

AYES: 6

NAYS: 0

ABSTENTIONS: 0

4. RESOLUTION 2018-100

A RESOLUTION LEVYING LIENS FOR EXPENSES INCURRED TO RECOVER THE TOTAL COST OF CORRECTING HAZARDOUS CONDITION OF BUILDINGS OR ABATING NUISANCE; Permanent Parcel Number 15C011A000040, (639 Argonne Dr, Painesville City)

Motion: Troy

Second: Fende

AYES: 6

NAYS: 0

ABSTENTIONS: 0

At the request of Commissioner Troy Mr. Rogers explained that the properties were condemned by the City of Painesville and that the City enlisted our aid to tear them down. Pursuant to the law the Land Bank certifies the costs for the demolition to the tax duplicate in hopes of one day recovering those costs when the taxes are paid or the property is sold.

OLD BUSINESS

13. NIP PROGRAM UPDATE

Mr. Rogers stated that pursuant to our grant, we were to acquire a cumulative 50 houses for demolition by 12/18/2018. As of the close of this week, the Land Bank will have 55. Our total NIP grant for both Phase I and Phase II amounted to \$1,250,000 (50 houses x \$25,000/house). The grant requires us to have \$937,500.00 (75%) approved for reimbursement by the end of December 2018. It is our understanding that requests for these funds are to submitted on or before December 18, 2018.

As of today's date, reimbursement requests amount to \$655,518.50 with another \$173,322.45 being processed for submittal. These two amounts combined equal \$828,840.95. The remaining balance that is available is \$108,659.05. Recently added to the NIP program is the availability of multi-family structures qualifying with reimbursement of \$75,000/unit (must be 5 or more units). This figure greatly expands the \$25,000 limitation for single family structures of \$25,000/unit (1-4 units). Mr. Rogers believes we will be close on these numbers. LCLRC has recently acquired through foreclosure a home in Willoughby and we are finalizing negotiations for a donation of a 5-unit building in Madison Township. Each of the 5-units is considered a demolition. With the addition of the six housing units, we will surpass our 50 home threshold in the program.

Note: In the event we are unable to use the first \$937,500 by December 2018, the balance may be swept back and reallocated by OHFA. The balance or the \$312,500.00 remaining from our grant will remain available through the conclusion of the program in 2019.

14. LCLRC PROPERTY UPDATE

We currently own 135 properties consisting of 157 parcels. Of these, 44 are NIP properties which become available for sale three years from the date of reimbursement and recording of the OHFA grant mortgage. We have agreements or transfers pending on ten parcels which we estimate should generate \$40,000 in revenues. 65 other parcels are listed for sale on our website. The remaining 25 lots have issues with title, and the clearing of the title is an ongoing battle. Once these titles are clear, we will be in a position to make the parcels available. In this last quarter, the Land Bank has acquired five properties and we have disposed of five.

6. MENTOR MARSH COLLABORATIVE PROJECT

Mr. Rogers reviewed the current status with the Department of Justice, the Ohio EPA, the Osborne family and Lake County Soil & Water. A draft of the Summary Agreement between the Land Bank and the EPA (given to all Board members) was reviewed. He stated that another revision was delivered to the Land Bank today and has not been reviewed. In general, the agreement will state that after the Land Bank takes ownership of the 62 acres, LCLRC will give access to the Ohio EPA for the purposes of excavating, removing, and transporting of salt tailings, fly ash, and lime kiln dust. Once acquired, there will be testing of residual surficial soils, the stabilization the salt fill site, with the Ohio EPA taking necessary measures that they identify to be necessary to eliminate the salt pollution within the Mentor Marsh and waters emanating from marsh into Lake Erie. Reports on the progress of the abatement will be made available to the Land Bank at any time during this process. Technical staff will address any questions or concerns during that time; and that the Ohio EPA will act in a manner consistent with the terms of the *Continuing Obligations Plan* (draft provided to the Board) prepared by Partners Environmental for the Land Bank.

Mr. Rogers made it clear during talks that the Land Bank will not be participating in the cost of any progress reports as required by our contractual agreement. He summarized by stating the objective is to protect the Land Bank's position on obtaining this property for the purposes of clean-up. If the EPA is unable to complete the clean-up in a five year period, the property will be turned over to the State of Ohio. If the remediation is successful within the five years, the Land Bank will then transfer this parcel to the Cleveland Museum of Natural History as a historic and protected site.

Commissioner Troy asked if the negotiations between the original land owner responsible for the pollution and the courts is still ongoing, and if there were any concerns about our responsibilities as a participant in this arrangement. Mr. Rogers responded that the Land Bank has no liability. The agreement does not go into effect unless the court approves it; at which point it becomes an order of the court. It is his belief that the Land Bank will not sign this agreement until the \$10,000,000 settlement is transferred to the State.

It is noted that at the last meeting our Treasurer, Lorraine Fende asked that a court reporter prepare a transcription of the Mentor Marsh discussion. A copy of that report is available in the Land Bank office.

7. 1991 HUBBARD RD – MADISON BEVERAGE/GAS STATION

Mr. Rogers reported that we were successful with the award of the EPA's Gas Station Clean-up funds providing between \$100,000 and \$500,000 as needed. Because of a slight change in this year's EPA Clean-up rules we were asked to apply for \$250,000 versus the \$100,000 with the understanding that we could reapply for the balance of the \$500,000 to assure full reimbursement. Our lowest estimates on this project were \$102,920 and the high of \$113,800, well below the \$250,000 mark. The caveat will be the ground testing that follows which will ultimately tell us what additional funds might be necessary. Brownfield

Restoration Group will be the lead entity responsible for the soliciting competitive bids and recommending the contractor/s for the abatement and demolition. Furthermore, the company will oversee the project's management, field activities including testing, and insuring compliance with BUSTR and the Ohio EPA including the data compilations and report preparations. The Land Bank will pay all contractors and in turn complete and submit reimbursement requests to the Ohio.

Commissioner Cirino asked of our liability to the potential leeching of contaminants outside our property limits. Mr. Rogers responded explaining that any liability to the adjacent properties is understood to be very limited. Mr. Rogers plans on signing a contract this week with the demolition contractor, EMS Environmental Management Services, Inc. out of Cleveland.

8. FINANCIALS (Copies of Revenue & Expense and Balance Sheet provided)

Mr. Rogers reported that the Land Bank has not as yet received our DTAC allocation funds for the 2nd half of 2017 tax cycle.

9. 29735 GREEN RD, WILLOWICK – RENOVATION

Bids for the Green Road project have been mailed to prospective contractors by the firm of Fabo Architectural Inc. who will be our lead entity on this project. Mr. Rogers believes this home can be renovated for approximately \$125,000 and should fetch a comparable sales price to that received for the house renovated previously on Clarmont. Hopefully, estimates are being prepared as we speak.

10. CHAIRMAN OF THE BOARD RECOGNIZES VISITORS

Brian Massey, 8196 Rainbow Dr, Concord asked for an update on the Convent and Rectory demolitions in Willowick. Mr. Rogers responded that he did not have the complete figures on the now demolished buildings, but will be glad to share those costs when available. He reported that he had talked with Mayor Regovich and was told that the City is very pleased with our work and that he has interested parties that will be looking at both parcels when they become available in 2021.

Arzella Melynuk, 10506 Hobart Rd, Kirtland asked if there are any updates on the 265 N State Street property. Mr. Rogers responded that the report and final release from the State has not been received.

John Muzic, 45 Coventry Dr, Painesville asked about the NIP funding amounts and DTAC funding. Mr. Rogers explained that the NIP funding in total is \$1,250,000 of which 55 houses will have been demolished totaling \$848,000 in reimbursements through December 2018. An estimated 15 more houses will be needed to use all moneys awarded. There is a three year waiting period before we can sell the now cleared property. At that time any reimbursed funds will be the Land Banks to keep for future use.

The Board having no further business to discuss was asked for a motion to adjourn.

Motion: Fende Second: Knezevich
AYES: 7 NAYS: 0 ABSTENTIONS: 0

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NAYS: 0

ABSTENTIONS: 0

MEETING ADJOURNED at 3:30 p.m.

21) SCHEDULE OF FUTURE MEETINGS

The following dates are posted:

Fourth Quarter – Monday, December 17, 2018 @ 3:00 p.m.

Annual Meeting – Monday, March 25, 2019 @ 3:00 p.m.

First Quarter – Monday, March 25, 2019 @ 3:30 p.m.

Second Quarter – Monday, June 24, 2019 @ 3:00 PM

Third Quarter – Monday, September 23, 2019 @ 3:00 p.m.

APPROVED: DECEMBER 17TH, 2019

X 
TIMOTHY S. MANROSS, Chairman

The undersigned Clerk certified that the foregoing is a true and correct transcription of the minutes of the meeting held September 17, 2018 of the Board of Directors of the Lake County Land Reutilization Corporation showing the adoption of the Minutes above set forth.

DATED: DECEMBER 17, 2019


LINDA S. FREDEBAUGH, Clerk