeter of the house. The City of Mentor is reviewing the situation now as they are interested in saving the well.
- The 1315 Manatee Ave, Madison Twp. home is ready for demolition with the verification that all utilities are shut off.
- CT Consultants has received the asbestos results of 430 Wetmore Ave. home in Painesville Twp. This house was not in the original contractor quote, and will require a change order to the original Phase 1 contractor quote to be issued on Tuesday of next week.

B. PHASE 2

Mentor-on-the-Lake is working to have 5822 Lake St and 7514 Goldenrod Dr. houses ready for the Phase 2 bid package. A house in Fairport and a house in Willowick are also, included in this phase. A total of four houses are expected to be ready for Phase 2.

C. PHASE 3

Seven houses from the City of Painesville will be in Phase 3. One house from Painesville Township and one from the City of Willowick are also included along with the 7634 Dahlia Dr. and 5582 Chagrin Dr., Mentor-on-the-Lake properties for a total of 12 homes.

All remaining homes have incomplete paperwork as of today's date. Mr. Rogers reviewed reports from officials on the remaining houses originally pin-pointed for demolition. Mac Chafer asked if the Land Bank knew how many homes were owned by the cities, villages and townships. Mr. Rogers responded reviewing the MOF Phase sheet provided to all board members noting those that are owned by individuals and those owned by the municipalities. Discussion followed.

D. DEMOLITION PROCEDURES

1. LORAIN COUNTY LAND BANK PROCEDURES

Commissioner Troy commented that he is current with Cleveland area housing news and has learned that Lorain County has demolished 178 houses and Geauga County 19 houses all within this year. He continued that he had had a discussion with Ted Kalo, Lorain County Commissioner. He had queried Mr. Kalo as to how Lorain was able to complete so many demolitions that quickly. He also had questioned how Lorain County handled the nagging problem of utility disconnections. It was explained that Lorain requires the contractor to handle all utility issues. Those costs are embedded in their bid package.

Commission Troy reported that Patrick Metzger, Lorain County Land Bank Director had also called to further describe the Lorain Land Bank's demolition procedures:

Mr. Metzger explained that Lorain has many blighted houses throughout the county that are earmarked for demolition. Lorain County Land Bank has an existing pre-approved list of asbestos and demolition vendors, and that all title searches are contracted by one Lorain County title company. LCLB has been working steadfastly to educate all local community law directors on the Land Bank demolition procedures. With these tools in place they began the Moving Ohio Forward demolition program.

Once a community grants demolition approval, a resolution is mailed to the Land Bank. Asbestos abatement surveys are scheduled and soon after an invitation is sent from LCLB to the list of approved contractors to schedule a walk-through. Attendance is mandatory if the contractor is interested in bidding. Using Lorain's established bid specification guidelines, the contractor must respond with an estimate within 48 hours. The contract is then awarded and within ten days the demolition begins.

2. LAKE COUNTY LAND BANK PROCEDURES

In response to the Lorain process, Mr. Rogers reviewed the current LCLRC demolition procedures:

In 2012 LCLRC went to all the communities within Lake County and asked for a list of potential demolitions. The list gathered consisted of 84 homes. It has since been scaled down to today's 60 houses.

The next step was to meet with every Lake County Municipality and their Law Directors to educate everyone on the necessary procedures for demolition. An *ordinance exchange* was introduced between municipalities so officials might review and renew any outdated regulations. This process is helping to standardize local community regulations. The names of four Lake County title companies with reasonable fees at approximately \$100/title search was then provided to each local official along with samples of all required demolition forms. All municipalities now have the tools to prepare for the demolitions.

When each house is ready for demolition, it must be reviewed again by the EPA and an environmental consultant to further identify any possible asbestos presence. Seven local contractors have met the necessary bonding and insurance conditions and are now qualified for the LCLRC approved list. Of the seven contractors only two responded with bid packages for our first Phase of houses.

It is the responsibility of each community to procure the Limited Lien search, condemn the property through the Health Department or Fire Department, and if required, provide the Notice of Demolition to the public. If there is no appeal, the community will then pass a resolution. When the Land Bank receives the resolution, CT Consultants then provides a cost estimate on the property and orders the asbestos survey. Most of the 60 homes identified to date are involuntary. If the buildings cannot be accessed for asbestos samples, the community must request a court order. Within two weeks the asbestos samples are analyzed and a report is sent to CT Consultants. A bid package is then created and all interested contractors are invited to estimate the cost of the asbestos remediation and demolition. Next is the scheduled "bid opening". The winning contractor is awarded the bid and a ten day notification is sent to the EPA and the Ohio Department of Health (Lake County Health Department). This allows for asbestos inspections during the abatement.

NOTE: All homes found to have asbestos require notification to both the Ohio Department of Health and the EPA ten days in advance to allow for periodic inspections

during the asbestos remediation. The Lake County Health Department is the agent for the Ohio Department of Health in these situations.

We have been advised that the Attorney General's office will accept change orders of one or two additional houses. However, if the total cost of a Phase exceeds \$50,000, then we must publicly ask for bids.

Mr. Rogers discussed LCLRC's demolition procedures with Jennifer Mildren of the Attorney General's office, seeking advice as to other counties so called "skipping steps". Her response was that we should continue using the tools we have in place to avoid any unnecessary legal issues that might arise.

Commissioner Troy asked if there are any Lake County municipalities with a significant number of houses to take down. Mr. Rogers responded that Eastlake, Painesville and Madison Township had the largest numbers, but even Madison has removed some from the list. He is aware of several homes that residents have identified, but are not on our list. It is often difficult to get the local officials to listen to residents' concerns. Gabe Cicconetti commented that as soon as we post the newest of the demolished homes on our website and newsletter, more action will surely follow.

5. OPPORTUNITY FOR A PARK IN PAINESVILLE TOWNSHIP

Mr. Rogers was approached by George Haskell, Attorney representing an estate that is willing to offer three parcels of land in North Painesville Township as a donation to the LCLRC. Two parcels are contiguous and form a triangle on the corner of Sycamore Drive and Pontiac Avenue. The third parcel is located on Bellevue Ave, two streets from Sycamore but in the same neighborhood.

Mr. Rogers called Sabrina Waytes of the Western Reserve Community Development to see if they might be interested in building on any of the parcels. Her response was not at this time. Mr. Rogers has also contacted the Ohio Department of Natural Resources to seek funding for a possible public park on the double corner lot providing green space and possible children's park equipment. Gabe Cicconetti believes that Painesville Township was offered this parcel, but the cost of insurance and maintenance was prohibitive. Discussion followed. A decision was made to inform Mr. Haskell that we are interested, but are not yet ready to accept it. We will pursue other opportunities to enhance the land.

6. (501) (C) (3) APPLICATION FOR NON-PROFIT STATUS

The LCLRC (501) (C) (3) application has been completed and sent certified mail along with an \$850 application fee to the IRS. It is a 50 – 60 page document that was prepared for us by Douglas Heiser of Heiser and Company LLC, the Land Bank's accounting firm. Upon review the IRS will

issue us a completed form stating our non-profit status. This form will then be used to apply for grant opportunities made available to us.

7. TAX FORECLOSURES COMING SOON

Commissioner Troy asked if with the expected windfall of foreclosures looming this last quarter, could bring opportunities of ownership to LCLRC. If any of the parcels were to be received into the Auditor's Land Bank, could we request them to be given to LCLRC? If the property flows through the normal channels of foreclosure, the property must be advertised three times, be offered at the Lake County Sheriff's Sale three times and if not purchased, handed to the State of Ohio. The interested municipality must petition the state for ownership at an annual sale. All steps become a very lengthy process. Mr. Roger's idea to change the process would be to process the In Rem foreclosures through the *Board of Revision, by means of an Accelerated Foreclosure*, thus possibly shortening the legal procedures and increasing the speed of Land Bank demolitions. Approval of such a plan must come from an agreement between the Treasurer, the Land Bank, the Auditor and the Prosecuting Attorney who represents the Treasurer. This idea is still in the making.

Discussion continued about three other properties worthy of economic development; the Dworken & Bernstein Building, the former Painesville Hotel and the old school in Grand River. Mr. Rogers will attempt to get the Attorney General's office to view all of these buildings when they visit Lake County for the first LCLRC Phase 1 demolition on Monday, September 1st.

8. REQUEST FOR ATTENDEES AT REVITALIZING OHIO'S VACANT PROPERTIES COLUMBUS, OHIO – OCTOBER 22 – 23, 2013

Mr. Rogers asked if there were any *non-government board members* that would be attending the upcoming conference in October. Hotel rooms at the Columbus Weston Hotel are available at a special rate until September 30th. Members will be reimbursement of hotel, mileage and registration fees if anyone is interested. To date Commissioner Troy and Linda Fredebaugh will be attending.

There was no further business.

Mr. Chafer motioned to adjourn the meeting.

Mr. Zampedro seconded the motion.

The meeting was adjourned at 3:54 p.m. by unanimous agreement.

APPROVED:

11/22/13



DANIEL P. TROY, VICE-CHAIR – LCLRC
Lake County Commissioner

The undersigned, Secretary of the Lake County Land Reutilization Corporation, certified that the foregoing is a true and correct transcription of the minutes of the meeting of Thursday, September 26, 2013 of the Board of Directors of the Lake County Land Reutilization Corporation showing the adoption of the Minutes above set forth.

Dated:

NOVEMBER 22, 2013



LINDA S. FREDEBAUGH, Clerk
Lake County Land Reutilization Corporation