



**MINUTES OF THE JANUARY 4, 2023
REGULAR MEETING OF THE
ASPEN/PITKIN COUNTY HOUSING AUTHORITY**

CALL TO ORDER: Chairperson Carson Schmitz called the APCHA Board Meeting of January 4, 2023, to order at 4:00 p.m. The APCHA Board Meeting was held in person and through Zoom Meetings.

ROLL CALL: Carson Schmitz, Rachael Richards, Skippy Mesirow were present. Alycin Bektesh arrived at 4:19 p.m. Kelly McNicholas-Kury and Francie Jacober were present on Zoom. John Ward was absent.

Staff Members in Attendance: Matthew Gillen, Executive Director; Cindy Christensen, Deputy Director Housing Operations and Property Management; Bethany Spitz, Deputy Director Housing and Compliance via Zoom; Karen Bromka, Administrative Specialist. Tom Smith, APCHA attorney and Diane Foster, Assistant City Manager were present via zoom.

PUBLIC COMMENT: Schmitz opened the regular meeting to Public Comment for items not on the agenda. There being none, Schmitz closed the public comment section of the meeting.

APCHA BOARD OF DIRECTOR'S COMMENTS:

- McNicholas-Kury mentioned that the Board of County Commissioners is planning to talk about housing in a retreat in early February.
- Jacober did not have any other comments.
- Mesirow mentioned campaign season is coming up again.
- Richards did not have any comments.
- Schmitz did not have any comments.

EXECUTIVE DIRECTOR'S COMMENTS:

Gillen updated the Board on the following:

- There are a couple positions open that APCHA is hiring for, including the Compliance Officer.
- 16 Ajax Ave was sold last week.
- Gillen conveyed a question from the City to the County asking if they would be willing to chip in half the money for the Emergency Grant Program that was discussed last year.
- Gillen responded to the request from the Board at the last meeting about checking on Hearing Officer Mick Ireland's status and found Mr. Ireland to be fully compliant with both APCHA rules and the Common Ground development and the City of Aspen.
- Schmitz noted for the record to reflect that Bektesh arrived at 4:19 p.m. and she had no Board of Directors comments.
- Christensen stated there are no current sale units but there are 2 rental units available which can be accessed on the website apcha.org and suggested applicants sign up for notifications.

CONSENT CALENDAR: Richards made a motion to approve the Minutes of the December 14, 2022 Special Meeting. McNicholas-Kury seconded the motion. **ROLL CALL VOTE:** Schmitz, Richards, Bektesh, McNicholas-Kury approved. Motion passed.

DISCUSSION ON TRANSPARENCY ON COMPLIANCE CASES: Gillen stated that staff is trying to produce something to put up on the website which would show what is being worked on and the status, while protecting anonymity of the citizens, to monitor and show transparency. Items included would be type of violation, e.g., not residing in unit or not working full-time in Pitkin County; status of the case, e.g., received, under investigation, completed; and then resolution. Updates on particular cases will not be given publicly. The way to make a complaint will be posted on the website.

Smith stated what the Colorado Open Records Act (CORA) requires. He could find no exemption from the requirements for disclosure of public records that would allow APCHA to keep the names and addresses of people under investigation confidential. Spitz stated that not every respondent gets notified of every complaint against them or that they are being investigated, and if a complaint is anonymous, there is no way of tracking the complainant.

Schmitz summarized the discussion by requesting that statistics and case status be given monthly, and a random identifier should be issued to cases for tracking purposes.

REVIEW AND DISCUSSION ON BIENNIAL AFFIDAVITS: Spitz commented that affidavits are set to go out in 2023. There was 100% compliance in 2021. The same questions will be asked: who is in the unit, do you have tenants, do you have dependents, are you working full-time, and confirmation of ownership of only that property in the Ownership Exclusion Zone. It was asked if the Board would like to see an end of the year tax document provided, W2 or 1099, and if self-employed the most recent paystub. There are possible issues with requesting these documents in that the middle of the year is only a picture in time and seasonal employment is always changing. Employment verification forms will not be requested as that would put an undue burden on employers when paystubs or tax documents are sufficient.

Smith stated that there is an exemption in the CORA Statute for the disclosure of personal financial information. Bektesh requested a sample of the 2021 Affidavit be included in the packet with the next meeting's agenda.

CONTINUATION OF RIGHTSIZING PILOT PROGRAM: Schmitz tabled this issue at this time to the next meeting.

EXECUTIVE SESSION: Richards made a motion to go into an Executive Session for a conference with the APCHA attorney for the purpose of receiving legal advice under C.R.S. Section 24-6-402(4)(b) regarding the 1994 Settlement Agreement in Centennial-Aspen II Limited Partnership, United States District Court Action No. 92-B-2570 with the inclusion of Dane Foster. McNicholas-Kury seconded the motion. **ROLL CALL VOTE:** Schmitz, McNicholas-Kury, Richards, and Bektesh approved. Motion passed.

MOTION TO COME OUT OF EXECUTIVE SESSION: Richards made a motion to come out of the Executive Session at 6:10 p.m., Bektesh seconded the motion. **ROLL CALL VOTE:** Bektesh, Richards, McNicholas-Kury, and Schmitz approved. Motion passed.

MOTION TO ADJOURN: Richards made a motion to adjourn the meeting at 6:11 p.m., Bektesh seconded the motion. **ROLL CALL VOTE:** Bektesh, Richards, McNicholas-Kury, and Schmitz approved. Motion passed. Board meeting was adjourned at 6:11 p.m.

THE ASPEN/PITKIN COUNTY HOUSING AUTHORITY


Carson Schmitz, Chairperson


Matthew Gillen, Secretary