



Rome/Floyd Land Bank Authority Minutes

Friday, January 7, 2022

8:30 AM

Carnegie Training Room

Committee Members Present:

Harry Brock
Rob Ware
Lowery May
David Mathis

Others:

Cindy Reed - City - Accountant, Grants/Internal Auditor
Toni Rhinehart - City - Director of Finance
Meredith Ulmer - City - Assistant City Manager
Kevin Payne - County - Tax Commissioner

Staff:

Bekki Fox - City - Community Development Director
Logan Drake - City - Community Development Program and Compliance Specialist

Welcome and Call to order:

David Mathis called the meeting to order at 8:34 AM. A quorum was established.

Approval of Minutes:

Mathis asked for any corrections to the minutes from the meeting of December 1, 2021. Rob Ware brought an error to Staff's attention located at the end of the section titled *326 Branham Avenue (I14W428) Discussion*. The typo read that Ware both made and seconded the motion. Staff stated they would fix the mistake. Harry Brock motioned to approve the December 2021 minutes, subject to correcting the error Ware identified, which was seconded by Ware. Motion carried.

Authority Updates:

Bekki Fox brought up a former offer introduced at the LBA Board Meeting held on May 7, 2021. The following is taken from the May 2021 minutes: "Sherell Smith submitted an offer of \$700.00 for the purchase of parcel J13I029 located at 0 King Bee Circle. Discussion was made that her offer was low for such a relatively large parcel. Brock authorized staff to counter the \$700.00 offer presented from Sherell Smith for parcel J13I029 to \$2,000.00 and accept no less than \$1,500.00, subject to conveyance from Floyd County, which was seconded by Ware. Motion carried."

Fox said that Smith called Logan Drake the week prior. While Smith indicated that staff never called her, they had called multiple times but the voicemailbox was full. Drake then messaged her with the email she provided but never received a response back from her. Drake explained the situation. Smith was now interested in paying \$1,500.00 but would not increase her offer to \$2,000.00. Fox wanted to first confirm that the Board was still willing to go through with their previous counteroffer. After brief discussion, the Board acted as follows:

- Brock motioned to approve the \$1,500.00 counteroffer presented by Sherell Smith for parcel J13I029, subject to conveyance from Floyd County, which was seconded by Ware. Motion carried.

Fox informed the Board that the LBA successfully purchased parcel I14W428, located at 326 Branham Avenue, through the Judicial-In-Rem auction process. While other potentially interested individuals attended the auction, they did not place a bid as they were instead looking for a property with an established structure. Once Payne began the auction, Fox made the opening bid. Considering no one else was interested, Fox won the bid. Payne invoiced Fox, considering the LBA pays the legal fees and advertisement for any property they ask to be taken through the Judicial-In-Rem process. The LBA did ask for this property to go through this specific process. Unless it is redeemed in 60 days, the LBA will acquire the property with clear title. Payne stated that someone had called Andy Garner's office inquiring about redeeming. Fox and Brock confirmed that now that the LBA has purchased this property and if the property were to then be redeemed, the redemption money would be received and then be given back to the LBA. Payne said that while someone had paid \$1,000.00 but never reached back out to pay the remaining balance. Fox said that updates will be given on a later date.

Fox then moved on to discussing pending sales, recent closings, and pending purchases. Fox informed everyone that Jimmy Tate had closed on parcels E19Z036 and E19Z038 located at Lyons Bridge Road. The only sales left pending are the property purchase requests that were approved by the Board in the December 2021 LBA Meeting. The County has not transferred the properties over to the LBA yet, but the matter is on the agenda for discussion and approval at the next Floyd County Commission meeting. Sales contracts have been drafted and are ready to be signed by Mathis. Staff has not received the check for the Georgia Power Easement of parcel I14Z064 located at 622 South Broad Street, but Georgia Power confirmed they will send it within 30 days. Ware asked if the adjacent property owner had been contacted yet about receiving that parcel. Fox said no but staff will do so soon. Updates will be given.

American Rescue Plan Act (ARPA) Funds Discussion:

Fox updated everyone on the status of the ARPA funds. The Treasury Department made an announcement stating that the final rule has been issued and should take effect starting April 1, 2022. Fox believes that the decision was made based upon the comments given by various agencies across the country explaining the need for less rules and regulations on said funds. Fox thinks this will benefit the City of Rome. The City will still be giving the agreed upon \$1 million.

Fox updated the Board on the situation involving the decision of which departmental staff will be involved with the LBA. After much consideration and previous discussion with City Manager Sammy Rich, the LBA staff will still be under the City's Community Development Department. Fox will remain as the department's director and still oversee the processes of the LBA. A job description is being crafted for the new, devoted staff position currently titled Land Bank Coordinator. The goal is to have said position filled within the next 30 days or so. All agreed that it would be beneficial for this individual to start working before a planning session takes place. After a year or two, the possibility of the LBA becoming a separate department can be revisited.

Moving forward, the City Manager's office, Board and staff were all in agreement that a planning session was needed to properly handle the increase in funds. Besides the City's allocation, there is still the possibility of the State ARPA funds involving the Georgia Association of Land Bank Authorities (GALBA). Fox also confirmed that the LBA is still considered a high priority for receiving an allocation from Floyd County's ARPA funds, but no final decisions have been made yet. Fox suggested receiving advice and technical assistance from the Georgia

Initiative of the Center for Community Progress (CPP). At our next planning session, CPP could facilitate a discussion where we detail our desired goals and initiatives for the next couple of years. They will not provide a written document considering staff will draft an outline instead. They would also provide staff with monthly, ongoing assistance as needed. While there is a fee attached, ARPA funds may be used. Fox brought up that these funds may also be used to buy a new program that will better track our data than the Excel spreadsheet staff currently uses.

Toni Rhinehart stated that while she has not heard of an official deadline extension, she does anticipate one. Fox, Ware and Mathis confirmed that funds must be allocated by 2024 and spent by 2026. Moving forward, Mathis emphasized the importance of discussing and agreeing upon a plan and timeline. He noted a decision needs to be made on whether the focus of future housing projects will gear towards low-income or market rate. To be continued.

Board Member Term Limit Discussion:

Fox reminded everyone that while Roger Smith's term expired this past December, according to City rules as a City appointee, he can still serve on the Board until the position is filled. Smith is currently ineligible for another term and has additional personal reasons for not desiring one anyway. Fox expressed her appreciation of the many contributions that Smith provided. Fox suggested that, in the next planning session, the Board should consider increasing the number of Board members from five to seven. Understandably, it takes a considerable amount of time to learn how to carry out the unique nature of Land Bank work. Fox is concerned that too many people will have to leave at once due to the City rule that expired members must rollover for a year before considering another term. An increased number of members would hopefully allow staggered expirations. Terms must be approved by both the City and County; however, the County allows for longer term periods.

Some expressed their concern with the lack of consistency, and all agreed of the need for appointments to be lined up between the two entities. Mathis and May are County. Brock and Smith are City. Ware is joint. Ware and Mathis agreed that continuity and commitment are needed for the longevity of the LBA. Meredith Ulmer questioned if all City committees currently have term limits. Through City Clerk Joe Smith, Fox confirmed that the Northwest Georgia Housing Authority is the one exception. Ulmer stated she would check with Rich if a special exception could be made considering the LBA is a joint committee. Fox further stated that providing training for these new members would be very beneficial.

American Rescue Plan Act (ARPA) Funds Discussion Continued:

Mathis brought up the potential expenses of CPP training and Fox said she will get a quote confirmed. Fox desired to put off the work session until the Landbank position is filled. The goal is to meet in February or April. Fox stated the City's procurement process could be used to outfit this individual's office space and it is in the budget to do so. After discussion, the Board acted as follows:

- Ware motioned to approve Fox purchasing supplies and equipment for the new Landbank Coordinator's office, which was seconded by Brock. Motion carried.

Brock suggested the idea of taking a field trip so that everyone attending may see the positive work that has already been completed and the future projects that will be done. Built homes and soon-to-be construction

sites would be toured in a rented vehicle. Deciding if the trip should take place the day of the next meeting or another time will depend on the time constraints of how much business there is to conduct.

Fox hopes interest will develop among local developers as parcels are assembled, cleared, and constructed upon. At this session, purchasing house plans can be discussed. Habitat for Humanity owns a corner lot parcel located near Maple Avenue and East 9th Street that could be developable for a duplex. Fox wants to gauge their interest in either swapping properties or selling the property with a nominal fee. The LBA would clear the title. The matter can be discussed further at the planning session.

Financial Report:

The financial report was distributed for review. Report attached. Toni explained the usual numbers along with the fact that the new staff position is already budgeted for 2022. The money is transferred, in order, from the following funds: ARPA to LBA then Community Development.

Property Purchase Requests:

Mathis reasoned it was unnecessary to enter Executive Session for the following requests. Fox presented the applications for property acquisition through the Land Bank Authority. The applications were discussed, and the outcome is listed as follows:

- **Georgia Power Easement Request**

The Board reviewed an easement request from Georgia Power involving parcel I13L321 located at 0 Beverly Road. This is a mostly vacant lot with a couple of large trees. While the parcel card reads that the property is still owned by Floyd County, it is only because not enough time has passed for GIS to update the change. The LBA already owns the parcel as it was originally requested, in 2021, from the County to sell to Star Time Technologies. While their original offer was accepted by the Board, they never followed through with closing. Their offer was thus denied leaving the parcel under the LBA's ownership. Georgia Power would install just one box so the parcel could still be sellable in the future. The total compensation would be \$2,500.00. Brock questioned as to how Georgia Power can make this request in the first place considering the title is not clear. Payne stated that, in the end, Georgia Power, not the LBA, would be responsible for addressing any issue regarding title clearance. Discussion was had. The Board acted as follows:

- Ware motioned to agree to Georgia Power's easement request by accepting the offer of \$2,500.00, to install one power box on parcel I13321, which was seconded by Lowery May. Motion carried.

- **303 Ross Street (J13J021)**

The Board reviewed an application submitted for the purchase of a vacant/wooded parcel located at 303 Ross Street. Middleman Management LLC made an offer of \$1,000.00 for parcel J13J021. Through the LBA, Middleman Management LLC recently became the adjacent property owner of parcel J13J020, located at 301 Ross Street. Their prescribed plan is to combine the two lot sizes and then build affordable housing. Habitat for Humanity owns the other adjacent property, parcel J13J022 located at 305 Ross Street. While Fox believes the sloped topography makes the lot undevelopable, the applicant has expressed interest in acquiring it. Staff told the applicant that they will have to privately contact the current owner themselves as the LBA will not be involved. If they were to eventually own this parcel too, the

applicant would have acquired all three properties. Discussion was made. The Board acted as follows:

- Brock motioned to approve the \$1,000.00 offer presented from Middleman Management LLC for parcel J13J021, subject to conveyance from Floyd County, which was seconded by Ware. Motion carried.

- **106 Brookwood Avenue (I13X291)**

The Board reviewed an application submitted for the purchase of vacant/wooded lot located at 106 Brookwood Avenue. Teresa Tizol made an offer of \$1,000.00 for parcel I13X291. She is the adjacent property owner of parcel I13X292 located at 108 Brookwood Street. Tizol's plan is to clear and remove brush, debris and trees in order to build a home. Considering this property is in a flood plain, Tizol met with the Building Inspection Department's Environmental Specialist to confirm that the lot is eligible to have a home built upon it. After speaking with them, Tizol felt confident enough to move forward with her offer. Discussion was made about how a home could be built considering the topography. The LBA has done its due diligence informing them of the flood plain. The applicant feels content with their decision. The Board acted as follows:

- Brock motioned to approve the \$1,000.00 offer presented from Teresa Tizol for parcel I13X291, subject to conveyance from Floyd County, which was seconded by May. Motion carried.

Other Business:

Mathis summarized the following: Ulmer would speak with Rich about Board Member terms, Fox would later update everyone on the new staff position and the field trip/tour would take place at the next meeting.

Brock asked if there were any updates on the water and sewer taps for new construction. Ulmer said that applications are being taken. Water infrastructure cannot be refunded but water and sewer tap fees can be reimbursed up to a certain amount. Fox will attempt to confirm that the areas in question fall under the poverty rate. All agreed that the Census tracts should remain our guide in light of the previously mentioned, upcoming April 2022 date

Discussion was had on how much influence rising inflation rates should have on the LBA's philosophy on homebuilding projects. Positive yet constructive debate concerned the desirability of ideas like making a profit or selling at a still affordable market rate. The size of these homes will have to be scrutinized along with the possibility of having both low-income and middle-income properties. Discussion will continue at future meetings as the LBA moves forward.

The next scheduled meeting will be held on **Friday, February 4, 2022**, at 8:30 AM.

Adjourn:

There being no further business, the meeting was adjourned at 09:40 AM.

Respectfully submitted,

Logan Drake
Recording Secretary