Wasatch County Housing Authority Board Meeting Minutes
25 N Main St., Council Chambers, Heber City, UT 84032
Monday, April 15, 2023 5:00 p.m.

Board Members Present
Kendall Crittenden, Chairman
Kent Shelton
Brenda Kozlowski
Kevin Payne
Todd Anderson
Sid Ostergaard

Others Present
Jeffery Bradshaw, Exec Director

Excused
Amy Anderson

Visitors
Nick Frost, Attorney
Chad Christensen, Stoney Oaks
Angelica - MCHT

WELCOME

APPROVAL OF THE MINUTES

Kendall welcomed all to the meeting. March meeting ended up being canceled, so no meeting minutes for March. Brenda made a motion to approve the February meeting minutes. Kent seconded. All were in favor.

HOUSING DEVELOPMENT ACTIVITY:

Stoney Oaks - Chad Christensen

Stoney Oaks is seeking an approval to pay a fee-in-lieu which has already been approved by Wasatch County Planning Dept. Development is 15 acres divided into 11 lots. Chad passed out a paper to the Board showing the proposed plat. Board confirmed that the fee-in-lieu is still $28,000.00 Kevin asked about what other options the County gives the developer. If they provided a unit instead of a fee-in-lieu, what would the income limit be for that? Kendall said that there was no standard amount used. Todd confirmed that there is no reason that they would NOT pay a fee-in-lieu because the fee amount is significantly less than providing a unit. The Board didn't have any other questions. Todd made a motion to accept the fee-in-lieu with the amount provided up front. Sid seconded it. All were in favor. Chad left a check with Jeffery & WCHA will create & send a recommendation letter this week to Chad Christensen.

Sid asked how can we work with the entities within the community to increase the fee-in-lieu? Sid suggested maybe going before each council to start a dialogue? Kendall said that WCHA could make a recommendation to each of the councils about a proposed increase to fee-in-lieu amounts even though this has been discouraged by the current legislature. Kevin said that $200K plus should really be the fee-in-lieu amount. Todd said that the math definitely doesn't work at all anymore. Kendall said that the current fee-in-lieu was created years ago. Nick gave some brief information regarding the current legislature, but offered to give the Board a short presentation to further explain what has been going on at the legislative level. The Board thought that this would be a good idea and Nick will present within the next month or two.

<u>Celebration Workforce Housing</u> - Russ Watts

Russ didn't end up coming to the meeting to discuss his current project, Celebration. It's strictly a rental project for the local workforce. Kendall will contact him & hopefully, he can come to the next meeting. Kendall thinks he is wanting us to assist with the qualification of the units (so basically MCHT) or another management company. Right now he is looking for a Master lease to Intermountain Health, the school district or other large organization. 60-80% AMI is the desired income range for the project.

<u>Mountainlands Community Housing Trust</u> - Scott Loomis

Scott joined the meeting via telephone. There were 3 items he wanted to talk about.
1) Jason Gliddon will be the new Executive Direct for MCHT beginning May 6th. He is currently working for Park City Municipal Corp so he has a lot of familiarity with Summit & Wasatch Counties. H e doesn't have much experience with tax credit projects so Scott will stay on as a consultant for the next year to consult with him on those as well as MCHT finances.
2) 100% AMI for HEber City has gone up to $137,500 for a family of 4. This means higher sales prices & higher rents and those that earn more money can now qualify.

3) Deed restrictions - Nick & he have had several conversations about creating deed restrictions for those that work in Wasatch County. Scott feels that there are several issues with this-- 1) difficulty filling units with too many restrictions, this one especially & developers getting frustrated with prolonged vacancies - waterfall provisions can help & 2) fair housing - such a restriction may be deemed unfair & could open WCHA up to frivolous lawsuits. Sid asked Scott if you found funding other than federal funding, are you still bound by the fair housing act? Scott confirmed that for projects that are federally funded with tax credits, they are very strict and follow a list. However, upon review of current affordable housing in Summit & Wasatch (405) units, there are 19 that aren't working in their respective county so the majority of the tenants are already working in their County and yes, fair housing applies to all housing, not just federally funded housing. Scott mentioned a lottery option that had previously been used in Summit County giving everyone the opportunity to be drawn but additional preference given for qualifications. Todd asked Scott how "remote" work fit into these deed restrictions? Scott says it can be an issue & it isn't directly addressed in the deed restrictions. When a study was done quite a while back, most working out of the County weren't working in Summit County. Scott said we can use the waterfall provisions to find a qualified placement.

Nick shared a graph to further explain the waterfall provisions being implemented to the deed restrictions -- bumping the AMI every 30 days. Sid

Angelica had a specific question for Scott about purchasing a home in Heber & renting their first home in another location. Is this viable? Deed restrictions for purchase properties, there is a limit for net worth that would make or not make this possible -- most likely they wouldn't qualify.

Scott had two concerns about the agreement with MCHT for services. Scott said that there are fees for rental & for sale units with the question about whether it is for how many were qualified or just a fee per unit filled with a qualified person? His understanding is that the fees going to MCHT are just coming out of the fee-in-lieu payments made to WCHA & his suggestion is to tack this fee onto the developers which would save WCHA from bearing the burden. Kevin agreed that it should be more of a management cost to the developer and should be considered more of an operating cost. Scott says that it can be put in the code & the development agreement. There is a monitoring fee in MCHT contract. Nick says that there are many with the management capturing this fee. Kevin asked if we require auditing & Nick confirmed that yes, we do have that in the contract.

Angelica (MCHT) gave a report on the deed restricted properties that she's been working on. Coyote Springs is full. Turner Mill is still working on some, but they are getting filled and making progress. Once we are using the waterfall provision, it will help a lot. Angelica gave an overview of the qualification process so the Board could understand the process better and asked if there were questions about the invoice. She confirmed that there were a lot of contacts that we aren't being charged for.

<u>Crown Project Update</u> - Jeff

This 6 unit project is coming up on the 15 year mark this November which is when the tenant can purchase the home. There were 4 Reach Homes which is a different project. The Crown project is a rent-to-own project which allows the tenant to purchase. We will be collecting $240K all together when they close -- $40K each. Jeff just wanted to give the Board a heads up on this.

<u>DAL Applicants:</u> None

<u>FINANCIAL REPORT:</u>

Jeff went over the February financials and then the expenses. March financials weren't quite ready given the tax deadline day for Jeff's office. Sid made a motion to approve the February financials & expenses. Kevin seconded it. All were in favor.

<u>DELINQUENT LOANS:</u>

No new ones.

<u>OTHER BUSINESS:</u>

ADJOURNMENT:

Brenda made a motion to adjourn.   Sid seconded it. The time is 6:42 p.m.

Next Board Meeting will be held on Monday, May 20th, at 5:00 p.m. at 25 N Main St. Room 104 Heber City, UT 84032