

OFFICE OF COUNTY RECORDER  
COUNTY OF BELTRAMI, MINNESOTA  
THIS IS TO CERTIFY  
THAT THIS INSTRUMENT  
WAS FILED IN THIS  
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By: PAULA R. COONS  
CHARLENE D. STURK  
COUNTY RECORDER  
PAGES: 5

# BELTRAMI COUNTY COVER SHEET

This cover sheet is now a permanent part of the recorded document.



## ORDINANCE NO. 50

### AN ORDINANCE ESTABLISHING A HOUSING TRUST FUND IN BELTRAMI COUNTY

#### Section 1: GENERAL PROVISIONS

1.1 Authority. This Ordinance is adopted pursuant to Minnesota Statutes, Section 462C.16.

Purpose. Pursuant to Minnesota Statutes, Section 462C.16, there is hereby created and established for the County of Beltrami a fund to be known and denominated as the Beltrami County Housing Trust Fund. The Trust Fund shall be a source of funding and a 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 grants to agencies working to develop housing stock in Beltrami County for Moderate, Low Income and Very Low Income households and/or those same households to retain their housing. The Trust Fund will work to meet the needs of 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 and Workforce Housing (both rental and owner-occupied). It may also be used to assist in rental assistance or case management services related to securing or retaining housing for this population. 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 "Transitional Shelter" means a form of temporary housing that is meant to bridge the gap from homelessness or unsafe housing to permanent safe housing.

2.3 "Affordable Housing Cost" means an amount satisfied by:

2.3.1 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.

2.3.2 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

2.4 "Area Median Income" means the income guidelines established and published annually by the U.S. Department of Housing and Urban Development.

2.5 "Assisted Unit" means a housing unit that is Affordable because of assistance from the Trust Fund.

2.6 "Grants Supervisor" means the trust fund managing entity's Director or his or her designee.

2.7 "HRA" means the Housing and Redevelopment Authority in and for the County of Beltrami.

- 2.8 "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.
- 2.9 "Moderate Income" means gross household income that is at or below 115 percent (115%) of Area Median Income, but more than eighty percent (80%) of Area Median Income.
- 2.10 "Permanent Source of Funding" means once funds are allocated to the Trust those funds can only be expended for purposes outlined in section (4) of this document.
- 2.11 "Project" may mean a single family house (attached or detached) or a multifamily property, either as owner-occupied property or rental property.
- 2.12 "Recipient" means any homeowner, for-profit, non-profit or local unit of government housing developer that receives funds in the form of a 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.
- 2.13 "Trust Fund" means the Beltrami County Housing Trust Fund.
- 2.14 "Very Low Income" means gross household income that is at or below fifty percent (50%) of Area Median Income.
- 2.15 "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.
- 2.16 "Board of Trustees" means a group of individuals either appointed or elected to manage and govern the assets of an endowment, charitable foundation, trust, or nonprofit organization.

### **Section 3: TRUST FUND ACCOUNT; SOURCE OF TRUST FUNDS**

- 3.1 A. There is also hereby established a Beltrami County Trust Fund Account, to be maintained by an agency identified through the RFP process. All funds received by that entity on behalf of the Trust Fund 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 All other income from Trust Fund activities.
- 3.2.5 Budgeted payments made by tax levy fund as approved by County Board.
- 3.2.6 Employer based funds and matches.
- 3.2.7 Other sources to be considered; local or regional utility companies, specific county departments, specific county program funds.
- 3.2.8 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 Any other appropriations as determined from time to time by action of the County Board.

**Section 4: TRUST FUND DISTRIBUTIONS**

4.1 The Trust Fund is to function as a resource to fund grants in strict accordance with this Section. The Trust Fund shall be administered by the Grant Supervisor. No disbursements over \$50,000 may be made from the Trust Fund Account without the prior approval of the Board of Trustees.

4.2 Disbursements from the Trust Fund Account shall be made as 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; transitional shelters; 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. Agencies may also request funds from the trust fund to provide rental assistance or housing case management services.

4.3 All projects exceeding \$50,000 considered for funding will be reviewed by the Trustee's, and the Grant Supervisor shall submit staff comments and recommendations to the County Board of Commissioners, prior to action.

4.4 The entity that holds the trust shall within thirty (30) days following the close of each fiscal year prepare and submit an annual report to the County 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 number and 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 Trustees 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 trust fund managing entity will enter into grant agreements with the Recipients of the Trust Fund monies. Each grant 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 grant.

**Section 6: SEVERABILITY**

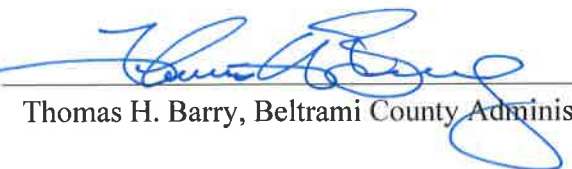
6.1 If any provision of this Ordinance or the application thereof is held invalid, said invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and for this purpose, the provisions of the Ordinance are severable.

**Section 7: EFFECTIVE DATE**

7.1 This Ordinance shall be in effect from and after the date of its passage by the Beltrami County Board of Commissioners and publication according to Minnesota Statutes.

ADOPTED BY THE BELTRAMI COUNTY BOARD OF COMMISSIONERS this 11<sup>th</sup> day of July, 2023.

Chairman:   
Richard Anderson, Beltrami County Board Chair

Attest:   
Thomas H. Barry, Beltrami County Administrator

First Reading: 6/20/23

Public Hearing/Second Reading: 7/11/23

Adoption: 7/11/23

Effective: 7/11/23