



820 Black Bear Road, Unit G-17
P.O. Box 840, Telluride, CO 81435
Tel: 970-728-3034 ext. 4 Fax: 970-728-5371
E-mail: courtney@smrha.org Web: www.smrha.org

SAN MIGUEL REGIONAL HOUSING AUTHORITY
REGULAR MEETING

September 5, 2023 @ 1 PM

Via Zoom	ID#: 484.178.1222	PW: SMRHA2023
-----------------	--------------------------	----------------------

- I. CALL TO ORDER**
- II. PUBLIC DISCUSSION**
No more than five minutes per person.
- III. REVIEW OF AGENDA**
- IV. APPROVAL OF MINUTES**
July 5, 2023
- V. WORKSESSION ITEMS**
Review of Grievance Policy - Courtney McEleney, SMRHA
Review of 2024 DRAFT Budget - Courtney McEleney, SMRHA
Rico Bedrock Discussion - Courtney McEleney, SMRHA
Housing Needs Assessment Discussion - Courtney McEleney, SMRHA
- VI. ACTION ITEM**
- VII. MANAGER REPORT**
- VIII. OTHER BUSINESS**
- IX. ADJOURN**

NEXT SCHEDULED MEETING

October 2, 2023

1 PM

This agenda is subject to change including the addition of items or the deletion of items at any time. The lengths of discussions may be shorter or longer, at the Board's discretion. If you are planning to come speak to a matter, let the SMRHA Manager know by calling 970-728-3034, ext. 4.



820 Black Bear Road, Unit G-17
P.O. Box 840, Telluride, CO 81435
Tel: 970-728-3034 ext. 4 Fax: 970-728-5371
E-mail: courtney@smrha.org Web: www.smrha.org

SAN MIGUEL REGIONAL HOUSING AUTHORITY
REGULAR MEETING MINUTES
MONDAY, JULY 10, 2023 @ 1 PM

The following Board Members were present via Zoom:

- Lance Waring, San Miguel County Commissioner
- Mike Bordogna, San Miguel County Manager
- Scott Robson, Telluride Town Manager
- Adrienne Christy, Telluride Town Council Member
- Pamela Shifrin, At-Large Board Member

The following were also in attendance via Zoom:

- Courtney McEleney, SMRHA Manager

I. CALL TO ORDER

The Regular Meeting of the San Miguel Regional Housing Authority Board was called to order by Lance Waring on July 10, 2023 at 1:02 p.m.

II. PUBLIC DISCUSSION

No public discussion was provided.

III. REVIEW OF AGENDA ITEMS

No additions or subtractions of the Agenda were considered.

IV. APPROVAL OF MINUTES

Upon motion by Mike Bordogna and seconded by Adrienne Christy the meeting minutes of June 5, 2023 were unanimously approved.

V. WORKSESSION

Review of SMC Fees - Courtney McEleney, SMRHA

The SMRHA Board decided not to implement an additional fee for future buyers in San Miguel County

Review of Mid-Year Budget - Courtney McEleney, SMRHA
SMRHA Manager reviewed the Mid-Year Budget. There were no concerns.

Personnel Discussion - Courtney McEleney, SMRHA
SMRHA Manager discussed an increase in hourly salary for SMRHA Staff member.

VI. ACTION ITEM

Approval of Personnel Discussion – Courtney McEleney, SMRHA

VII. MANAGER REPORT

SMRHA Manager reviewed the Manager Report.

VIII. OTHER BUSINESS

SMRHA Manager discussed possibility of including Rico within the SMRHA administration portfolio if they are annexed into the Telluride R-1 School District.

IX. ADJOURN

Upon motion by Adrienne Christy and seconded by Scott Robson, the Regular Meeting of the San Miguel Regional Housing Authority (SMRHA) Board was adjourned by Lance Waring on July 10, 2023 at 1:40 p.m.

Definition: Grievance

A “grievance” is any dispute that any person has with SMRHA regarding action or failure to act in accordance with the individual’s rights, duties, welfare, or status that cannot be, or has not been, addressed by another SMRHA Housing Authority’s Deed Restrictions, Covenants, Land Use Code, Guidelines, Rules, or Regulations. A grievance may be presented directly to SMRHA Board under the following procedures.

Informal Settlement of Grievance. Any grievance shall be personally presented, either orally or in writing, to SMRHA office or to the office of the project in which the complainant resides so that the grievance may be discussed informally and settled without a hearing. SMRHA office, or office of the project in which the complainant resides, shall attempt to resolve such matter informally with the complainant but, in doing so, they are not authorized to make any determination contrary to a deed restriction, covenant, land use code, guideline, rule, regulation or Policy, or established precedent.

A summary of such informal discussion shall be prepared within a reasonable time and one copy shall be given to the complainant and one retained in SMRHA’s complainant’s file. The summary shall specify the names of the participants, dates of meeting, the nature of the proposed disposition of the complaint and the specific reasons therefor and shall specify the procedures by which a hearing may be obtained if the complainant is not satisfied.

Grievance Hearing Procedures:

- A. **Hearing.** If a matter cannot be resolved informally, a request for a Grievance Hearing must be submitted in writing to SMRHA and must include:
1. The name, mailing and email address and telephone number of the complainant(s) and similar information of complainant’s representative, if applicable;
 2. The particular ground(s) upon which the grievance is based, including the specific action, or non-action, taken by staff and the specific grounds why the staff decision was incorrect;
 3. The action or remedy requested; |
 4. |

B. **Process -**

1. **Timing.** Upon receipt of a request for a Grievance Hearing, the Grievance Hearing shall be scheduled before a Hearing Officer promptly for a time and place reasonably convenient to the complainant, SMRHA, and the Hearing Officer. A written notification specifying the time, place, and the procedures governing the hearing must be delivered to the complainant and the appropriate SMRHA official.
2. **Elements of Due Process.** Grievance hearings shall be fair and provide for the basic safeguards of due process, including: adequate notice of grounds upon which grievance is based; the right to be represented by counsel; an opportunity to be heard, meaning an opportunity to refute the evidence presented, to confront and

Commented [TM1]: Is there one?

cross-examine witnesses, and to present any affirmative legal or equitable defense, in a timely and reasonable manner; and a decision on the merits.

3. **Discovery.**

- i. All materials that any party to the Grievance Hearing would like the Hearing Officer to consider must be submitted to the Hearing Officer no later than seven (7) days prior to the date of the hearing and, to the extent permitted by law, shall be included in the public record.
- ii. The opportunity to examine all relevant documents, records and regulations must be accommodated. The complainant shall be responsible for all photocopying expenses. Any document not made available after written request may not be relied upon at the hearing.

4. **Representation.** Parties to a Grievance Hearing have the right to be represented by counsel at their own expense.

5. **Failure to Appear.** If the complainant fails to appear at the hearing, the Hearing Officer may decide to postpone the hearing for no more than five (5) business days or may decide that the party has waived their right to a hearing. Both the complainant and SMRHA must be notified of the determination by the Hearing Officer. A determination that the complainant has waived the complainant's right to a hearing will not constitute a waiver of any right the complainant may have to contest SMRHA disposition of the grievance in the appropriate judicial proceeding.

6. **Hearing.** Grievance Hearings shall be conducted by a "Hearing Officer" who shall be a designated member of SMRHA Board as appropriate.

- i. The Grievance Hearing shall be recorded. The Complainant or SMRHA may arrange, in advance and at the expense of the party making the arrangement, for a transcript of the hearing. Any interested party may purchase a copy of such transcript.
- ii. Oral or documentary evidence may be received without strict compliance with the Colorado Rules of Evidence.
- iii. The right to cross-examine shall be at the discretion of the Hearing Officer and may be regulated as the Hearing Officer deems necessary for a fair hearing.
- iv. Reasonable accommodation for persons with disabilities to participate in the hearing shall be provided. Reasonable accommodation may include qualified sign language interpreters, readers, accessible locations, or attendants. If the complainant is visually impaired, any notice to the complainant which is required shall be in an accessible format.

7. **Decision.** The Hearing Officer shall either affirm or reverse the staff decision or shall continue the hearing to a specified date and time. If the Hearing Officer affirms or reverses the staff decision, the Hearing Officer shall prepare a written decision, including the reasons for SMRHA's decision, within a reasonable time after the Grievance Hearing. A copy of the decision shall be sent to the complainant and SMRHA. SMRHA shall retain a copy of the decision in the complainant's file.

Commented [TM2]: Hearing officer means an impartial person or persons selected by the PHA, other than the person who made or approved the decision under review, or a subordinate of that person. Such individual or individuals do not need legal training. PHAs must describe their policies for selection of a hearing officer in their lease forms as required by § 966.4, changes to which are subject to a 30-day comment period as described in § 966.3.

24 C.F.R. § 966.53

8. **Binding Determination** – The Hearing Officer shall provide a final determination with findings to support the determination. Unless timely appealed, the determination shall be binding on SMRHA and SMRHA shall take all actions necessary to carry out or enforce the decision.

9. **Appeals.**

- i. Any person adversely affected or aggrieved by a decision of the Hearing Officer may appeal such decision to SMRHA Board as provided herein.
- ii. Notice of appeal and a written summary of the grounds for the appeal must be submitted to SMRHA Board within fifteen (15) days of the date of the Hearing Officer's decision.
- iii. No appeal shall be considered by SMRHA Board until the appellant, at its expense, presents the Board with a transcript of the proceedings before the Hearing Officer, which must occur no later than sixty (60) calendar days after the Hearing Officer's decision unless expenses by SMRHA Board for good cause shown.
- iv. Upon receipt of the transcript, the Board shall schedule the appeal for a public hearing at the earliest date possible, with the consideration to the interests of all parties.
- v. **Scope of Review.**
 - i. The appeal to the Board shall be based solely on the record of the proceedings before the Hearing Officer. The Board shall consider the arguments of the appellant, SMRHA staff, and other interested parties based on the record.
 - ii. Based upon the arguments made at the hearing, the Board may affirm, modify or reverse the decision of the Hearing Officer. In addition, the Board may determine that additional evidence is necessary and remand the matter to the Hearing Officer for the receipt of additional evidence and reconsideration based thereon. The Board's decision shall be made in writing and shall include findings of fact and conclusions of law.
- vi. **Judicial Review.** The decision of SMRHA Board shall constitute final agency action subject to judicial review in accordance with CRCP Rule 106(a)(4).

**San Miguel Regional Housing Authority
Comparison FY 23 & FY 24**

	<u>YTD 07/31/23</u>	<u>2023 Budget</u>	<u>2024 Budget</u>	<u>2023 vs. 2024</u>
Funding				
Section 8	9,070.00	16,000	16,000	0
San Miguel County	109,065.00	109,065	109,065	0
Town of Telluride	109,065.00	109,065	109,065	0
Total Funding	<u>227,200.00</u>	<u>234,130</u>	<u>234,130</u>	<u>0</u>
Expense				
Payroll Expenses				
Position 1	47,307.75	82,000	82,000	0
Position 2	31,385.90	52,000	56,160	4,160
PERA	11,725.84	19,738	19,738	0
Medicare	1,102.97	1,945	1,945	738
Health Insurance	21,280.00	34,176	36,000	1,824
SUTA	157.04	402	350	52
Worker's Comp	384.00	300	450	150
Total Payroll Expenses	<u>113,343.50</u>	<u>190,561</u>	<u>196,643</u>	<u>6,924</u>
Operating Expenses				
Accounting Software	595.00	1,020	1,080	60
Advertising	708.80	3,000	3,000	0
Auditing Services	0.00	6,200	6,200	0
Cleaning Services	900.00	1,530	1,530	0
Computer Software/Hardware	3,147.19	5,000	3,750	1,250
Training	277.04	1,500	1,000	500
Copier Lease & Maintenance	1,778.53	1,751	1,751	0
Dues & Memberships	0.00	0	0	0
Insurance	2,423.00	3,000	3,000	0
IT Services	600.00	1,500	500	1,000
Legal	0.00	5,000	5,000	0
Misc. Expense	124.83	500	300	200
Office Supplies	899.57	500	500	0
Outreach	0.00	900	900	0
Payroll Expenses	1,601.00	2,000	2,750	750
Postage	183.46	500	500	0
Rent	4,012.00	5,568	7,932	2,364
Telephone	2,160.05	4,200	4,000	200
Travel	0.00	2,000	1,500	500
Website	2,768.89	3,000	3,500	500
Special Projects	373.75	5,000	2,500	2,500
Total Operating Expenses	<u>22,553.11</u>	<u>53,669</u>	<u>51,193</u>	<u>2,476</u>
Total Expenses	<u>135,896.61</u>	<u>244,230</u>	<u>247,836</u>	<u>3,606</u>
Reserves		10,100	13,706	



820 Black Bear Road, Unit G-17
P.O. Box 840, Telluride, CO 81435
Tel: 970-728-3034 Fax: 970-728-5371
E-mail: admin@smrha.org Web: www.smrha.org

MANAGER REPORT

September 5, 2023

- **SMC:**
 - 3 August Closings
 - 1 September Closings
 - 3 October Closings
 - SMC Compliance Update

- **TOT:**
 - New Listing
 - 2 September Closings
 - 1 resolved Notice of Violation
 - 1 pending Notice of Violation

- **Trainings**
 - Tax Training



820 Black Bear Road, Unit G-17
P.O. Box 840, Telluride, CO 81435
Tel: 970-728-3034 ext.4 Fax: 970-728-5371
E-mail: courtney@smrha.org Web: www.smrha.org

SAN MIGUEL REGIONAL HOUSING AUTHORITY 2023 BOARD MEETINGS

1 P.M.

(unless otherwise noted)

Via Zoom	ID#: 484.178.1222	PW: SMRHA2023
-----------------	--------------------------	----------------------

January 3 - CANCELED

February 6

March 6

April 3 - CANCELED

May 1

June 5

July 10

August 7 - CANCELED

September 5

October 2

November 6

December 4

The Meeting Dates and Times are subject to change as are the Agendas, including the addition of items or the deletion of items at any time. If you are planning to come speak to a specific matter, please let the SMRHA Manager know by calling Courtney at 970-728-3034, ext. 4.

Packet materials are available from the San Miguel Regional Housing Authority by contacting the SMRHA Office no later than 24 hours prior to the meeting.