

**VILLAGE OF CHAUNCEY  
RESOLUTION NO. 2012-18**

**A RESOLUTION AUTHORIZING THE VILLAGE OF CHAUNCEY TO FILE AN  
APPLICATION WITH THE OHIO ATTORNEY GENERAL'S OFFICE TO  
PARTICIPATE IN THE MOVING OHIO FORWARD GRANT PROGRAM**

**WHEREAS**, The Ohio Attorney general's office was successful in a settlement with the nation's largest mortgage servicers over foreclosure abuses, fraud, and unacceptable mortgage practices and has made \$75 million in funding available for residential demolition; and

**WHEREAS**, The Village of Chauncey has identified a strategic need within its community and desires to participate in the Program to receive financial assistance for demolition under the Moving Ohio Forward Demolition Grant Program; and

**WHEREAS**, The Village of Chauncey directs and authorizes Athens County, Grant Recipient, to act in connection with the application and to provide such additional information as may be required;

**THEREFORE, BE IT RESOLVED** by the Council of the Village of Chauncey, State of Ohio, as follows:

Section One: Resolution No. 2012-16 is repealed.

Section Two: That The Village of Chauncey authorizes Athens County as the official representative of The Village of Chauncey's application to participate in the Ohio Attorney General's Office program and provide all information and documentation required in said Application for the Moving Ohio Forward Grant Program; and

Section Three: That The Village of Chauncey hereby approves filing a grant application under the Moving Ohio Forward Grant Program by Athens County; and

Section Four: That The Village of Chauncey hereby understands and agrees that participation in the Moving Ohio Forward Demolition Grant Program will require compliance with program guidelines which are attached hereto as Exhibit A; and

Section Five: That The Village of Chauncey hereby commits itself to provide the match as described in the application and guidelines; and

Section Six: That this RESOLUTION is deemed an emergency measure necessary to the safety and welfare of the residents from blighted houses and buildings, therefore shall go into effect and be in force from and after the earliest period allowed by law.

**RESOLVED** this 19th day of June, 2012.

ATTEST:

Joe Canter  
Joe Canter  
Council President

ATTEST:

Maria Mirza  
Maria Mirza  
Village Fiscal Officer

APPROVED AS TO FORM:

R. Shostak  
Robert J. Shostak, Esq.  
Solicitor

APPROVED:

Joe Canter (acting mayor)  
Robert Matthey  
Mayor

First Reading:

19 June 2012

Second Reading:

on suspension of rules

Third Reading:

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# CERTIFICATION OF VILLAGE CLERK AS TO POSTING OF RESOLUTIONS

The foregoing is a true copy of the original Resolution No. 2012-18

Publication of this Resolution was made by posting a copy of the same in the following five locations within the Village, beginning on June 21, 2012, and concluding on July 6, 2012 (at least 15 days later):

<b>Location</b>	<b>Date Posted</b>
<u>Town Hall</u>	<u>6-21-12</u>
<u>Post Office</u>	<u>6-21-12</u>
<u>Cee Dee's Mart</u>	<u>6-21-12</u>
<u>Library</u>	<u>6-21-12</u>
<u>T's Quik Stop</u>	<u>6-21-12</u>

Attest:

Date: June 21, 2012

Maana J. Muma  
Village Fiscal Officer



**MIKE DEWINE**  
★ OHIO ATTORNEY GENERAL ★

*RW  
copy*

**MOVING OHIO FORWARD GRANT PROGRAM**  
**Demolition Guidelines**

**FIRST ROUND**

Application Submission Deadline:  
Grant Award Date:  
Project Completion Date:  
Final Drawdown Submission Date:  
Final Performance Report Due Date:

June 30, 2012 - 5:00 p.m.  
August 1, 2012  
December 31, 2013  
January 31, 2014  
December 31, 2014

Prepared By:  
Ohio Attorney General's Office  
Mortgage Foreclosure Unit

May 4, 2012

## Moving Ohio Forward Grant Program Demolition Guidelines

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## Moving Ohio Forward Grant Program Demolition Guidelines

### Funding

#### Introduction

On March 12, 2012, Ohio Attorney General Mike DeWine settled with five of the nation's largest mortgage servicers over foreclosure abuses, fraud, and unfair and deceptive mortgage practices. Ohioans will receive numerous benefits from the settlement including its share of \$330 million in relief through loan modification, principle reduction, and interest rate refinancing programs. The Attorney General received directly \$93 million to help with foreclosure prevention, assistance to individuals who have experienced foreclosure, and revitalizing neighborhoods by removing blighted properties. Subsequently, the Attorney General allocated a total of \$75 million to all 88 counties in Ohio to demolish vacant, abandoned and blighted properties that detract from existing home values and create a toxic breeding ground for crime. One Lead Entity per County, acting in collaboration with all local governments and other interested organizations within each County, may apply for Moving Ohio Forward grant funds in efforts to reclaim neighborhoods by demolishing blighted structures.

#### Allocation of Funds

Based on the need to remove blighted properties in every part of this State, the Attorney General has allocated funds to all 88 counties in Ohio. The allocation formula is based on the percentage of foreclosures filed in each county between 2008 - 2011. Lead Entities must apply and be approved in accordance with the established eligibility criteria before funds will be obligated. Funds will remain dedicated to a County until December 31, 2013. The funds may be reallocated if no application is submitted or if funds remain unspent on eligible reimbursement projects. The allocation is as follows:

Adams	\$121,607	Delaware	\$858,959
Allen	\$636,262	Erie	\$472,871
Ashland	\$270,126	Fairfield	\$844,803
Ashtabula	\$691,790	Fayette	\$188,208
Athens	\$151,198	Franklin	\$8,203,091
Auglaize	\$215,777	Fulton	\$217,918
Belmont	\$207,935	Gallia	\$89,019
Brown	\$328,464	Geauga	\$432,374
Butler	\$2,679,701	Greene	\$727,796
Carroll	\$133,915	Guernsey	\$185,552
Champaign	\$245,873	Hamilton	\$5,838,920
Clark	\$943,020	Hancock	\$406,105
Clermont	\$1,173,073	Hardin	\$167,870
Clinton	\$288,752	Harrison	\$64,884
Columbiana	\$576,119	Henry	\$135,062
Coshocton	\$197,534	Highland	\$292,931
Crawford	\$274,686	Hocking	\$157,775
Cuyahoga	\$11,850,744	Holmes	\$98,688
Darke	\$245,004	Huron	\$338,804
Defiance	\$181,089	Jackson	\$177,827

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Jefferson	\$277,274	Pickaway	\$277,302
Knox	\$404,328	Pike	\$101,266
Lake	\$1,496,117	Portage	\$812,800
Lawrence	\$223,447	Preble	\$330,351
Licking	\$1,029,355	Putnam	\$90,230
Logan	\$286,977	Richland	\$741,454
Lorain	\$2,081,001	Ross	\$384,442
Lucas	\$3,674,822	Sandusky	\$297,578
Madison	\$183,102	Scioto	\$277,487
Mahoning	\$1,531,680	Seneca	\$294,191
Marion	\$459,359	Shelby	\$254,066
Medina	\$931,476	Stark	\$2,343,607
Meigs	\$63,269	Summit	\$3,780,560
Mercer	\$129,435	Trumbull	\$1,275,797
Miami	\$575,536	Tuscarawas	\$359,207
Monroe	\$30,396	Union	\$291,939
Montgomery	\$4,178,732	Van Wert	\$156,586
Morgan	\$52,599	Vinton	\$46,111
Morrow	\$226,072	Warren	\$1,244,356
Muskingum	\$445,425	Washington	\$153,742
Noble	\$55,258	Wayne	\$426,204
Ottawa	\$222,450	Williams	\$188,895
Paulding	\$104,296	Wood	\$604,424
Perry	\$200,372	Wyandot	\$92,501

**Lead Entity Eligibility**

The Lead Entity is the award recipient and the responsible party with whom the Attorney General will execute a grant agreement for the grant funds. There shall be one Lead Entity per county. Where a county land reutilization corporation has been established, it shall be the Lead Entity for that county. If a county has not created a county land reutilization corporation, one local government within that county may submit a Lead Entity application. The Lead Entity application must demonstrate collaboration with all potential subrecipients within that county. Any collaboration between the Lead Entity and other local governments or non-profit organizations must be documented in the Application.

**Subrecipient Agreement**

The Lead Entity must enter into a subrecipient agreement with end users of any award. A subrecipient agreement between the Lead Entity and other end users (e.g., other local governments, non-profit organizations, community development corporations, regional planning commissions, community action agencies, etc.) is required. The entities executing a subrecipient agreement must include, at a minimum, the following: statement of work, records and reports, budget and balances, compliance with federal and state laws, and suspension and termination provisions. A sample subrecipient agreement will be provided to the Lead Entity after a contract is signed with the Attorney General's Office.

## Moving Ohio Forward Grant Program Demolition Guidelines

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### *Certifying Entity Responsibility*

In Counties where no county land reutilization corporation is established, the County Treasurer shall be required to certify that the Lead Entity application is a collaboration among the local governments within that County. The receipt of more than one application per County will result in delaying the application process. \*

### *Program Administration*

#### *Program Period*

The Attorney General anticipates receiving grant funds in June 2012. As a result, the Attorney General will accept the first round of Moving Ohio Forward grant applications between May 2012 and June 30, 2012. Grant funds will be obligated to successful applicants after execution of a grant agreement. All work must be completed by December 31, 2013. Lead Entities have until January 31, 2014 to submit reimbursement request reports. A status report is required to obtain reimbursement of completed work. A final report of demolitions and land reutilization is required by December 31, 2014. June 30 deadline

#### *Grant Amendments*

Amendments to the final contracts may be proposed by a Lead Entity to increase the grant award up to the maximum allocation per county. Lead entities will not be required to submit an amendment request to modify the outcome or per unit cost projections as included in the application as long as they stay within their set limits of assistance. The Attorney General's Office will approve grant amendments on a case by case basis.

#### *Grant Extensions*

Due to the amount of residential structures ready for demolition, the Attorney General's Office will be reviewing drawdown and expenditures closely to ensure that the grant funds will be expended within the grant period. Additional application periods, including rolling application deadlines, are anticipated and planned. The Attorney General's Office reserves the right to recapture and reallocate grant funds that are not used in a timely or appropriate manner. The Attorney General's Office will approve grant extensions on a case by case basis.

#### *Disbursement of Grant Funds*

The Attorney General's Office will review the grant award obligations at the sixth and twelfth month of the grant period. At the end of the twelfth month, any Lead Entity that has not submitted a request for payment of at least 50 percent of the grant award amount will be contacted and, if necessary, funds may be recaptured and reallocated.

A Request for Payment must be submitted by the Lead Entity. The completed documentation must be submitted to the Ohio Attorney General's Office, Mortgage Foreclosure Unit, 30 East Broad Street, 15th Floor, Columbus, Ohio 43215 or to



## **Moving Ohio Forward Grant Program Demolition Guidelines**

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MovingOhioForward@OhioAttorneyGeneral.gov. The Attorney General's Office will not process a Request for Payment without an approved environmental review clearance. Incomplete reports will not be processed and will be returned to the Lead Entity.

Questions regarding the disbursement of grant funds should be directed to Finance by telephone at (614) 466-6963 or by e-mail at GrantsManagement@OhioAttorneyGeneral.gov.

### **Reporting**

Two reports are required from Lead Entities under this program.

1. **Reimbursement Request Report.** This report must include documentation of demolition, including before, during, and after pictures of demolition activity for each address, expenses, matching funds as required, environmental reports, authority for demolition (title, consent, court order, etc.) and contractor release of liens. Reimbursement requests are encouraged to be grouped together.
2. **Final Performance Report.** Lead Entities must provide a final performance report by December 31, 2014. This report must include the number of demolitions completed, expenditures including in kind contributions, and program accomplishments including community and economic benefits realized.

### **Program Income**

The Moving Ohio Forward grant program encourages demolition programs to continue beyond the resources of this program. It is reasonable to anticipate revenues being generated during this process or as a result of recycling and reclamation, liens, assessments and final disposition of vacant properties. Any revenue generated from the demolition grant program will remain with the Lead Entity or subrecipient. Local governments should consider this potential revenue when negotiating contracts or bids with any vendor, as a source of matching funds, or for future demolition programs.

### **Match Eligibility**

The goal of this grant program is to maximize the number of demolitions of blighted, vacant or abandoned residential structures. Recognizing the economic hardships facing local governments, the Attorney General does not require a match for the first \$500,000.00 allocated to each County. Moving Ohio Forward funds will reimburse additional expenditures over \$500,000.00 at a one to one match under one of the following options:

1. Reimburse 50% of a reimbursement request per demolition project.
2. Reimburse 50% of a reimbursement request of documented labor, material, and use of equipment costs per demolition project.
3. Reimburse 100% of a reimbursement request with documentation of the demolition of a similar structure(s) in cost, or, if no demolition cost due to in kind contributions, similar in square footage, all within a 10% deviation. Demolitions or payments for demolitions will be considered if dated on or after May 1, 2012 and comply with these guidelines.

## **Moving Ohio Forward Grant Program Demolition Guidelines**

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Federal funds, such as CDBG, NSP, and HUD, are ineligible as matching funds unless the local government is in fiscal emergency as defined in Chapter 118 of the Revised Code.

A Lead Entity should make every effort to include as many demolition payment requests as possible into a single reimbursement request. The AGO reserves the right to hold reimbursement requests for up to 30 days before processing payment to combine multiple reimbursement requests into one payment.

Do not list match dollars greater than 100% of the required match amount.

### **Site Eligibility**

The objectives of the Moving Ohio Forward grant program are to provide funding for residential anti-blight projects. This grant program does not permit using grant program funds or matching funds for commercial or industrial projects. Funds may not be used for purposes of maintenance or after demolition costs. Blighted, vacant or abandoned structures must be identified relying on the local governments' strategic plan and/or Community Housing Improvement Strategy for a particular area.

### **Activity Descriptions**

#### *Demolition of Blighted Structures/Land Banking*

The demolition of blighted structures and land banking will result in property which is cleared and/or acquired and held for future reuse. Subsequent redevelopment of the properties will be at the discretion of the local governments pursuant to their strategic plans. The Moving Ohio Forward grant funds shall not be used for redevelopment.

When demolishing blighted structures, the Attorney General's Office recommends considering the efficient (green) use of resources, including the possibility of deconstruction. When using deconstruction techniques, the value of reusing resources must be weighed against the added costs and concerns about environmental hazards, such as lead-based paint, that may be present on the building components.

The demolition of structures which are not blighted, vacant, or abandoned is prohibited.

Acquisition of blighted residential property is anticipated through the tax-delinquent foreclosure process, nuisance abatement, condemnation, consent, and by other voluntary means of purchase. Moving Ohio Forward grant funds may not be used to purchase property.

## Moving Ohio Forward Grant Program Demolition Guidelines

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### Allowable Expenses

#### *Invoices*

Allowable reimbursable demolition expenses include the cost of demolition contractors and vendors, environmental assessments and disposition, title searches and legal advertisements, and contract preparation or review.

#### *Administrative and Operating Expenses*

Reasonable administrative and operating expenses are eligible expenses, but may not exceed 5% of each reimbursement request report. Total administrative and operating expenses shall not exceed \$100,000 per county allocation under this grant program. Such costs include general management and oversight, technical support services, monitoring and evaluation, preparing performance reports, and historic clearance. Additional expenses need to be approved on a case by case basis.

### Compliance Areas

#### *Payments*

The Lead Entity shall have a final inspection conducted on all demolition projects. All punch list items shall be completed and inspected prior to submitting a request for each reimbursement request. The contractor shall provide a notarized release of liens for each property. Reimbursements for partially completed items are prohibited.

#### *Contractors*

##### *Screening of contractors:*

The grantee must identify and document the requirements that local contractors must meet in order to participate in the program. The requirements should be rigorous enough to screen out unqualified or unstable contractors but not so stringent as to prevent the participation of an adequate number of competent contractors. Public contracts shall include anti-kickback and non-collusion clauses and property tax certifications. The following requirements apply to the screening of contractors conducting work through the Moving Ohio Forward grant program.

1. **Liability insurance:** Private contractors participating in a local demolition program must have adequate liability and property damage insurance.
2. **Workers compensation:** Private contractors with employees participating in a local demolition program must, at a minimum, be paying into the Ohio Workers' Compensation Program. Private contractors operating a sole proprietorship and who have no employees are exempt from this requirement. However, they must have proof of adequate private medical insurance coverage.

**Application for Moving Ohio Forward Grant Funds**

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**Attachment 2**

**SAMPLE**

**RESOLUTION OR ORDINANCE**

A (RESOLUTION OR ORDINANCE) AUTHORIZING THE (NAME OF LEAD ENTITY) TO FILE AN APPLICATION WITH THE OHIO ATTORNEY GENERAL'S OFFICE, TO PARTICIPATE IN THE MOVING OHIO FORWARD GRANT PROGRAM.

WHEREAS, the Ohio Attorney General's Office was successful in a settlement with the nation's largest mortgage servicers over foreclosure abuses, fraud, and unacceptable mortgage practices and has made \$75 million in funding available for residential demolition; and

WHEREAS, the (NAME OF APPLICANT) has identified a strategic need within its community and desires to participate in the Program to receive financial assistance for demolition under the Moving Ohio Forward Demolition Grant Program; and

WHEREAS, the (NAME OF APPLICANT) has the authority to apply for financial assistance and to administer the amounts received from the Ohio Attorney General's Office; and

WHEREAS, the (NAME OF APPLICANT) directs and authorizes (APPLICATION CONTACT PERSON) to act in connection with the application and to provide such additional information as may be required;

**NOW, THEREFORE, BE IT RESOLVED/ORDAINED BY THE (APPLICANT), OHIO:**

**Section 1:** That (NAME OF APPLICANT) authorizes (CONTACT PERSON) as the official representative of (NAME OF APPLICANT's) application to participate in the Ohio Attorney General's Office and provide all information and documentation required in said Application for the Moving Ohio Forward Grant Program; and

**Section 2:** That the (NAME OF APPLICANT) hereby approves filing a grant application under the Moving Ohio Forward Demolition Grant Program by (LEAD ENTITY); and

**Section 3:** That the (NAME OF APPLICANT) hereby understands and agrees that participation in the Moving Ohio Forward Demolition Grant Program will require compliance with program guidelines; and

**Section 4:** That the (NAME OF APPLICANT) hereby commits itself to provide the match as described in the application and guidelines; and

**Section 5:** That this (RESOLUTION OR ORDINANCE) shall go into effect and be in force from and after the earliest period allowed by law.

**Appropriate Signature Block**