



RESOLUTION 2025-42

A RESOLUTION SUPPORTING THE DELAWARE COUNTY LAND REUTILIZATION CORPORATION'S APPLICATION TO THE OHIO DEPARTMENT OF DEVELOPMENT FY 2026 BROWNFIELD REMEDIATION PROGRAM FOR A PHASE I ENVIRONMENTAL SITE ASSESSMENT AND ASBESTOS SURVEY AT 47 HALL STREET, POWELL, OHIO.

WHEREAS, the Ohio Department of Development (ODOD) administers the Brownfield Remediation Program, a statewide initiative created under Ohio Revised Code Sections 122.6511 and 122.6512 and funded through House Bill 96, to assist local governments and eligible entities with environmental assessments and cleanup of brownfield properties; and

WHEREAS, the Delaware County Land Reutilization Corporation (Land Bank) is an eligible Lead Entity under the Program and intends to apply for FY 2026 Assessment funding to complete a Phase I Environmental Site Assessment and Asbestos Survey for the property located at 47 Hall Street (Parcel # 319-432-010-150-00), within the City of Powell; and

WHEREAS, the identified property is an underutilized site within the City's downtown area, and its environmental assessment will help determine redevelopment potential consistent with the City's adopted Village Green Master Plan and Facilities Master Plan initiatives; and

WHEREAS, the City recognizes the Brownfield Remediation Program as a key tool for facilitating redevelopment of legacy sites that impede economic growth and community reinvestment, and the proposed project directly aligns with City Council's goals of maintaining infrastructure, enhancing community amenities, and supporting downtown vitality; and

WHEREAS, the Land Bank has requested a resolution of local support to accompany its FY 2026 application to ODOD demonstrating the City's partnership and commitment to the advancement of this project; and

WHEREAS, Council desires to support the Land Bank's grant submission and authorize the City Manager to provide such assistance as may be necessary to complete the application and administer coordination efforts with ODOD and the Delaware County Land Reutilization Corporation.

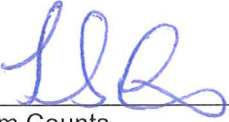
NOW THEREFORE BE IT RESOLVED BY THE CITY OF POWELL, COUNTY OF DELAWARE, STATE OF OHIO AS FOLLOWS:

Section 1: That the City of Powell hereby expresses its full support for the Delaware County Land Reutilization Corporation's application to the Ohio Department of Development FY 2026 Brownfield Remediation Program for a Phase I Environmental Site Assessment and Asbestos Survey at 47 Hall Street (Parcel # 31943201015000) located within the City of Powell, Ohio.

Section 2: That the City Manager is hereby authorized and directed to provide documentation of City support and coordination as may be required by ODOD or the Delaware County Land Reutilization Corporation for the submission and administration of the grant.

Section 3: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of Council and that all deliberations of Council and any of the decision-making bodies of the City of Powell, which resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements of the City of Powell, Delaware County, Ohio.

Section 4: This Resolution shall be in full force and effect immediately upon adoption.



Tom Counts
Mayor

11/18/25

Date



Elaine McCloskey
City Clerk

11/18/2025

Date

EFFECTIVE DATE: November 18, 2025

This legislation has been posted in accordance with the City
Charter on this date 11/19/2025.



City Clerk





Brownfield Remediation Program

Fiscal Year 2026 Program Guidelines

The Brownfield Remediation Program awards grants for the remediation of brownfield sites throughout Ohio and priority investment area eligible projects, to assist in the remediation of hazardous substances or petroleum at industrial, commercial, or institutional properties. Remediation includes acquisition of a brownfield, demolition performed at a brownfield, and the installation or upgrade of the minimum amount of infrastructure necessary to make a brownfield site operational for economic development activity. Remediation also includes demolition and infrastructure development costs at the brownfield project site.

These program guidelines expand on statutory terms and requirements included in Ohio Revised Code (ORC) 122.6511 and 122.6512, as amended by House Bill 96 (HB96).

Availability of Funding

HB96 authorized an additional \$200 million in funds through the state biennium budget bill for Fiscal Years (FY) 2026-2027.

For FY 2026, \$88 million will be available, with \$1 million reserved for applicants in each of Ohio's 88 counties. If the \$1 million county reserved funds are not obligated by June 30, 2026, these unclaimed funds will become available to eligible projects anywhere in the state in the FY 27 funding round. In FY 2027, approximately \$109 million will become available for eligible projects. Development anticipates opening the FY 2027 statewide application in the spring of 2026 with awards anticipated after July 1, 2026.

Development will utilize a merit-based selection process that takes the following criteria into consideration:

1. Economic merit of the project to the county, surrounding counties, and state.
2. Ensuring that projects are awarded in different regions of the state.
3. Readiness of the project to begin upon notification of award.
4. Local support of the proposed project.

Development will utilize 2.5% of total funding for administrative purposes.

Key Dates

Application Date

Fiscal Year 2026 applications will open at 10 a.m. Nov. 12. Applications must be submitted by 5 p.m. Dec. 5.

Grant Performance Periods

FY 2026: July 1, 2025

FY 2027: July 1, 2026

Grant agreements will expire one year after announcement date.

Eligible Applicants

Only a Lead Entity, as defined herein and in Ohio Revised Code Section 122.6511(A)(2), may be eligible to receive funding through the Brownfield Remediation Program.

“Lead Entity” (aka an applicant) includes a county, township, municipal corporation, port authority, conservancy district, park district or other similar park authority, county land reutilization corporation, or organization for profit.

Entities that caused or contributed to the contamination of the property cannot be an applicant or eligible partner. If the entity that caused or contributed to the contamination is the property owner, a purchase agreement transferring the property to the applicant or non-liaible third party must be included in the application. Property transfer must occur within 60 days of grant award. Failure to do so may result in forfeiture of grant award.

Subrecipient Agreement

The applicant must enter into a subrecipient agreement with any known entities that may carry out activities supported by the grant award and will have responsibility for programmatic decision making. A subrecipient agreement is required to be submitted with the application if the applicant intends to work with other recipients that will receive grant money through the applicant.

The subrecipient agreement must include, at a minimum, the following: provisions for adherence to program guidelines, a statement of work, records and reports, budget (including budget justification) and balances, compliance with federal and state laws, and suspension and termination provisions.

Eligible Properties

Properties are only eligible if they meet the definition of a brownfield or are a Priority Investment Area eligible project.

Brownfield

A "brownfield" is defined as an abandoned, idled, or under-used industrial, commercial, or institutional property where expansion or redevelopment is complicated by known or potential releases of hazardous substances or petroleum. The contamination to be remediated is required at the subsurface level, unless remediation is needed to gain access to the subsurface contamination (i.e. building demolition) in order to contain the contaminant (i.e. asbestos abatement). If no known or potential releases of hazardous substances or petroleum are identified by a Phase I property assessment, but a building or structure with documented asbestos is present, the property is eligible to prevent a future release during planned demolition or renovation activities.

The applicant must specify which applicable remediation program they intend to comply with/achieve i.e. Voluntary Action Program (VAP), Bureau of Underground Storage Tank Removal (BUSTR), Resource Conservation and Recovery Act (RCRA).

Properties that contain more than one parcel are eligible to apply as one property. The parcels must be contiguous. Parcels separated only by a street, alley or railroad track are considered contiguous. Additional parcels must meet the eligibility criteria outlined above.

All project sites must be fully assessed for all contamination prior to application. An asbestos survey needs to be completed and included in an application if any demolition is intended to occur on the property.

The applicant must demonstrate that it possesses all necessary legal access to the property to complete the project. If the property or any portions of the property are subject to a lease agreement, the application must include a copy of the lease agreement or other agreement that provides the applicant with legal access to complete the project. In order to be considered an eligible property, applicants must submit documentation evidencing ownership or access to the property at the time of application submission.

Priority Investment Area

A site designated as a Priority Investment Area, pursuant to Ohio Revised Code Section 122.161, is eligible to apply.

Please note further details can be found at the [Priority Investment Area webpage](#).

Grant Categories

Applicants may apply for funds for “Assessment” or for “Remediation”.

“Assessment” is defined as a phase I and phase II property assessment BUSTR TIER I/II assessments, RCRA assessments, and an asbestos abatement survey conducted in accordance with applicable remedial program laws and regulations. The maximum award available for assessment costs is \$300,000.

“Remediation” is defined as any action to contain, remove, or dispose of hazardous substances or petroleum at a brownfield. This includes the acquisition (limited to 10% of the total request, not to exceed the county auditor property value) of a brownfield, demolition performed at a brownfield and the installation or upgrade of the minimum amount of infrastructure that is necessary to make a brownfield operational for economic development activity. "Remediation" also includes demolition and infrastructure development costs at the brownfield site. The maximum award available for remediation costs is \$1 million in FY 2026.

Eligible Costs

Cost Category	
General Administrative Costs	• General Management and Oversight of Program • Technical Support Services • Contractor pre-qualification • Spec-writing and bid preparation • Contract preparation • Evaluation and Monitoring • Invoice processing/payment • Preparation of Program Disbursement Requests • Report Preparation • State Audit(s) • Other expenses approved on a case-by-case basis by Development
Assessments (Eligible costs for assessment grants only. Assessment costs may only be used as match for remediation projects.)	• Environmental assessments, including a Phase I or Phase II, BUSTR TIER I/II assessments, RCRA assessments, and an asbestos abatement survey conducted in accordance with applicable remedial program laws and regulations • Contract preparation and review by third-parties • Architectural/engineering fees, including cost estimates, bid specifications, and job progress inspections • Bid advertisements for vendors

	• Other expenses approved on a case-by-case basis by Development
Acquisition	• No more than 10% of the total request, not to exceed the county auditor property value.
Demolition	• Removal and disposal of asbestos • Removal and disposal of other hazardous materials • Demolition of buildings including disposal, backfill, compaction • Clearance of structures and improvements (trees, shrubs, poles, porch piers, patios, fireplaces, fences, barriers, walls, driveways, aprons, service walks, parking lots, light poles, smokestacks, signage, etc.) • Equipment purchases or rentals, such as safety fencing, erosion control silt socks, portlets, etc. • Demolition and Infrastructure development costs • Regulatory permit and inspection fees • Documented, labor, material, or equipment costs • Other expenses approved on a case-by-case basis by Development
Infrastructure	• Minimum amount of on-site infrastructure necessary to make a brownfield operational for economic development activity. • Demolition and infrastructure development costs • Infrastructure can include, but is not limited to, costs related to: • Water • Sewer • Electric • Gas • Broadband
Remediation	• Costs related to the remediation or cleanup on a brownfield site • Engineering controls. For projects that use engineering controls as the sole remedy, justification is required. OAC 3745-300-01. (3) "Engineering control" is any structure, system, or barrier, which is protective of human health, safety, and the environment, that effectively and reliably eliminates or mitigates human or important ecological resource exposure to hazardous substances or petroleum on, underlying, or emanating from a property.

	• Costs associated with the crafting and submittal of a “No Further Action Letter,” or fee for a “Covenant Not to Sue,” or other submittal for regulatory review. • Equipment purchases or rentals, such as safety fencing, erosion control silt socks, portlets, etc.
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- For Priority Investment Area Projects, please see Section 122.6511(A)(6) of the Revised Code.
- Administrative costs shall not exceed a maximum of 10% of the total request; Administrative costs must adhere to all uniform cost guidance.
- Costs related to employing a certified professional are eligible. Applicants will comply with the provisions of ORC Sections 4115.03 to 4115.16, inclusive, as applicable, with respect to the payment of state prevailing wages for all mechanics and laborers employed in construction work financed with grant funds. For questions on Ohio’s Prevailing Wage Law, applicants must consult the Department of Commerce’s Bureau of Wage and Hour Administration to receive a determination.

Total project awards are determined at Development’s discretion.

Ineligible Costs

- Administrative costs related to application preparation and legal counsel related to the application or project implementation.
- Costs incurred prior to the grant agreement begin date.
- Costs related to site clearance (i.e. clearing, grubbing, removing solid waste).
- Payment of delinquent utility costs.

Matching Funds

For all awards made in the FY 2026 program year, match is not required. The availability and utilization of match on a project may result in a more favorable project for funding. Ineligible costs cannot be used as match funds.

Sources of Match

Acceptable sources of match funds may include local government, state government, federal government and for-profit or nonprofit entities.

For the purposes of this program, future in-kind costs can be considered as an eligible expense for match. For FY 2026, eligible expenses that were incurred on or after July 1, 2023, may be used as match. For FY 2027, eligible expenses that were incurred on or after July 1, 2024 may be used as match.

Application Evaluation Criteria

For FY 2026 and FY 2027 Development will utilize a merit-based selection process in the Brownfield Remediation Program. The economic impact of the project to the applicant's county, region and Ohio will be reviewed to ensure geographic distribution of projects across the state. A project's readiness will be evaluated to determine the project's merit as well. This will entail review of the project plans, zoning, permitting and other pre-site work documentation that will demonstrate the maturity of the project. Local support for the proposed project is important and will be evaluated as well. In determining an award, Development will prioritize projects that will yield the best return on investment for the state.

Additionally, applications that do not provide the following information will be considered incomplete and not eligible for funding.

Applications must provide the following information:

1. Proof of access and site control.
2. Project site environmental assessment.
3. Applicant has clean hands and did not contribute to the contamination of the site.
4. Remediation plan.
5. Specific clean up standard identified.

Applicants shall submit one application per project site. Upon submission of a complete application, the applicant will receive an email from Development confirming that the application has been received. Submission of an application does not ensure the applicant will be awarded funds.

Economic merit of the project to the county, surrounding counties, and state

This criterion evaluates the extent to which the proposed project will generate measurable economic benefits, including employment impacts, leveraged private investment, and increased tax revenues. Proposals should demonstrate how the project will stimulate growth beyond the immediate site, positively impacting the surrounding counties and contributing to the state's broader economic goals. Supporting documentation may include economic impact analyses, market studies, executed development agreements, and projected fiscal benefits.

Ensuring that projects are awarded in different regions of the state

To promote equitable economic development, this criterion ensures geographic diversity in project selection. HB96 provides for \$1 million in reserved funds for each of Ohio's 88 counties. If the \$1 million county reserved funds are not obligated by July 1, 2026, these unclaimed funds will become available to all eligible projects anywhere in the state in the FY 2027 funding round. In FY 2027 approximately \$109 million will become available for eligible statewide projects.

Applicants should identify the location of the project and highlight how it addresses specific regional needs.

Readiness of the project to begin upon notification of award

This criterion assesses the project's readiness to commence work immediately following an award. Applicants should provide evidence such as completed planning, secured site control, approved permits, and/or matched financing. Projects demonstrating "shovel-ready" status are prioritized to ensure timely expenditure of funds and quicker realization of economic benefits. A clearly defined timeline and list of pre-development milestones, including funding commitments to meet total development costs, and signed project contracts are all metrics that will be used to determine the readiness of projects to proceed upon notification of award.

Local support of the proposed project

This criterion measures the level of commitment from local governments, community organizations, economic development entities, and residents. Letters of support, public meeting summaries, and local resolutions should be included to illustrate broad-based backing. Evidence of partnerships or local matching funds can further demonstrate alignment with community priorities and readiness for implementation.

Application Process

Each of Ohio's 88 counties will have \$1 million in reserved funding through June 30, 2026. An application must be received in order to claim these funds. If an application to fully claim a county's set-aside funding is not received in the initial application period, or is incomplete, additional time may be requested to complete an application in order to claim set-aside funding prior to the FY 2027 application period.

Lead Entities must submit an application for each project.

Awards will be given until funds are depleted. Awarded projects should commence activities within the quarter of receiving a fully executed agreement. Funds may be reallocated for projects that cannot comply.

To access the application, individuals will be required to login using an existing OH|ID or create a new OH|ID, which provides users with secure access to state of Ohio services and programs. For more information on creating an OH|ID, please click [here](#). Please note that Chrome is the preferred web browser when making the online application submission.

Applicants will be asked a series of eligibility-based questions on the first page of the application. Any applicant that cannot provide an eligible project will not be able to apply for funding and will not be able to continue to the remaining portions of the application.

Project award selection is at the discretion of Development.

Eligible applicants will be required to provide the following on each application:

- Federal Employer Identification Number (FEIN)
- Application type: assessment or cleanup/remediation
- Applicant contact information (indicate a primary contact and authorized signatory role)
- Project name
- Name of property owner (if not applicant)
- Project address
- County(ies) to be served
 - If more than one county, indicate primary county
- Priority Investment Area Status
- Confirmation that applicant has access to the property
- Description of current ownership access
- Indicate if the Median Household Income for the area is less than the state-wide average
- Indicate if the community unemployment rate is greater than the current state-wide average
- Indicate any other economically distressed criteria impacting the community served
- Project history
- Verification of site as a brownfield
- Confirmation applicant did not cause or contribute to contamination on the site
- Confirmation of full site assessment if applying for remediation funding
- Number of vacant structures
- Number of occupied structures
- Current conditions of structures
- Description of known or potential project impediments including VAP program eligibility.
- Identification of previous Brownfield Remediation Program awards for the site
- Information on property boundaries
 - Identify if property boundaries are governed by a regulatory program other than VAP
- Description of demolition and/or cleanup activities proposed
- Project readiness including start and end date and project timeline
- Description of the redevelopment activities planned
 - Specify which applicable remediation program(s) the project intends to comply with/achieve
- Property acreage
- Economic development benefits to the community

- Number of anticipated new jobs
- Number of anticipated jobs retained
- Total project costs
- Total requested amount
- Required Documentation
 - Supporting resolution, ordinance, or letter of support
 - Photos of the site
 - Survey or plat map
 - Priority Investment Area resolution or ordinance
 - Relevant approval verification of these documents from Development
 - Access or purchase agreement
 - Subrecipient agreements
 - Clean hands affidavit
 - Environmental assessment reports (Phase I, Phase II, Asbestos assessments, etc.)
 - Project match documentation
 - Remediation plans that must detail the planned activities for cleanup. This must include cost estimates provided by a Certified Professional or engineer and must match the PACE. Please provide cost estimates or point out where they are in the application.
 - Engineering or planning documents
 - Project Assumption and Cost Estimate (PACE)
 - Match documentation
- Additional Supporting Documentation
 - Reports and analysis substantiating economic merit of the project
 - Economic Impact Analysis
 - Investment Commitment Letters
 - Pro Forma Financials
 - Market Impact Study
 - Letters of Intent from future business tenants
 - Housing Development
 - Housing Needs and Community Impact Analysis
 - Environmental Impact Statement

Reimbursement Requests

Upon execution of a grant agreement, Development will provide access to a disbursement request portal. An Ohio Supplier ID is required for disbursement. If the eligible applicant does not currently have an Ohio Supplier ID, the entity will be required to register for an Ohio Supplier ID at OhioPays.ohio.gov. Lead Entities will only be able to receive an award once a valid Ohio Supplier ID matching the FEIN/SSN provided in the application has been obtained and is verified by Development. Lead Entities that need assistance obtaining an Ohio Supplier ID or need to make changes to an existing Ohio Supplier ID should visit OhioPays.ohio.gov.

Lead Entities may submit one reimbursement request per month through the Reimbursement Request Tool for the Brownfield Remediation Program grant. In no event shall a request for payment be submitted to obtain funds for activities until the applicable grant conditions, if any, have been satisfied. Failure to comply with this provision and the procedures as outlined in the reimbursement manual, the grant agreement, or all applicable laws, may result in delayed payments or the suspension of the applicable award. Such an action will be rescinded upon satisfactory proof that the conditions and procedures are satisfied. Supporting documentation must be provided to receive a reimbursement of funds. Supporting documentation may include contracts, invoices, proof of proper disposal of waste and asbestos containing materials, timesheets, etc. Development may request additional documentation in support of the reasonable and necessary costs.

If the entity is requesting funds for costs not yet paid, a rationale must be provided for the upfront payment. Documentation demonstrating the amount of the requested costs (i.e., signed contract) must be provided before Development will determine if those costs can be reimbursed. Approval of upfront payments may be limited to 20% of the total grant amount. Grantees will be required to show proof payment for expenses paid with the advance of grant funds within 60 days of the advance payment by Development.

Please ensure all submitted invoices are dated.

Reporting

If awarded, grantees must submit quarterly progress reports and a final performance report. Quarterly report due dates:

- Quarter 1 is due April 21
- Quarter 2 is due July 21
- Quarter 3 is Oct. 21
- Quarter 4 is due Jan. 21 of the next calendar year

Final Performance Report and Project Deliverables

If a project is awarded a grant, certain project deliverables are required before closeout. Documentation of these deliverables depends on the type of award and project scope; therefore, grantees may not be required to provide everything listed below. Development may request additional documentation as is reasonable and necessary to demonstrate project completion. These deliverables should be included in the final report as applicable.

Assessment Grants:

- a) Asbestos Survey
- b) VAP Phase I/II
- c) BUSTR Tier I/II
- d) RCRA assessments
- e) Other applicable standards documentation as approved by Development.

Remediation Grants:

- a) VAP No Further Action Letter (NFA)
- b) Covenant Not to Sue
- c) Updated Phase II with confirmation sampling
- d) RCRA corrective action
- e) Asbestos Compliance Form
- f) Other applicable standards documentation as approved by Development.

Updates to Program Guidelines

Changes and/or corrections to any part of the program guidelines may be made at any time and will be provided by Development to awarded grantees and/or posted on Development's website. Development reserves the right to make exceptions to these guidelines on a case-by-case basis for any reason.

Indemnification

Unless otherwise exempted by law, any Lead Entity and subrecipient shall indemnify and hold harmless the State of Ohio and the Ohio Department of Development, including its agents, officers, and employees against any and all claims, liabilities, and costs for any personal injury or property damage, or other damages that may arise out of or in connection with the Lead Entity's or subrecipient's performance of a contract.

Definitions

"Assessment" is defined as a phase I and phase II property assessment BUSTR TIER I/II assessments, RCRA assessments, and an asbestos abatement survey conducted in accordance with applicable remedial program laws and regulations. The maximum award available for assessment costs is \$300,000.

"Remediation" is defined as any action to contain, remove, or dispose of hazardous substances or petroleum at a brownfield. This includes the acquisition (limited to 10% of the total request, not to exceed the county auditor property value) of a brownfield, demolition performed at a brownfield and the installation or upgrade of the minimum amount of infrastructure that is necessary to make a brownfield operational for economic development activity. Remediation also includes demolition and infrastructure development costs. The maximum award available for cleanup/remediation costs is \$10 million.

The term "brownfield" means an abandoned, idled, or under-used industrial, commercial, or institutional property where expansion or redevelopment is complicated by known or potential releases of hazardous substances or petroleum.

"Lead Entity" means a county, township, municipal corporation, port authority, conservancy district, park district or other similar park authority, county land reutilization corporation, or organization for profit.

"County land reutilization corporation" has the same meaning as in section 1724.01 of the Revised Code.

"Priority investment area eligible project" means some or all of the following activities necessary or conducive for generating, transporting, storing, or transmitting electricity at the site of a brownfield or former coal mine located in a priority investment area designated under section 122.161 of the Revised Code:

- (a) Environmental or cultural resource site assessments;
- (b) The monitoring, remediation, cleanup, or containment of land to remove any condition or substance regulated by state or federal environmental laws or regulations, including hazardous substances, hazardous wastes, solid wastes, or petroleum;
- (c) The demolition and removal of existing structures, grading, or other site work necessary to make a site or certain real property that includes a brownfield or former coal mine usable for economic development;
- (d) The development of a remediation and reuse plan;
- (e) The development or operation of a site for energy generation or battery storage