

# Minutes



## Quad Cities Land Bank Authority Board Meeting

Monday, May 8, 2023, 10:30 a.m.

Moline City Hall

Committee of the Whole Room

619 16 Street

Moline, Illinois 61265

### 1. CALL TO ORDER

M. Brainard called the meeting to order at 10:30 a.m.

### 2. ROLL CALL

Board Members: Miles Brainard, KJ Whitley, Annaka Whiting  
Others present: Mary Chappell

BOARD MEMBER	Present	Absent
Brainard, Miles	X	
Whitley, KJ	X	
Whiting, Annaka	X	
Chappell, Mary	X	

### 3. PUBLIC COMMENT

N/A

### 4. LAND BANK BOARD MINUTES

Motion was made by A. Whiting and seconded by K. Whitley to approve the minutes of the April 24, 2023, meeting. Motion passed.

BOARD MEMBER	Aye	Nay	Abstain
Brainard, Miles	X		
Whitley, KJ	X		
Whiting, Annaka	X		

### 5. FINANCIAL REPORT

#### 5.1 Funding Status

A. Whiting stated a full report will be provided at the next meeting.

#### 5.2 Review of Special Meeting

#### 5.3 Checks and Approvals

There were no checks presented for approval.

### 6. LAND BANK PROGRAM MANAGER REPORT

#### 6.1 Discussion of OMA Compliance

M. Chappell reviewed the response from Legal Counsel Riggs sent with the agenda regarding the OMA questions raised at the last meeting. For clarity, she read out loud the question sent to M. Riggs and also read the response.

**Communications:** M. Riggs stated that as a public body whenever a majority of a quorum of members are communicating about the land bank business, it is subject to notice and has to be open to public. With only three board members, any communication between or among them regarding public business is subject to OMA, which essentially means they cannot discuss land bank issues without public notice and being open to public. This makes things very difficult.

She suggested that one way to make things easier is for the program manager to be the one to send out emails and other communications and the members can respond to you but not to all as contemporaneous Email communications can be considered to be a meeting subject to OMA.

She also suggested having weekly meetings that are open to public and proper notice given (48 hours) with an agenda for any member of public to attend where you can discuss all pending issues. You have to take minutes of meeting too.

**Votes by email:** No votes via email. Probably could do by zoom and in person if you schedule a special meeting and publish notice.

M. Riggs also suggested that board members and the program manager complete OMA training put on by IL Attorney General and report it. Also suggested that the program manager be designated as the Freedom of Information Act (FOIA) officer. She provided websites that offer training for both items.

M. Brainard commented on the training. Suggested that all board members provide a copy of their OMA certificate to program manager to keep on file. Also suggested that based on M. Riggs comments, the program manager serve as the FOIA officer and move forward with training.

He also stated that given the size of the board, if board members want to communicate, they need to do so through the program manager. K. Whitley clarified that if there is more than a majority you are communicating with each other, then it needs to be addressed publically. As the board increases in membership, then if two members were talking they would not be in violation and will not have to go through the program manager. A. Whiting confirmed that as it stands now, a majority of the board is at two members. If two are communicating – then the communication is in violation. As the board increases, then board members could communicate amongst themselves and be in compliance.

K. Whitley asked for clarification regarding the onboarding of new board members. M. Chappell noted that the additional members under consideration fall under the title of Expert Directors – and not board members. They have no voting rights. A. Whiting stated that the Expert Directors could be communicated with directly with no OMA violation.

### 6.2 Program Timeline

M. Chappell asked for feedback regarding the Timeline document sent with the agenda. She noted that the one item she cannot find the answer to when the Mission Statement for the program was developed. Board members could not recall and thought it might have been part of the early organization document.

### 6.3 Onboarding of Expert Directors

M. Chappell discussed the creation of a notebook to present to the incoming expert directors. Content would include the FAQ sheet, Policies and Procedures document, Work Plan document, By-laws, budget information and other related items. Also discussed was the draft of the application for each expert director to complete that was included with the agenda email. A. Whiting noted that she has shared some organizational information with her expert director candidate and had a copy of their application to pass along today. Board members determined that the Expert Director applications would be reviewed at the next meeting. The first meeting for the Expert Directors would be on June 19, 2023.

K. Whitley referenced the previous discussion about the removal of the municipal or city names under the program logo. This item was discussed at a March meeting. Removal of the municipal names would be done when program branding moved forward. K. Whitley made a motion to remove the names of the municipal identifiers from the logo and related materials. A. Whiting seconded the motion and it passed 3-0.

BOARD MEMBER	Aye	Nay	Abstain
Brainard, Miles	X		
Whitley, KJ	X		
Whiting, Annaka	X		

A. Whiting commented that it is important to maintain the identification of each founding municipality. M. Chappell agreed and noted that the website will reference all three municipalities and the FAQ sheet also references the three municipalities.

#### 6.4 Request from Technical Advisors

M. Chappell outlined the request from IHDA Technical Advisors Goldstein and Denzin who would like to attend one QCLBA board meeting per quarter. Reason is to touch base and offer any assistance and or to provide updates on state advocacy matters. The understanding is that they would attend remotely.

K. Whitley noted that the QCLBA had not established policies regarding remote attendance, and do not officially offer the option. She also referenced the current State of Illinois Disaster Declaration guidelines on OMA compliance that are set to end on Friday, May 11, 2023. M. Brainard referenced the same and A. Whiting searched and found the Illinois Municipal League's fact sheet on OMA remote attendance dated April, 4, 2023, which allowed board members and public to attend meeting remotely.

With the declaration ending in a few days, board members asked for Legal Counsel M. Riggs to provide guidance on remote attendance by the public as the state moves out of the State Disaster Declaration phase. It was also suggested that the technical advisors attend a quarterly meeting in person.

#### 6.5 IHDA Grant Opportunity

Members discussed the upcoming opportunity to apply for the Illinois Housing Development Authority's (IHDA) Strong Communities Program grant. Members were in agreement that application should be made as the grant covers land bank activities. Question is how much should the land bank be asking for? M. Brainard noted that Rock Island will not be applying. All agreed that each city could offer a letter of support. K. Whitley discussed the flexibility of the grant and a review was made of the FAQ's and program application details.

A discussion of eligible uses and a working budget were discussed. Members considered their goals for the land bank and considered the various uses for grant funds. The following breakdown for funding was created.

- Property acquisition: 4 properties per community = 12 @ \$5,000 each = \$60,000
- No Rehab
- Demolition of 4 properties @ \$40,000 each = \$160,000
- Abatement: Tree, shrub removal, grass cuttings: 12 properties x 10 hrs/per x \$65/hr = \$12,480
- Lot treatment
- Administrative costs (10% of total grant amount) = \$23,248

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Total (tentative) Grant Request: \$ 255,728

Board members directed M. Chappell to complete a draft version of the grant application to review at the next meeting.

## **7. OLD BUSINESS**

### 7.1 Review of Programs Applications

Board members were in support of the application. M. Chappell will add a line to confirm insurance coverage under the internal review section.

## 7.2 Update on Insurance Services

M. Chappell passed out information on the status of insurance coverage. She reminded members of the coverage request included in the RFP, which included Officer/Directors coverage, General Liability for organization, and Property Insurance.

She shared that RFP responder and insurance agent N. Hansel has reached out to nine carriers to seek coverage. As reported, the main concern was how the organization was funded, and the unique organizational aspect to the entity (quasi-government), no track record, not familiar, etc. We have provided information as requested by various carriers to answer any questions. Many have encouraged us to check back after we have been up a running for a few years.

M. Chappell shared that of the nine land bank in IL, five are attached to an organization (city, county, regional commission), and four are separate entities, or authorities. Insurance for the five attached land banks is easier to gain as it is enveloped into their organization's coverage. N. Hansel reached out to two other land bank authorities to gain information on their insurance coverage.

M. Chappell referenced the email response from two other standalone land banks in Illinois. She referenced the 2022 invoice shared by Central IL Land Bank Authority Executive director Fox. The invoice revealed their annual premium paid was \$19,216.65. Important to note that based on their particular situation, CILBA added additional coverage that N. Hansel does not feel the QCLBA needs now or ever.

Two Rivers Land Bank Executive Director Chad Frederick provided the name and phone number of the insurance agency they use in based in Quincy, IL. Agent N. Hansel contacted the Two Rivers provider and was able to secure quotes for Officers and Directors Insurance. Total premium paid for same similar coverage is \$25,914.00.

Agent Hansel suggests the following:

- Accept the quote from Nexus for Officers and Directors Insurance. Similar coverage from other carriers is much higher. Allows the QCLBA to move forward. Annual premium for Directors/Officers is \$ 6,992, Deductible \$15,000,
- With the QCLBA office located in a City of Moline building/property, we do not need liability coverage for the organization. Anything that would happen to a director or visitor, etc, would be covered by City of Moline's insurance. If the office moved, then it might trigger additional coverage.
- Purchase "day to day" property insurance when the QCLBA purchases or receives a property. Action to add insurance coverage would be part of the closing process. Depending on the type of property and how long we expect to hold it, insurance costs would range from \$350-\$650 for 3 – 12 months. If a decent residential property, cost would be higher. If an abandoned structure – it would be less.

M. Chappell also noted that board is asked to consider reimbursing N. Hansel for the fees paid to the various carriers at the time of making application. Total for fees paid to date is \$575.00.

M. Chappell also mentioned the insurance coverage situation was reviewed with City of Moline Risk Management Specialist Annette Roby. All things considered, her suggestion was to move forward with the guidance from Agent Hansel.

There was considerable discussion regarding the cost for insurance for the land bank and the need for Officers and Directors coverage. Board members asked M. Chappell to check with Attorney Riggs on how much insurance coverage does the organization really needs.

Decision was made that each board member would check with their Human Resource Departments to see if the insurance needs of the land bank could be included with or under the municipality's coverage. Each members was to email the responses to M. Chappell who would provide an update at the next meeting.

7.3 Status of Vegetation/Abatement Services

M. Chappell reported that Attorney Riggs has reviewed the RFP document and made a few changes. Next step is to have R. Hvitlok review and then post for response.

7.4 Update on Website

M. Chappell relayed additional information has been provided to the web guild for their review as they develop a concept for the new program website.

7.5 Property Acquisitions

M. Chappell reminded board members they were going to review the list of auction properties and pass along any properties of interest.

7.6 Written Goals for Program Manager

Board members will move into Executive Session at the next meeting to discuss a list of written goals for the program manager.

K. Whitley asked M. Chappell to confirm her availability to present at a July Human Rights Commission meeting in July.

M. Chappell asked K. Whitley if the City of Moline's report on the use of the land bank is available or should be placed on the agenda? She asked for the report to be added to the next agenda. She also asked if a sheet could be created to list how each municipality will utilize the land bank.

There was considerable discussion regarding informational aspects of the program. First – the desire to publish how each supporting municipality will utilize the land bank and having this information available to share with public. And second – the need to move forward with what has already been determined and established or set as policy for the land bank. The website will have same information available.

A. Whiting stated she is not opposed to having a sheet available that defines how each city will utilize the land bank. M. Brainard is in support of adding such information to the website. K. Whitley referenced the need for the program to be as transparent as possible.

**8. NEW BUSINESS**

**9. EXECUTIVE SESSION (IF NECESSARY)**

N/A

**10. ADJOURN**

Motion was made by A. Whiting and seconded by K. Whitley to adjourn at 11:46 a.m. Motion Passed 3-0

BOARD MEMBER	Aye	Nay	Abstain
Brainard, Miles	X		
Whitley, KJ	X		
Whiting, Annaka	X		