



**MINUTES OF THE APRIL 5, 2023
REGULAR MEETING OF THE
ASPEN/PITKIN COUNTY HOUSING AUTHORITY**

CALL TO ORDER: Chairperson Carson Schmitz called the APCHA Board Meeting of April 5, 2023, to order at 3:00 p.m. The APCHA Board Meeting was held in person and through Zoom Meetings.

ROLL CALL: Kelly McNicholas-Kury, Alycin Bektesh, Carson Schmitz, and Rachel Richards were in person. John Ward was present on Zoom. Francie Jacober and Skippy Mesirow were absent.

Staff Members in Attendance: Matthew Gillen, Executive Director; Cindy Christensen, Deputy Director Housing Operations and Property Management; Karen Bromka, Administrative Specialist; and Liz Axberg, Housing Policy Analyst were in person. Bethany Spitz, Deputy Director Housing and Compliance; Tom Smith, APCHA Attorney were present on Zoom.

PUBLIC COMMENT:

Schmitz opened the regular meeting to Public Comment for items not on the agenda.

- Mike Maple made a public comment.

There being no more Public Comment, Schmitz closed the meeting to Public Comment.

Tom Smith requested to add an Executive Session for the purpose of obtaining legal advice under CRS 24-6-402(4)(b), regarding procedures to be followed in the appeal of Dr. David Singer of the decision of the Hearing Officer affirming the terminations of his lease. The Board agreed to add this Executive Session at the end of this meeting.

APCHA BOARD OF DIRECTOR'S COMMENTS:

- Ward only had a question relating to the public on the property located at 1235 Mountain View Drive.
- Bektesh commented on the following:
 - Thanked both Rachael Richards and Skippy Mesirow for their service not only on the APCYA Board, with on City Council as well.
 - Noted the information on the website relating to compliance cases and that this creates more transparency with the program.
- McNicholas-Kury commented on the Regional Housing Summit and stated that it was nice that there was no APCHA bashing, and she supports the Lumberyard Project.
- Richards thanked the Board and noted that the role of APCHA is difficult but so important.
- Schmitz had no comments.

EXECUTIVE DIRECTOR'S COMMENTS: Gillen updated the Board on the following:

- Thanked Richards and Mesirow for their service on the Board as well.
- Introduced and welcomed Jackie Marinaro to the staff as the Compliance Officer.
- Just a reminder that a date of April 11 has been scheduled for a Tenant Meet and Greet for Truscott and Aspen Country Inn and there will be donuts and coffee.
- The Biennial Affidavit for owners has been distributed. APCHA has received about 40% back already.

- Christensen stated that there are a couple of ownership units up for bid and reminded the public to sign up for notifications on APCA's website to keep updated on ownership opportunities as well as rental opportunities in APCA managed properties.

CONSENT CALENDAR:

- **McNicholas-Kury made a motion to approve the Minutes of the March 1, 2023, Regular Meeting; Bektesh seconded the motion. ROLL CALL VOTE: Ward, Schmitz, Bektesh, McNicholas-Kury voted yes. Richards abstained. Motion passed.**
- Bektesh asked for further clarification on Resolution No. 03 (Series of 2023), appropriating up to \$300,000 for purchase of property located at 213 Woody Creek and up to \$32,000 for payment of past due Woody Creek Metro District Dues and past due property taxes for 215 Woody Creek. Christensen stated that 215 Woody Creek was bought by APCA through a foreclosure action and is requesting funds to bring past debt relating to the Woody Creek Metro District and back property taxes up to date. The owner of 213 Woody Creek passed away and APCA has the opportunity to purchase the home and redevelop both 213 and 215 Woody Creek (they are right next to each other). After a brief discussion, **McNicholas-Kury made a motion to approve the Resolution No. 03 (Series of 2023), Appropriating Funds from the 632 APCA Development Fund up to but not exceeding \$300,000 for the Purchase of 213 Woody Creek and up to but not exceeding \$39,500 for Payment of past due Woody Creek Metro District dues and past due Property Taxes due on 215 Woody Creek; Richards seconded the motion. ROLL CALL VOTE: Ward, Schmitz, Bektesh, Richards, McNicholas-Kury voted yes. Motion passed.**

Public Hearing on Resolution No. 02 (Series Of 2023), Approving Changes to the Aspen/Pitkin County Housing Regulations: Christensen stated that this is for a Public Hearing on Resolution No. 02 (Series of 2023), approving changes to the Aspen/Pitkin County Housing Regulations. Schmitz opened the meeting to public comment. There being none, the public hearing section was closed. Spitz stated that staff would like to make this go into effect in approximately a month (May 1, 2023). APCA's plan is to put this as part of the newsletter, send out emails to owners, as well as other advertising as well.

Bektesh commented that she still has a concern with the age change from 19 to 16 and that it should stay at 19. After a brief discussion with the Board, the majority requested to leave it at 16.

Richards made a motion to approve Resolution No. 03 (Series of 2023), Approving Changes to the Aspen/Pitkin County Housing Regulations; Ward seconded the motion. ROLL CALL VOTE: Ward, Schmitz, Richards and McNicholas-Kury voted yes; Bektesh voted no. Motion passed.

Informational Memo on HOA Survey: Axberg stated that this survey is to ask for updated information on what owners are part of their HOA Board, contact information, are they self-managed or privately managed and if they would be interested in participating in an APCA program that would provide financial help in conducting a capital reserve assessment. The Board requested clarification on if the HOA reports would be subject to a CORA request. Axberg stated that she will verify this concern for the Board. The Board suggested that the definition of a capital reserve be added, along with possibly some differences between capital maintenance items and regular maintenance items.

Richards made a motion to move the Public Hearing on the Appeal of Highlands Villas, LLC from the Findings of Fact, Conclusions of Law and Ruling of APCA Hearing Officer dated January 20, 2023, to the Regular Board Meeting to be held on June 7, 2023; McNicholas seconded the motion. ROLL CALL VOTE: Ward, Schmitz, Richards, McNicholas-Kury and Bektesh voted yes. Motion passed.

EXECUTIVE SESSION: Bektesh made a motion at 4:50 p.m. to move into Executive Session for a conference with the APCA attorney for the purpose of obtaining legal advice under CRS 24-6-402(4)(b), regarding procedures to be followed in the appeal of Dr. David Singer of the decision of the Hearing Officer affirming the terminations of his lease. McNicholas-Kury seconded the motion. **ROLL CALL VOTE:** McNicholas-Kury, Bektesh, Schmitz, Richards, and Ward voted to approve. Motion passed.

Because this Executive session is for the purpose of attorney-client privilege, it will not be recorded.

Richards left the meeting.

Bektesh made a motion to come out of the Executive Session at 5:14 p.m., Ward seconded the motion. ROLL CALL VOTE: McNicholas-Kury, Bektesh, Schmitz, and Ward voted yes. Motion passed. The Board came out of Executive Session at 5:14 p.m.

MOTION TO ADJOURN: McNicholas-Kury made a motion to adjourn the meeting; Bektesh seconded the motion. **ROLL CALL VOTE:** McNicholas-Kury, Bektesh, Schmitz, and Ward voted yes. Motion passed. Board meeting adjourned at 5:14 p.m.

THE ASPEN/PITKIN COUNTY HOUSING AUTHORITY

Carson Schmitz, Chairperson

Matthew Gillen, Secretary