

Agenda Packet

NORTHEAST NEBRASKA REGIONAL LAND BANK MEETING

Monday, February 26, 2024
12:00 p.m.

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**NOTICE OF MEETING
CITY OF NORFOLK, NEBRASKA**

NOTICE IS HEREBY GIVEN that a meeting of the Northeast Nebraska Regional Land Bank Board, will be held at 12:00 p.m. on Monday, February 26, 2024, in the Norfolk Public Library, Meeting Room A, 308 W Prospect Ave, which meeting will be open to the public.

An agenda for such meeting, kept continually current, is available at the Norfolk Housing Agency office, located at 1310 W Norfolk Ave, Suite D, Norfolk, Nebraska during normal business hours.



AGENDA

NORTHEAST NEBRASKA REGIONAL LAND BANK MEETING

February 26, 2024

CALL TO ORDER

1. 12:00 p.m. Call meeting to order.
2. Inform the public about the location of the Open Meetings Act posted in the Norfolk Public Library and accessible to members of the public
3. Roll call.

CURRENT BUSINESS

4. Approval of full agenda. **Motion**
5. Consideration of approval of the minutes of the January 22, 2024 meeting. **Motion**
6. Consideration of approval of a temporary acquisition policy for Annual Tax Certificate Sales in Madison and Pierce Counties. **Motion**
7. Consideration of authorization of land bank staff to pursue tax certificate sales in Madison and Pierce Counties. **Motion**
8. Discussion and authorization of land bank staff to pursue 501 (c)(3) status. **Motion**
9. Discussion and approval of land bank flyer to be utilized for promotional purposes. **Motion**

OTHER BUSINESS

10. Discussion regarding potential acquisition (donation) of 110 S 9th Street.
11. Discussion on adding Land Bank audit to the City of Norfolk's audit.
12. Open topics on any concerns the Board has towards current and future planning for the Land Bank. No action can be taken on matters discussed.

**Northeast Nebraska
Regional
Land Bank**

1310 W Norfolk Ave, Suite D
Norfolk, NE 68701
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www.norfolkne.org

The Board of Directors of the Northeast Nebraska Regional Land Bank held a board meeting Monday, January 22, 2024, at 12:00 P.M. at the Norfolk Public Library, 308 W Prospect Avenue, Meeting Room A, Norfolk, Nebraska.

1. Roll Call. The following board members introduced themselves and were present: Brian Lundy, John Kouba, Benjamin Temple, Rob Merrill, Randy Wilcox, Rod Johnson, Soshia Bohn, Mayra Mendoza, Juan Sandoval
Absent: None Others present included: Val Grimes, City of Norfolk Director of Planning & Development; Justin Snorton, City of Norfolk Councilperson; Mark Craft, Village of Hadar; Myron Wasson, Village of Hadar; Gary Bretschneider, City of Norfolk Executive Director; Julie Drahota, City of Norfolk Housing Program Manager; Danielle Myers-Noelle, City of Norfolk City Attorney; Lyle Lutt, City of Norfolk Operations Manager; Sally Anderson, City of Norfolk Accounting Specialist; Brandon Gascoigne, City of Norfolk Housing Coordinator/Inspector; Lenaya Callies; City of Norfolk Attorney's office Legal Assistant; Kylee Soderberg, City of Norfolk Administrative Assistant
2. Informed the public about the location of the Open Meetings Act posted in the Norfolk Public Library, Meeting Room A, and accessible to members of the public.
3. A motion was made by Rob Merrill, seconded by Soshia Bohn to approve the amended agenda moving #6 up to #5 to consider adoption of the Bylaws before Election of Officers. AYES: Lundy, Kouba, Temple, Merrill, Wilcox, Johnson, Bohn, Mendoza, Sandoval NAYS: None Motion carried.
4. Discussion was held on consideration of adoption of Bylaws. The Land Bank includes 2 communities, Norfolk and Hadar. The City of Norfolk City Attorney reviewed and pointed out several items in the bylaws. The Land Bank reports to the City Council and annually to the Legislature, meeting procedures, Officers/Terms of board members, Gary Bretschneider is Executive Director and Julie Drahota, Secretary, until self-sustaining, voting board members and backgrounds required, different requirements for a quorum, liability insurance, conflict of interest, board member training, creating special committees, and finance committee appointed. There could be communities that join the land bank in the future. A motion was made by Rob Merrill, seconded by Benjamin Temple to approve adoption of the Bylaws. AYES: Lundy, Kouba, Temple, Merrill, Wilcox, Johnson, Bohn, Mendoza, Sandoval NAYS: None Motion carried.
5. A motion was made by Rod Johnson, seconded by Benjamin Temple to adopt the amended Bylaws with the majority of voting members present and voting. AYES: Lundy, Kouba, Temple, Merrill, Wilcox, Johnson, Bohn, Mendoza, Sandoval NAYS: None Motion carried.
6. Discussion was held on the election of officers. Danielle Myers-Noelle referred to Article 5, Page 7 for Officers of the Board. Elections will include a Chair, Vice Chair, and Treasurer. Discussion was held nominating Rob Merrill as Chair, Soshia Bohn as Vice Chair, and Benjamin Temple as Treasurer. A motion was made by Benjamin Temple, seconded by Soshia Bohn to approve the following officers of the Land Bank board: Rob Merrill, Chair; Soshia Bohn, Vice Chair, and Benjamin Temple, Treasurer. AYES: Lundy, Kouba,



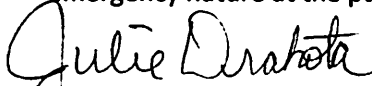
Temple, Merrill, Wilcox, Johnson, Bohn, Mendoza, Sandoval NAYS: None Motion carried.

7. Discussion was held on consideration of Resolution 2024LB-1 setting the standard day and time for future meetings. City staff discussed some dates to stay away from. It was suggested the 4th Monday of the month at 12 Noon would work for the meetings in the future. It was also suggested that the agenda packet go out by email the Wednesday before the meeting for review by the board members. A motion was made by Soshia Bohn, seconded by Juan Sandoval to approve Resolution 2024LB-1 setting the standard day and time for future meetings. AYES: Lundy, Kouba, Temple, Merrill, Wilcox, Johnson, Bohn, Mendoza, Sandoval NAYS: None Motion carried.
8. Discussion was held on consideration of approval of the Conflict of Interest Policy. Danielle Myers-Knoelle read the first paragraph of the guidelines and if board members feel they have a conflict of interest they can reach out to staff. There is conflict of interest forms that would need to be filled out and emailed to staff. If you have a conflict, you will need to abstain or remove yourself from discussion. A motion was made by Mayra Mendoza, seconded by Juan Sandoval to approve the Conflict of Interest Policy. AYES: Lundy, Kouba, Temple, Merrill, Wilcox, Johnson, Bohn, Mendoza, Sandoval NAYS: None Motion carried.
9. In interest of saving time, both Agenda Items 9 & 10 will be discussed and voted on together. Insurance for the Board of Directors and commercial liability insurance for the properties acquired by the Land Bank were discussed. These policies are for 1 year with the possibility of rebidding after the first year. There are not too many comparable types of insurance for Land Banks and the Omaha Land Bank said it was hard to find insurance coverage. The policies are with Frank Arends, Town & Country Insurance. It was noted that Frank Arends is a City Councilperson, and this would not be a conflict of interest. A motion was made by Soshia Bohn, seconded by Juan Sandoval to approve the Public Officials Management and Liability insurance policy with Indian Harbor Insurance Company and commercial liability insurance with GTA Insurance Group. AYES: Lundy, Kouba, Temple, Merrill, Wilcox, Johnson, Bohn, Mendoza, Sandoval NAYS: None Motion carried.
10. Discussion was held on consideration of approval of Resolution 2024LB-2 adopting the mission statement. The mission statement can be revised in the future if the mission changes. These are residential properties that are put back on the tax base with affordable housing being built on the property. The Land Bank can only work with 5% of commercial properties. A motion was made by Rod Johnson, seconded by John Kouba to approve Resolution 2024LB-2 adopting the mission statement. AYES: Lundy, Kouba, Temple, Merrill, Wilcox, Johnson, Bohn, Mendoza, Sandoval NAYS: None Motion carried.
11. Discussion was held on consideration of approval of a funding request to the City of Norfolk City Council. The City Council earmarked \$50,000 of ARPA funds for the Land Bank in year 2022. This letter will go to the City Council at the February 5th Council meeting. Funds from the auctioned Northdale property (\$39,000) the City owned will also go into the Land Bank funds. A motion was made by Benjamin Temple, seconded by Soshia Bohn to approve the funding request letter go to the City Council to request the \$50,000 ARPA funds. AYES: Lundy, Kouba, Temple, Merrill, Wilcox, Johnson, Bohn, Mendoza, Sandoval NAYS: None Motion carried.
12. Discussion was held on appointing a Finance Committee. In Article 4, Section 2, a Finance Committee will be elected by the Board every January familiar with financial practices with a group of 3 board members. The Finance Committee will be Juan Sandoval, Benjamin Temple, and Brian Lundy. It was asked if the audit of the Land Bank could be included with the City of Norfolk's audit. A motion was made by Soshia Bohn, seconded by Mayra Mendoza to approve the Finance Committee of Juan Sandoval, Benjamin Temple, and Brian Lundy. AYES: Lundy, Kouba, Temple, Merrill, Wilcox, Johnson, Bohn, Mendoza, Sandoval NAYS: None Motion carried.



13. Discussion was held on consideration of approval of FY 23-24 budget. The property demo fees were an estimate of how much it might take to demolish a house. Once the property is acquired, we have to make sure the property is safe. The budget year will be through September 30th. Plan to talk to banks and for marketing have flyers made. Plan to have a website page on the City of Norfolk's website. May become a 501(c)3 in the future. The first Monday in March is when the tax certificates come up on tax delinquent properties and the Land Bank can pay for these certificates and possibly own the property after 3 years. A motion was made by Benjamin Temple, seconded by Juan Sandoval to approve the FY 23-24 budget. AYES: Lundy, Kouba, Temple, Merrill, Wilcox, Johnson, Bohn, Mendoza, Sandoval NAYS: None Motion carried.
14. It was asked if information on the land bank could be prepared to include the mission statement so this could be explained by the board. Gary Bretschneider and Val Grimes are going to the Home Builders meeting on February 13th to promote the Land Bank. Three house plans are available for building on infill lots. Will watch for yellow/red tagged properties. We are not competing with the private sector.
15. The meeting was adjourned at 1:35 P.M.

The Northeast Nebraska Regional Land Bank shall have the right to modify the agenda to include items of an emergency nature at the public meeting as outlined in Section 84-1, 411 Revised Statutes of Nebraska.



Julie Drahota

Secretary

Northeast Nebraska Regional Land Bank

Northeast Nebraska Regional Land Bank

Temporary Policy No. ___

Acquisition from the Annual Tax Certificate Sales In Madison and Pierce Counties

This Temporary Policy of the Northeast Nebraska Regional Land Bank (NNRLB) shall set the terms and conditions for Acquisition from the Annual Tax Certificate Sales in Madison and Pierce Counties and shall be in effect until such time as a full Acquisition, Maintenance, and Disposition of Real Property Policy is approved by the Board.

Article 1. Acquisition from Annual Tax Certificate Sales in Madison and Pierce Counties

- A. The NNRLB may participate in Madison and Pierce Counties' annual tax sales held on the first Monday of March pursuant to Nebraska Revised Statute § 77-1801 et seq.
- B. The NNRLB may bid at the sales as a regular bidder at the discretion of the Executive Director.
- C. Upon the expiration of three years from the date of purchase, the NNRLB may foreclose on all remaining unredeemed tax certificates pursuant to Nebraska Revised Statute § 77-1902, et seq.
- D. The NNRLB may take a deed from the property owner in lieu of foreclosure if there are no other liens against the property that cannot be abated through resolution of the Board.
- E. Upon acquisition after the confirmation of the sheriff's sale of the property Nebraska Revised Statute § 77-1913 or a deed in lieu of foreclosure, and upon appropriate resolution of the Board, the NNRLB shall request that the County Treasurer exempt the property from future taxes and assessments for the entire period the NNRLB owns the property.

Article 2. Acquisition from Private Tax Certificate Sales in Madison and Pierce Counties

- A. The NNRLB may participate in private tax sales in Madison and Pierce Counties pursuant to Nebraska Revised Statute § 77-1801 et seq.
- B. The NNRLB may bid at the sales as a regular bidder at the discretion of the Executive Director, and following preapproval from the Board.
- C. After the acquisition of a tax sale certificate through the private tax lien sale and after the redemption period has expired, the NNRLB may file a tax foreclosure action pursuant to Nebraska Revised Statute § 77-1902, et seq.
- D. The NNRLB may take a deed from the property owner in lieu of foreclosure if there are no other liens against the property that cannot be abated through resolution of the Board.

- E. Upon acquisition after the confirmation of the sheriff's sale of the property pursuant to Nebraska Revised Statute § 77-1913 or a deed in lieu of foreclosure, and upon appropriate resolution of the Board, the NNRLB shall request that the County Treasurer exempt the property from future taxes and assessments for the entire period the NNRLB owns the property.

This Temporary Policy shall terminate upon approval of a full Acquisition, Maintenance, and Disposition of Real Property Policy by the Board which incorporates the policies within.

Approved by the board on _____.

Secretary

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Northeast Nebraska Regional Land Bank

Your guide to neighborhood revitalization and
affordable housing



Our Mission Statement

*To turn vacant, abandoned and tax-delinquent properties into
affordable, habitable properties that enhance community pride,
create additional tax revenue and support our most vulnerable
neighborhoods and citizens.*



BOARD MEMBERS

ROB MERRILL

Chairman

SOSHIA BOHN

Vice Chairman

BEN TEMPLE

Treasurer

BRIAN LUNDY

JOHN KOUBA

ROD JOHNSON

RANDY WILCOX

MAYRA MENDOZA

JUAN SANDOVAL

What is a Land Bank?

We are a local, governmental, 501(c)3 nonprofit (*in progress*) organization, working to acquire vacant, abandoned, and dilapidated properties throughout Northeast Nebraska where we will then partner with our community to transform them into positive neighborhood assets.

Why are we important?

An overriding need to confront the dilemma of vacant and dilapidated properties prompted the Nebraska Legislature to pass the Nebraska Municipal Land Bank Act in 2013. With this act, the Northeast Nebraska Regional Land Bank aims to tackle such problems at a local level and empower the transformation of distressed properties into community assets.



Property Acquisitions



"Should I visit with the Land Bank?"

If you are the owner of a distressed property in Norfolk or Hadar that is costing you money (insurance, taxes, maintenance), you can't find anyone to buy the property and the cost of demolishing the property is more than the value of the lot, then yes, you should contact the Land Bank for more information about property transfer and/or donation.

"Can I use my property donation to the Land Bank as a charitable contribution?"

Likely, yes, and another great reason to stop in and visit about the possibilities.

"I am interested in learning more about how I can help and be a part of the Land Bank to improve the community."

If you want to make a charitable donation, apply to serve on the board, contribute your time, equipment or expertise in the construction industry to help lower costs for the Land Bank to do more in the community, please call or stop in and visit.

Interested in more info?

Give Gary Bretschneider, Executive Director, a call at (402) 844-2080 or www.norfolkne.gov to learn more!



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Administration Division
Operations Manager

Question from the board; Can The City of Norfolk do an audit for or with the Land bank?

In talking with Randy Gates and Sheila Rios (Accounting) the short Answer; Yes. But there is more to it than a simple yes or no answer. The City and the LB would get a better audit "final product" if it was performed by an outside agency.

The long Answer; Audits are due to the state each year by March. The LB will not have the requirement to submit an audit to the State of Nebraska's revenue and urban affairs committee in March of 2024 due to this being the first year of the land bank. Since the LB budget runs concurrently with the City's budget, the LB's first year will only have nine months to be reviewed since the budget ends in September. If it is decided that an audit is needed, the audit would need to be completed and submitted to the city by the end of January 2025. This allows the city to have everything in place prior to March of 2025 at which point the city's audit is due.

The LB bylaws currently say: "audit or review". There are three levels to an audit, the lowest being a "compilation", which would not be beneficial in the land bank's circumstance. The middle level is a "review". The highest level is a full "audit." Logically, the costs go up with the complexity of the and the product.

It was indicated the LB can possibly get a waiver of the requirements for submitting an audit due to revenues being less than \$100,000. However, The City of Norfolk has a state requirement to include the LB in the City's audit because public money has been given to the LB. That requirement will be in place until the LB is a standalone entity. Randy and Sheila were going to consult with the city's "audit council" for additional information.

Staff Recommendation; considering this is not a time sensitive situation, allow this question to be tabled until we get further down the road operationally with the LB. As the budget year draws to a close, staff will research the implications of applying for a waiver, the possibility of including a review/audit with the city or obtaining one independently. Staff will bring a recommendation back to the board for further consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Lyle D. Lutt", written in a cursive style.

Lyle D. Lutt
Operations Manager
City of Norfolk, Nebraska