



**Fraser Housing Authority
Fraser Town Hall, 153 Fraser Avenue and Virtually
Agenda Wednesday May 5, 2021**

Due to COVID-19 social distancing requirements the Fraser Board Room will only allow for participation of 4 people (not including Board and Staff). People with items scheduled on the agenda will be admitted before any public, not on the agenda, until capacity is reached. All others will have the opportunity to digitally attend the meeting with the information provided below.

Watch the meeting live on Fraser's YouTube Channel
<https://www.youtube.com/channel/UCs5aHnl7d-kk0j1cxV28DSg>

**Participate in the meeting through our virtual platform
Zoom Meeting Information**

<https://us02web.zoom.us/j/2590408013>

Meeting ID:259 040 8013

Phone 1-346-248-7799

1. **Roll Call**
2. **Approval Of Agenda**
3. **Consent Agenda**

- a. Minutes

Documents:

[HAM 2020-06-03.Pdf](#)

[HAM 2020-09-16.Pdf](#)

[HAM 2020-09-30.Pdf](#)

4. **Discussion And Possible Action**
 - a. Fraser Deed Restriction Program

Documents:

[Fraser Deed Restriction Memo.pdf](#)

5. **Open Forum**

6. **Updates**

7. **Adjourn**

**FRASER HOUSING AUTHORITY
MINUTES**

- DATE:** June 3, 2020
- MEETING:** Fraser Housing Authority Meeting
- PLACE:** Virtual On-Line Meeting
- PRESENT**
- Board:** Chair Katie Soles, Vice Chair Eileen Waldow; Mayor Philip Vandernail; Andy Miller, Brian Cerkvenik, Parnell Quinn and Ryan Barwick
- Staff:** Town Manager Jeff Durbin; Town Clerk, Antoinette McVeigh; Marketing and Economic Development Manager, Sarah Wieck; Public Works Director, Russell Pennington, Finance Manager Beth Williams, Town Planner Catherine Trotter, Police Chief Glen Trainor
- Others:** Richard Cimino, Clark Lipscomb, Michael Brack, Alicia Holley, Stephen Brack, Nathan, C, McKenna Harford, Casey Malone, Michelle Rees

Chair Soles called the meeting to order at 6:02 p.m.

1. **Roll Call** Chair Katie Soles, Vice Chair Eileen Waldow; Mayor Philip Vandernail; Andy Miller, Brian Cerkvenik, Parnell Quinn and Ryan Barwick
2. **Approval of Agenda:**
Commissioner Waldow moved to amend the agenda to remove the executive session from the agenda and Commissioner Quinn seconded the **motion. Motion carried 7-0.**
3. **Consent Agenda:**
 - a. Minutes May 6, 2020

Commissioner Vandernail moved and Commissioner Quinn seconded the **motion** to approve the consent agenda. **Motion carried 7-0.**
4. **Discussion and Possible Action**
 - a. Mill Apartments

Commissioner Vandernail moved and Commissioner Quinn seconded the motion to authorize the Chair to execute the Addendum to Amended and Restated Agreement of Limited Partnership for the Mill Avenue Apartment Project conditioned on the addition of a First Right of Refusal after the term of the tax credits and approval of the final language by counsel. Motion carries 5-2, Nay Waldow and Soles.
5. **Open Forum**
6. **Updates**
7. **Adjourn**

Commissioner Quinn moved, and Commissioner Miller seconded the **motion** to adjourn.
Motion carried: 7-0. Meeting adjourned at 7:10 p.m.

Antoinette McVeigh, Town Clerk

**FRASER HOUSING AUTHORITY
MINUTES**

DATE: September 16, 2020

MEETING: Fraser Housing Authority Meeting

PLACE: Fraser Town Hall and Virtual On-Line Meeting

PRESENT Board: Chair Philip Vandernail, Vice Chair Eileen Waldow, Andy Miller, Brian Cerkvenik, Katie Soles, Parnell Quinn and Ryan Barwick

Staff: Town Manager Jeff Durbin; Town Clerk, Antoinette McVeigh

Others: See attached list

Chair Soles called the meeting to order at 6:04 p.m.

1. **Roll Call:**
Katie Soles, Vice Chair Eileen Waldow; Mayor Philip Vandernail; Andy Miller, Brian Cerkvenik, Parnell Quinn and Ryan Barwick
2. **Approval of Agenda:**
Trustee Waldow moved, and Trustee Cerkvenik seconded the **motion** to approve the agenda. **Motion carried: 7-0.**
3. **Executive Session:**
For a conference with the Special Counsel for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402 (4)(b) For the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e) To discuss the purchase, acquisition, lease, transfer, or sale of real, personal, or other property interest under C.R.S. Section 24-6-402(4)(a). Property Acquisition

Trustee Cerkvenik moved, and Trustee Barwick seconded the **motion** to open the executive session at 6:05 p.m. **Motion carried: 7-0.**

Trustee Barwick moved, and Trustee Miller seconded the **motion** to close the executive session at 6:45 p.m. **Motion carried: 7-0.**
4. **Consent Agenda:**
No items
5. **Discussion and Possible Action**
a) Mill Apartments

No action
6. **Open Forum**

7. Updates

8. Adjourn

Trustee Barwick moved, and Trustee Quinn seconded the **motion** to adjourn. **Motion carried: 7-0.** Meeting adjourned at 6:46 p.m.

Antoinette McVeigh, Town Clerk

**FRASER HOUSING AUTHORITY
MINUTES**

DATE: September 30, 2020

MEETING: Fraser Housing Authority Meeting

PLACE: Fraser Town Hall and Virtual On-Line Meeting

PRESENT

Board: Chair Katie Soles, Vice Chair Eileen Waldow; Mayor Philip Vandernail; Andy Miller, Brian Cerkvenik and Parnell Quinn

Staff: Town Manager Jeff Durbin; Town Clerk, Antoinette McVeigh; Marketing and Economic Development Manager, Sarah Wieck; Public Works Director, Russell Pennington

Others: See attached list

Chair Soles called the meeting to order at 7:47 p.m.

1. Roll Call

2. Approval of Agenda:

Trustee Soles moved, and Trustee Miller seconded the **motion** to approve the agenda. **Motion carried: 5-0.**

3. Consent Agenda:

a. Minutes June 3, 2020

Trustee Soles moved, and Trustee Waldow seconded the **motion** to approve the consent agenda removing the minutes from September 16, 2020. The audio will be reviewed and the minutes will be on a future agenda. **Motion carried: 5-0.**

4. Executive Session:

For a conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b). For the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e). regarding property acquisition

Trustee Cerkvenik moved, and Trustee Miller seconded the **motion** to open the executive session at 7:50 p.m. **Motion carried: 5-0.**

Trustee Miller moved, and Trustee Waldow seconded the **motion** to close the executive session at 8:07 p.m. **Motion carried: 5-0.**

5. Discussion and Possible Action

Trustee Miller moved, and Trustee Waldow seconded the motion, Grand County sent a letter regarding the jurisdiction over Mill Ave Housing Project because it is in the County

and not in the Town of Fraser. The Fraser Housing Authority will withdraw from further negotiations with the Mill Avenue Project owners. Motion carried: 5-0.

6. **Open Forum**

None

7. **Updates**

None

8. **Adjourn**

Trustee Soles moved, and Trustee Miller seconded the **motion** to adjourn. **Motion carried: 5-0.** Meeting adjourned at 8:12 p.m.

Antoinette McVeigh, Town Clerk



MEMO TO: Mayor Vandernail and the Board of Trustees
FROM: Antoinette McVeigh, Town Clerk
DATE: April 28, 2021
SUBJECT: Fraser Deed Restriction Program

MATTER BEFORE BOARD:

To further define the deed restriction program requirements and opportunities.

ITEMS:

1. The minutes of May 6, 2020 of The Fraser Housing Authority (FHA) did not make the following determinations, these items need to be defined, Exhibit B:
 - a. Define 30 hours per week work requirement.
 - When considering the work requirement of 30 hours per week, this could be an average for the year. Due to the seasonal employment of Grand County not all people work 52 weeks a year and maybe unable to work during the shoulder seasons.
 - b. When people retire, are they eligible to retain the home?
 - When considering people that retire, I would recommend that the deed restriction be in place for a minimum of a specific number of years prior to retirement. Vail's requirement is five years prior to retirement.
 - c. When a person becomes disabled, are they eligible to retain the home?
 - When a person becomes disabled, we should allow the person to remain in the home and provide proof of the disability. This could be in the form of a disability award in lieu of the 30 hours per week work requirement.
2. Will the Economic Development Advisory Committee (EDAC) act as an advisory board to make recommendations to the FHA? The Deed Restriction applications have been going directly to the Town Board and not to EDAC and then the FHA. How does the Board want the process to proceed?
 - The Board should consider the length of time it can take for an application to be approved. If EDAC reviews the applications and makes a recommendation to the Board the timeline for approval/denial could be one to four weeks minimum.
3. What if an applicant wants to purchase vacant land with the intention to build?
 - This would not provide immediate housing. Would there be a timeline requirement to build? What if this is not met? How would this be enforced?

4. What if an applicant wants to use the money towards a construction loan?
 - This does not provide immediate housing. What if the loan defaults could the town get its money back? I would recommend waiting until the CO has been issued before a deed could be offered. Vail does not allow this; they have specific zoning for new construction that is for the program.
5. When an application is received the staff will vet the application, verify the owner(s), make sure they meet the qualifications in Exhibit B, number of bedrooms and bathrooms.
 - a. Can an LLC, Corporation or other type of business be able to receive a Deed Restriction?
 - b. How should a home be verified as to the correct number of bedrooms and bathrooms when the application doesn't match the assessor's data?
 - I would recommend a physical inspection of the to determine the correct number of bedrooms and bathrooms. Would this be staff, fire department, an inspector? Who would cover the cost if there is one? Vail's Indeed staff inspects the homes.
 - If the home is listed for sale the MLS listing and or online pictures could be used.
 - c. Who can apply for a deed restriction? If multiple owners are on the home's deed then all owners will also need to be on the deed restriction.
6. The minutes from May 6, 2020 state:

Trustee Vandernail moved and Trustee Waldow seconded the **motion** to appoint Katie Soles as the Chair of the Fraser Housing Authority. **Motion carries 5-0.**

Trustee Vandernail moved and Trustee Soles seconded the **motion** to appoint Eileen Waldow as the Vice Chair of the Fraser Housing Authority. **Motion carries 5-0.**

The Bylaws of the FHA state:
Article II Commissioners

Section 1 Commissioners and Terms of Office. The members of the Fraser Board of Trustees shall *ex officio* constitute the Commissioners of the Authority. The terms of such Commissioners shall be coterminous with the terms of office on the Fraser Board of Trustees.

Section 2. Officers. The Fraser Board of Trustees May shall *ex officio* be Chair of the Authority. The Fraser Board of Trustees Mayor Pro-Tem shall *ex officio* be Vice-Chair of the Authority. The Executive Director of the Authority shall be the Secretary of the Authority. The Authority may elect from among the Commissioners or otherwise employ a secretary, Technical experts and such other officers, agents, and employees permanent and temporary, as it may require.

- The Bylaws could be amended to allow the Board of Trustees to appoint the Chair and Vice-Chair.