

YAMPA VALLEY HOUSING AUTHORITY BOARD MEETING
June 14, 2018

Roger Ashton, Yampa Valley Housing Authority Board President, called the meeting of the Yampa Valley Housing Authority to order at 12:00 p.m.

Board members present included: Catherine Carson, Roger Ashton, Cole Hewitt, Kathi Meyer, Doug Monger, Trish Sullivan, Mike Beyer, Rachel Hassell, Mark Scully, Sheila Henderson and Chris Slota. Dick Banks participated via phone. Luke Carrier was absent.

Others present included: Jason Peasley, Yampa Valley Housing Authority Executive Director; Alyssa Cartmill, YVHA Executive Assistant; Bob Weiss, YVHA attorney; Matt Mendisco, Hayden Town Manager; and Sondra Spratta. Sarah Katherman recorded the meeting and prepared the minutes.

EN RE: PUBLIC COMMENT

Mr. Mendisco stated that the proposed expansion of eligibility for the DPA program is really important to Hayden. He noted that the finance committee had recommended opening up \$100,000 of the program funds up to people outside the YVHA boundary. He said that he does not understand why the entire program fund would not be open to anyone in Routt County. He also asked if the "lives or works" criterion would mean that someone who lives in Craig but works in Routt County would also be eligible. Roger said that the YVHA would be considering the change to the DPA program later in the meeting and would inform Matt of the outcome of that discussion. Mr. Mendisco's comments were made at this time because he could not stay for the discussion of the DPA program.

EN RE: BOARD MEMBER COMMENT

Mike said that the percentage of units that have been verified as owner occupied in Fish Creek Mobile Home Park was now 90%. He said that Kate is working hard on getting that last 10% verified.

Roger congratulated the Board on its preparation and participation.

EN RE: CONSENT AGENDA

The following items were presented on the consent agenda:

- a. Review and approval of the May 10, 2018 minutes
- b. Review and approval of balance write-offs for April 2018
- c. Review and approval of the check register for April 2018
- d. Review and approval of the leave report for April 2018
- e. Review and approval of financial statements for April 2018

MOTION

Cole moved to approve the consent agenda, as presented. Kathi seconded. **The motion carried unanimously.**

EN RE: STAFF REPORTS

Jason reported that the application for the LIHTC project near Walgreen's (currently known as "Alpenglpo Village") had been submitted, and that CHFA had visited the site this week. The presentation to CHFA will be done in late August or early September, with results out in late September. Jason said the feedback so far has been positive. He said that there is more money available for allocation in this round due to the recent omnibus spending bill that increased the allocation of tax credits to the states. In response to a question from Doug, Jason reviewed the qualified allocation plan used by CHFA in its analysis of project applications. He noted that although there is a

basic threshold that a project must meet to make it into the competitive round, the evaluation of the merits of each project is somewhat subjective.

Jason reported that the wait list for units at the Reserves is over 200. He said that there have been 3 or 4 units turned over thus far.

EN RE: LEGAL TRAINING

Bob reviewed the guidelines that that Board must follow to stay out of legal trouble. He noted that most things are common sense, and that if something doesn't feel right, it probably isn't. He added that most of the trouble that boards get into are in the context of specific dysfunction on the board or other problems within the organization. Bob stated that a board member being held personally liable for a board action is extraordinarily rare.

Bob stated that YVHA is a multi-jurisdictional housing authority formed through an Intergovernmental Agreement (IGA) between the City and the County, and is subject to most rules that apply to governmental bodies. He reviewed the open meetings ("sunshine") law, and discussed the use of executive sessions. He noted that email chains among board members can be considered meetings and should be avoided. He noted that the CIRSA handbook is a valuable resource, and that the sections on liability, ethics and executive sessions are particularly pertinent.

Bob reviewed *ex parte* contacts, which apply to quasi-judicial proceedings. Jason noted that *ex parte* contacts could be an issue for the YVHA Board when they consider an individual deed restriction. Bob reviewed how to avoid *ex parte* contacts. Jason added that if *ex parte* contacts do occur, they should be disclosed to the full board. Bob reviewed conflicts of interest, and stated that when there is a conflict, the person should recuse him/herself and leave the room. Jason asked if living in a YVHA property would preclude a board member from decisions regarding that property. Bob stated that if the decision is generalized, then it would not constitute a conflict. He added that if there is any question, the issue can be disclosed to the board, which can then vote on whether the person should step down.

Roger asked if volunteers who serve on committees are subject to the same rules as the board. Bob recommended that committee members be voted onto committees by the Board. This would ensure that committee members are covered by the D & O insurance. Jason said voting in members would also help to define expectations. He said this issue would be discussed by the Executive Committee.

EN RE: RESOLUTION 2018-005 APPROPRIATING \$100,000 IN DPA FUNDS TO BE LENT TO HOUSEHOLDS LIVING/WORKING IN ROUTT COUNTY

Jason said that the concept of allowing people who work outside the YVHA boundary had been initially raised by the Board of County Commissioners. He said that Matt Mendisco of Hayden had also been a big advocate of expanding the program's eligibility requirements.

Jason said that there is approximately \$250,000 in the DPA loan fund. The source of the money is the repayment of mature loans, and the source of the original loans was money paid to the City via the Inclusionary Zoning Ordinance. Those funds were specifically earmarked to benefit the residents and employees of Steamboat, per the IGA that created the program. Jason added that some of the money was provided by Routt County's portion of a contribution from the state to a five-county region for down payment assistance. This money could be used county-wide. Jason discussed the benefits to the community of the DPA program and noted that approximately half of the current loans are for properties outside the YVHA boundary, owned by people who work inside the boundary. Cole noted that the source funds had been co-mingled from the outset, but that \$100,000 was the best estimate of non-earmarked funds. He said that concern regarding the earmarks on the original funding is why the Finance Committee is recommending limiting the expanded program to \$100,000.

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Jason stated that the options for expanding the eligibility could be to those who live *and* work in Routt County, or to those who live *or* work here. Cole noted that the property being purchased must be within Routt County, so the option is really between requiring only that people live here, regardless of where they work, or requiring that they live *and* work here. Catherine stated that the greatest housing problem is within Steamboat Springs. She stated her preference for using the program to benefit local businesses and employees. She added that the program has not been discussed with any other counties, and recommended that it be limited to those who work in Routt County. Chris noted that the funds are not being used now, and that the goal is to expand the program to put this money to good use. Doug asked how an employment criterion would be enforced, and what would happen if someone with a loan changed jobs and began working in Moffatt County. Mark expressed reservations about the DPA program and offered that the past results should be evaluated. He said that the rationale for the program must be clear, and that the funds should be used to support the maximum number of properties. Doug stated that the money should be put to use and cannot be used for another purpose. Sheila added that the DPA program is the only YVHA effort targeted at the entry level market. Cole reviewed the process through which the loans are reviewed, granted and paid back. Catherine said that information on the outcomes of the loan program are available and could be presented to the Board. Jason agreed, and added that the information could be included in the annual report.

Cole asked whether location neutral workers should be eligible. Kathi suggested that working in Routt County could be defined as at least one adult member of the household working in Routt County, including location neutral workers. A straw poll of the board indicated that the majority supported allowing \$100,000 in DPA loan funding be made available to people who live in Routt County, whether their employment is here or not.

MOTION

Doug moved to approve and authorize the Chairman's signature on Resolution 2018-005, as presented, with the following amendments:

3rd whereas: delete, "or working"

4th whereas: change "assassinate" to "assistance"

In ¶ #1, line 4: delete, "within Routt County"

Sheila seconded the motion.

Under discussion, Cole asked about location neutral workers.

The motion carried 11 – 1, with the Chair voting yes.

EN RE: EXECUTIVE SESSION

MOTION

Kathi moved to enter executive session at 1:30 p.m., in compliance with C.R.S 24-6-402 (4) (a) and C.R.S. 24-6-402 (4) (e), as stated on the meeting agenda. Trish seconded the motion. **The motion carried 12 – 0.**

No minutes were taken during executive session.

MOTION

Cole moved to come out of executive session at 2:05 p.m. Kathi seconded the motion. **The motion carried unanimously.**

No decisions were made, actions taken or resolutions passed in executive session. The Board gave direction to the negotiating team.

EN RE: CONTRACT WITH VISTANA COLORADO MANAGEMENT

Jason reported that as negotiations proceed, iterative versions of the contract will be reviewed by the Development Team. The final contract will be presented to the Board for approval.

EN RE: BRYNN GREY LAND DONATION LETTER OF INTENT

Jason provided an update on the negotiations with Brynn Grey. He stated that he and Mark were the negotiating team. He said that he and Mark had returned a marked-up version of the LOI to Brynn Grey. The final land donation LOI will be considered by the Board at a future meeting.

EN RE: TEAM MEETING RECAP

Executive Team

Roger stated that the next meeting would be held on June 26th, at which the team will discuss the appointment of volunteers to committees and the expectations of those volunteers.

Finance Team

Cole said that the Finance Team is awaiting the response to the RFP for a new auditor. Responses are due June 29th. At the next meeting the Finance Team will discuss putting out an executive summary of the financial statements and perhaps releasing the financials earlier for Board review. He added that the Finance Team would also be working on the budget requests for contributions from the City and County.

Existing Assets Team

Mike reported that electrical upgrades are ongoing at Hillside Village, and that a plumbing contractor had been found to make the repairs to the sewer system taps at Fish Creek. The cluster mailboxes have been ordered. In response to a question from Doug, Jason said that new trailers had been placed and are occupied on both formerly vacant lots at Fish Creek.

Development Team

Sheila reported that the Development Team had been working on the negotiations with Overland Property Group, Vistana and Brynn Grey. She said that the Team is working on clarifying the pipeline of projects and establishing the strategic priorities for those projects. The Sierra View lots have also been discussed. Mark said that he had visited the Sierra View lots, and asked if it would be appropriate for him to reach out to Angela to discuss the strategy for marketing the lots. Doug said that Oak Creek Town Manager Mary-Alice Page Allen had told him that only multi-family units could be built on the lots. He requested a clarification of what would be allowed under current zoning.

EN RE: OTHER BUSINESS

Regarding the need to engage a back-up attorney to handle any transaction with Brynn Grey, given Bob & Ward's conflict, Jason said he would ask Bob for a recommendation. He said that when the time comes for "succession planning" for a new attorney for the organization, YVHA would put out an RFP.

EN RE: ADJOURNMENT

MOTION

Cole moved to adjourn the regular meeting of the Housing Authority at 2:20 p.m. Kathi seconded; the motion carried unanimously.

No further business coming before the Board, same adjourned sine die.

Sarah Katherman, Minute Taker



Roger Ashten, President