



*Strengthening Community Through Workforce Housing*

**MINUTES OF THE MARCH 20, 2019  
REGULAR MEETING OF THE  
ASPEN/PITKIN COUNTY HOUSING AUTHORITY**

**CALL TO ORDER:** Ron Erickson, Chairperson, called the Regular Meeting to order at 5:00 p.m. The March 20, 2019 meeting was held in the Board of County Commissioners Room, Pitkin County Building, 530 E Main Street.

**ROLL CALL:** Ron Erickson, Becky Gilbert, Rick Head, Dallas Blaney, Chris Council, and Carson Schmitz were present. Valerie Forbes and John Ward were absent.

Staff Members in attendance: Bethany Spitz, Compliance Manager; and Andrew Miller, Administrative Assistant II.

**Rules of Decorum:** The Rules of Decorum for APCHA Board Meetings were read by Chris Council.

**PUBLIC COMMENT:** Erickson opened the meeting to Public Comment for items not part of the agenda. There were none.

**EXECUTIVE DIRECTOR COMMENTS:**

- Spitz stated that the Homeowner Biennial Affidavit was sent out on March 13. Completion rate is currently at about 40% surveys returned/completed.

**DIRECTOR COMMENTS:**

- Council stated he struggled with Erickson's letter of opinion in the newspaper(s). He stated that, globally speaking, if a Board member signs their name with their position on the Board, it should be agreed on prior by all Board members. Erickson stated he agreed and that he had also spoken with Tom Smith and Mike Kosdrosky about the letter. Erickson stated the letter was sent on his behalf, not the Board's. Gilbert stated she was glad the letter was sent. Head stated if Erickson had the support of the Board, the letter would have had more power.
- Erickson stated he wanted the Board to participate in a proposed community educational program of writing editorials for local newspapers.
- Erickson stated his concern on selling a subpar unit he heard had serious health and safety issues. He also stated he thinks the issue was resolved but maybe not to the total satisfaction of the buyer.
- Head asked Spitz what the status for current compliance cases were. Spitz stated Julie Peters had decided to proceed with a lawsuit. Peters was stated as saying influential locals told her to pursue the lawsuit. Erickson asked why it had taken so long to get to this point, Spitz stated Smith and Peter's attorney had been in discussion and thought they had come to an agreement. Head asked the status with Lee Mulcahy, Spitz provided an update on his case status.

**CONSENT CALENDAR: Head made a motion to approve the Minutes of the February 20, 2019 with a change in who opened public comment – Head and not Erickson, Resolution No. 03 (Series of 2019, Denying the Appeal of Meredith Lenk of the Notice of Violation dated December 19, 2018). Erickson seconded the motion. All were in favor. Motion passed.**

**Discussion Item:**

- Requested Changes by BOCC and City Council to the Hearing Officer and Fines and Penalties Policy and schedule 1<sup>st</sup> Reading for April 3, 2019 and Public Hearing for April 17, 2019:
  - Erickson stated he would like to approve the change suggestions for the discussion items. Head asked how the board is supposed to decide the hearing officer recommendations. Spitz stated that Smith had suggested hiring an attorney for the position, it could mimic what Pitkin County uses. Erickson stated that the County's Hearing Officer would be a good start of where to look.
  - Spitz stated APCHA uses the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) in the U.S., Midwest, and West, not seasonally adjusted. This is different than what Pitkin County uses. Phyllis Mattice stated the County uses a National CPI, not what APCHA uses. If there was a change in which CPI was used, all would be changed simultaneously. Spitz stated that a change would need to be a conversation with Christensen as all new sales would be affected by the change. Mattice stated that the percentage frequency doesn't necessarily make sense, maybe not CPI every year. Spitz stated that the general idea is to build in a tool to automatically increase the fees. Council stated he thought that an increase should start January 1, 2021. Blaney still expressed his concerns over the amount of fines and believes the numbers chosen were arbitrary and fundamentally flawed. Blaney stated that the Board should look at this policy two years after implementation and make any necessary adjustments before creating an automatic increase. Blaney also stated the board can insert language to force APCHA to revisit the Fines and Penalties schedule in a certain amount of time to revisit the automatic increases. Council stated that there could be an inflator that automatically kicks in after 18 months and the Board could adjust as necessary. Spitz stated that Smith said the schedule could be changed at any point as necessary. Erickson stated that the Board could recommend using the current adjustment to kick into effect after two years, but to be re-evaluated during that time frame.
  - Blaney asked how the Hearing Officer would be paid. Erickson stated it would be a line item in the budget. He also stated that any money received from fines would go to offset the costs of the position and then towards community education. Council asked if this was a salaried position. Spitz stated it would be based on an hourly fee. Blaney stated that once the Housing Information Management System (HIMS) is up and running, these hearings could snowball. Erickson suggested using a rough estimate of how many hearings the Board has been doing. Head asked if this could

be done by April 3, Spitz stated that the first reading is on April 3 and a public hearing on April 17. Mattice asked for some clarification on what needed to be written on appeals fees, she stated the intent was there, but it was not clear. Erickson stated the only appeal is for due process, something will be ready for April 3. Blaney asked who the Hearing Officer would report to. Spitz stated that the Hearing Officer would report to the Board with oversight by Smith. Erickson stated that the hearings would be scheduled by staff and would be open to the public.

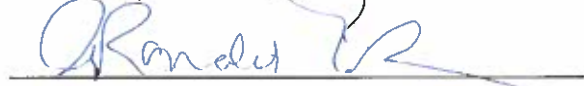
**Compliance – None for this meeting:**

**Miscellaneous Attachments/Information:**

- Future Agendas: There was no discussion on future agendas.

The meeting was adjourned at 5:30 p.m.

THE ASPEN/PITKIN COUNTY HOUSING AUTHORITY



A. Ronald Erickson, Chairperson

  
Bethany Spitz, Acting Secretary