



Board of County Commissioners Agenda Request

6B
Agenda Item #

Requested Meeting Date: December 12,2023

Title of Item: Approve Resolution- Aitkin County Housing Trust Fund Ordinance

<input checked="" type="checkbox"/> REGULAR AGENDA	Action Requested:	<input type="checkbox"/> Direction Requested
<input type="checkbox"/> CONSENT AGENDA		<input type="checkbox"/> Discuss Item
<input type="checkbox"/> INFORMATION ONLY		<input type="checkbox"/> Hold Public Hearing* <i>*provide copy of hearing notice that was published</i>

Submitted by: Mark Jeffers	Department: Administration
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Presenter (Name and Title): Mark Jeffers, Economic Development Coordinator	Estimated Time Needed: 10 minutes
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Summary of Issue:

Aitkin County intends to create and establish the Aitkin County Housing Trust Fund.

The Trust Fund shall provide loans and grants to property owners, homeowners, local units of government, for-profit housing developers, and non-profit housing developers for the acquisition, capital and soft costs necessary for the creation of new Affordable Infrastructure and Workforce Housing (both rental and owner-occupied).

The Trust Fund is to function as a resource to fund loans and grants in strict accordance with this Section. The Trust Fund shall be administered by the Grant Supervisor. No disbursements over \$25,000 may be made from the Trust Fund Account without the prior approval of the County Board of Commissioners.

A public hearing was conducted for the purpose of discussing the Aitkin County Housing Trust Fund Ordinance on December 12, 2023, 4:30pm, at the Aitkin County Government Center Board Room.

Alternatives, Options, Effects on Others/Comments:

Recommended Action/Motion:
Economic Development requests adoption of the Aitkin County Trust Fund Ordinance

Financial Impact:

Is there a cost associated with this request? Yes No

What is the total cost, with tax and shipping? \$

Is this budgeted? Yes No *Please Explain:*

ADOPT ORDINANCE ESTABLISHING A HOUSING TRUST FUND IN AITKIN COUNTY

WHEREAS, Aitkin County intends to create and establish the Aitkin County Housing Trust Fund; and

WHEREAS, The Trust Fund shall provide loans and grants to property owners, homeowners, local units of government, for-profit housing developers, and non-profit housing developers for the acquisition, capital and soft costs necessary for the creation of new Affordable Infrastructure and Workforce Housing (both rental and owner- occupied); and

WHEREAS, Projects funded by the Trust Fund shall be dispersed throughout the County; and

WHEREAS, A public hearing was conducted for the purpose of discussing the Aitkin County Housing Trust Fund Ordinance on December 12, 2023, 4:30pm, at the Aitkin County Government Center Board Room.

NOW, THEREFORE BE IT RESOLVED Pursuant to Minnesota Statutes, Section 462C.16, there is hereby created and established for the County of Aitkin a fund to be known and denominated as the Aitkin County Housing Trust Fund.

Commissioner XXXXX moved for adoption of the resolution and it was declared adopted upon the following vote

FIVE MEMBERS PRESENT

All Members Voting

**STATE OF MINNESOTA}
COUNTY OF AITKIN}**

I, Jessica Seibert, County Administrator, Aitkin County, Minnesota do hereby certify that I have compared the foregoing with the original resolution filed in the Administration Office of Aitkin County in Aitkin, Minnesota as stated in the minutes of the proceedings of said Board on the 12th day of December, 2023 and that the same is a true and correct copy of the whole thereof.

Witness my hand and seal this 12th day of December, 2023

Jessica Seibert
County Administrator

COUNTY OF AITKIN
STATE OF MINNESOTA

ORDINANCE No.: _____

**AN ORDINANCE ESTABLISHING A HOUSING TRUST FUND IN AITKIN
COUNTY**

THE AITKIN COUNTY BOARD OF COMMISSIONERS HEREBY ORDAINS AS
FOLLOWS:

SECTION 1: GENERAL PROVISIONS

- 1.1 Authority. This Ordinance is adopted pursuant to Minnesota Statutes, Section 462C.16.
- 1.2 Purpose. Pursuant to Minnesota Statutes, Section 462C.16, there is hereby created and established for the County of Aitkin a fund to be known and denominated as the Aitkin County Housing Trust Fund. The Trust Fund shall be a permanent source of funding and a continually renewable source of revenue to meet, in part, the housing needs of Moderate, Low Income and Very Low Income households of the County. The Trust Fund shall provide loans and grants to property owners, homeowners, local units of government, for-profit housing developers, and non-profit housing developers for the acquisition, capital and soft costs necessary for the creation of new Affordable Infrastructure and Workforce Housing (both rental and owner-occupied). Projects funded by the Trust Fund shall be dispersed throughout the County.

SECTION 2: DEFINITIONS

- 2.1 “Affordable” means a housing unit that has an Affordable Housing Cost
- 2.2 “Affordable Housing Cost” means an amount satisfied by:
 - 2.2.1 For owner occupied housing, a housing payment inclusive of loan principal, loan interest, property taxes, property and mortgage insurance, and homeowners association dues which allows a moderate, low income or very low income household to purchase a home while paying no more than thirty percent (30%) of their gross household income.
 - 2.2.2 For rental or cooperative housing, a housing payment, inclusive of a reasonable allowance for heating, which allow a moderate, low income or very low income household to rent a unit while paying no more than thirty percent (30%) of their gross household income.
- 2.3 “Area Median Income” means the income guidelines established and published annually by the U.S. Department of Housing and Urban Development.
- 2.4 “Assisted Unit” means a housing unit that is Affordable because of assistance from the Trust Fund.
- 2.5 “Grant Supervisor” means the Aitkin County Economic Development Coordinator, or his or her designee.

- 2.6 “Low Income” means gross household income that is at or below eighty percent (80%) of Area Median Income, but more than fifty percent (50%) of Area Median Income.
- 2.7 “Moderate Income” means gross household income that is at or below one hundred fifteen percent (115%) of Area Median Income, but more than eighty percent (80%) of Area Median Income.
- 2.8 “Permanent Source of Funding” means once funds are allocated to the Trust those funds can only be expended for purposes outlined in section four (4) of this document.
- 2.9 “Project” may mean a single family house (attached or detached) or a multifamily property, either as owner-occupied property or rental property.
- 2.10 “Recipient” means any homeowner, for-profit, non-profit or local unit of government, or housing developer that receives funds in the form of a loan or grant from the Trust Fund Account. A Recipient may be an individual, partnership, local unit of Government, joint venture, Limited Liability Company or partnership, association or corporation.
- 2.11 “Trust Fund” means the Aitkin County Housing Trust Fund.
- 2.12 “Very Low Income” means gross household income that is at or below fifty percent (50%) of Area Median Income.
- 2.13 “Workforce Housing” means owner-occupied or rental housing units that are provided to households with at least one member per unit who is gainfully employed at the time of entry into the unit.

SECTION 3: TRUST FUND ACCOUNT; SOURCE OF TRUST FUNDS

3.1 There is also hereby established an Aitkin County Trust Fund Account, to be maintained by the Grants Supervisor. All funds received by Aitkin County on behalf of the Trust Fund shall be deposited in the Trust Fund Account. Principal and interest from loan repayments, and all other income from Trust Fund activities, shall be deposited in the Trust Fund Account. All interest earnings from the Trust Fund Account shall be reinvested and dedicated to the Trust Fund Account.

3.2 The Trust Fund shall consist of funds derived from the following, but not limited to:

- 3.2.1 Private cash contributions designated for the Trust Fund;
- 3.2.2 Payments in lieu of participation in current or future Affordable housing programs;
- 3.2.3 Grants or loans from the federal or state government;
- 3.2.4 Principal and interest from Trust Fund loan repayments and all other income from Trust Fund activities.
- 3.2.5 Employer based funds and matches.
- 3.2.6 Other sources to be considered; local or regional utility companies, specific county departments, specific county program funds (revolving loan fund), County HRA, City of Aitkin EDA.
- 3.2.7 Application Fees - Projects applying for funds.

3.3 The Trust Fund may consist of funds derived from any other source, including but not limited to the following.

- 3.3.1 Tax Increment returned to the County after decertification of a TIF district.

3.3.2 Any other appropriations as determined from time to time by action of the County Board of Commissioners.

SECTION 4: TRUST FUND DISTRIBUTIONS

4.1 The Trust Fund is to function as a resource to fund loans and grants in strict accordance with this Section. The Trust Fund shall be administered by the Grant Supervisor. No disbursements over \$25,000 may be made from the Trust Fund Account without the prior approval of the County Board of Commissioners.

4.2 Disbursements from the Trust Fund Account shall be made as loans or grants to assist Recipients in the creation of Assisted Units and administrative fees not to exceed 10 percent. Recipients may use the funds to pay for: capital costs, including but not limited to the actual costs of rehabilitating or constructing Assisted Units; preserving Affordable units; demolishing or converting existing non-residential buildings to create new Assisted Units; real property acquisition costs; and professional service costs, including but not limited to, those costs incurred for architectural, engineering, planning and legal services which are attributable to the creation of Assisted Units.

4.3 All projects exceeding \$25,000 considered for funding will be reviewed by the Aitkin County Board of Commissioners, prior to Grant Supervisor action.

4.4 The Grant Supervisor shall within thirty (30) days following the close of each fiscal year prepare and submit an annual report to the County Board of Commissioners on the activities undertaken with funds from the Trust Fund. The report shall specify the number and types of units assisted, the amount loaned per Assisted Unit, the amount of state, federal and private funds leveraged, the geographic distribution of Assisted Units and a summary of statistical data relative to the incomes of assisted households, including their monthly rent or mortgage payments, and the sales prices of owner- occupied Assisted Units.

SECTION 5: TERM OF AFFORDABILITY

5.1 The minimum term of affordability for an Assisted Unit shall be fifteen (15) years. The Grant Supervisor shall give preference to those projects that ensure that the Assisted Units remain Affordable for the longest period possible.

5.2 Assisted Units shall be deed-restricted to ensure long term affordability.

5.3 The County will enter into loan agreements with the Recipients of the Trust Fund monies. Each loan agreement will clearly state the conditions and requirements for the Recipient's use of Trust Fund monies, including the term of compliance, transfer or sale requirements and other requirements as specified.

5.4 In those cases where an Assisted Unit is sold or transferred prior to the expiration of the agreed-upon term, or where an Assisted Unit is no longer Affordable, the initial Recipient of assistance from the Trust Fund shall be obligated to repay to the Trust Fund the original amount of the loan or grant.

5.5 The County shall enforce all debt and lien instruments to the fullest extent of the law. The County may recommend debt settlement offers, if it is determined to be in the best interest of the Trust Fund.

SECTION 6: SEVERABILITY

6.1 If any provision of this Ordinance or the application thereof is held invalid, said invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and for this purpose, the provisions of the Ordinance are severable.

SECTION 7: EFFECTIVE DATE

This ordinance shall be in full force and effect immediately from and after its passage and publication as required by law.

ADOPTED by the Aitkin County Commissioners this _____ day of _____, 2023.

J. Mark Wedel, Aitkin County Board Chair

Attest: _____
Jessica Seibert, Aitkin County Administrator

AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA) ss
COUNTY OF Aitkin

Rhonda Herberg being duly sworn on an oath, states or affirms that he/she is the Publisher's Designated Agent of the newspaper(s) known as:

Aitkin Independent Age

with the known office of issue being located in the county of:

Aitkin

with additional circulation in the counties of:

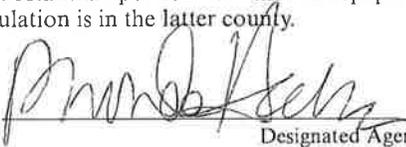
Aitkin

and has full knowledge of the facts stated below:

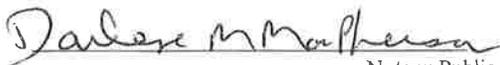
- (A) The newspaper has complied with all of the requirements constituting qualification as a qualified newspaper as provided by Minn. Stat. §331A.02.
- (B) This Public Notice was printed and published in said newspaper(s) once each week, for 1 successive week(s); the first insertion being on 11/22/2023 and the last insertion being on 11/22/2023.

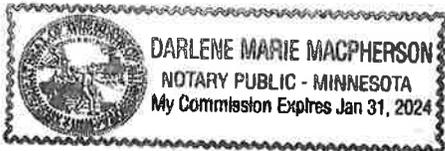
MORTGAGE FORECLOSURE NOTICES

Pursuant to Minnesota Stat. §580.033 relating to the publication of mortgage foreclosure notices: The newspaper complies with the conditions described in §580.033, subd. 1, clause (1) or (2). If the newspaper's known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

By:  Designated Agent

Subscribed and sworn to or affirmed before me on 11/22/2023 by Rhonda Herberg.


Notary Public



AITKIN COUNTY BOARD OF COMMISSIONERS HOUSING TRUST FUND ORDINANCE NOTICE OF PUBLIC HEARING

Notice is hereby given that the County Board of Aitkin County, Minnesota will hold a public hearing in the County Board Meeting Room in the Aitkin County Government Center, 217 2nd Street NW, Aitkin, MN 56431 on Tuesday, December 12, 2023 at 4:30 PM. The purpose of the public hearing is to review the proposed Ordinance to establish a Housing Trust Fund.

Pursuant to Minnesota Statutes, Section 462C.1 6, there is hereby created and established for the County of Aitkin a fund to be known and denominated as the Aitkin County Housing Trust Fund. The Trust Fund shall be a permanent source of funding and a continually renewable source of revenue to meet, in part, the housing needs of Moderate, Low Income and Very Low Income households of the County. The Trust Fund shall provide loans and grants to property owners, homeowners, local units of government, for profit housing developers, and non-profit housing developers for the acquisition, capital and soft costs necessary for the creation of new Affordable Infrastructure and Workforce Housing (both rental and owner-occupied). Projects funded by the Trust Fund shall be dispersed throughout the County.

For further information, please contact Mark Jeffers, Economic Development Coordinator at the above address, mark.jeffers@co.aitkin.mn.us or 218-513-6188.

Jessica Seibert
Aitkin County Administrator

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November 22, 2023
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Rate Information:

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\$999.99 per column inch

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