

Minutes of the Board of Commissioners of the  
Emery County Housing Authority Regular Meeting held at  
The Emery County Courthouse – Room 221  
75 East Main Street, Castle Dale, Utah

May 20, 2015

In attendance:

Jeff Horrocks, Chairman

Board Members, Bart Cox, Liz Nielson, Christine Jensen, and Paul Cowley

Jennifer Roberts, ECHA Administrative Assistant

Vic Staley, Executive Director of Carbon County Housing Authority

Mike Olsen, County Attorney

Teresa Manzanares, Paralegal

The chairman called the meeting to order.

DISCUSSION OF MANAGEMENT CONTRACT WITH CARBON COUNTY HOUSING AUTHORITY.

Emery County Housing Authority and Carbon County Housing Authority have reviewed the management contract. CCHA's attorney has reviewed the contract as well. The Emery County attorney has informed Jeff that he will review the contract. Mike Olsen commented the point of introducing into any contract is a mutually beneficial situation. He also requested that he would like to discuss this further with the board in a closed session. Jeff informed Mike that the board had a tele-conference call with HUD prior to the meeting. HUD is also requesting Emery County Housing Authority to accomplish a final agreement with the contract. The board and HUD also discussed the recovery agreement. HUD, what they call "long-term sustainability," basically meaning employees from CCHA, who are familiar with executing a Housing Authority, to manage and access ECHA where it needs to be.

Mike informed the board that the contract between CCHA and ECHA, is terminable with a thirty-day (30) notice and as mentioned before, a mutually beneficial situation on the outset.

Jeff added that it was a thirty-day (30) notice and a year-to-year contract that will be renewed every year. Mike also commented that the contract will not automatically renew each year, both

Emery County Housing Authority and Carbon County Housing Authority would be required to meet at contract's end year, and discuss if renewing would be necessary.

Vic commented that CCHA would have no predicaments if the contract continues after twelve months.

Jeff explained to Mike that the ECHA will have an unofficial audit, in which ECHA has never had completed before but CCHA has. Jeff also explained in the contract, ECHA board gave permission for CCHA to assist with the unofficial audit and will compensate for the time working on that and hopefully get this contract completed.

RATIFICATION OF AUTHORIZATION OF UNOFFICIAL AUDIT OF HUD.

The board gave permission for Jeff Horrocks to notify Carbon County Housing Authority to continue with the unofficial audit with Emery County Housing Authority. Bart Cox made a motion to ratify the unofficial audit. The motion was seconded by Paul Cowley and approved by.

REPORT FROM JENNIFER ROBERTS ON WAITING LISTS, OCCUPANCY AND OTHER ADMINISTRATIVE ISSUES.

Jennifer reported there are four (4) on the waiting list for Public Housing with one applicant that can be moved in Castle Dale #8 immediately once the unit is ready to be occupied. There are currently thirteen (13) on the Section 8 waiting list. Jeff notified the board there was a leak in the roof in CD #8 and was newly painted as well.

A discussion was made that there may be a possibility of ECHA going into the negative financially because of the Section 8 checks.

Jennifer was instructed to defer from issuing any more Housing Choice Vouchers until further notice.

UPDATE OF FIRE DAMAGE TO PUBLIC HOUSING UNITS 1 & 2 IN CASTLE DALE AND WATER DAMAGE TO #7 IN FERRON.

ECHA is currently working with CCHA on the proposals for service. There is currently one bid for Ferron #7 to be repaired. Castle Dale #1 & #2 is still under burn status with garbage and remains that must be gathered and cleaned up immediately.

CCHA requested to know ECHA procedures for bidding. Mr. Staley explained to the board that the clean-up and repairing of the units, may take several bids depending on the cost.

Jeff added there is more insurance money available to accrue the debt on the clean-up process of the damaged apartments. Once the clean-up is complete, then the housing authority can bid for repairs. The insurance company will not cover the cost of the clean-up until the debt is occurred.

DISCUSSION OF NO INSURANCE COVERAGE OF TERRORISM FOR PUBLIC HOUSING.

The insurance company sent a notice, stating that Public Housing will not be covered from acts of terrorism.

DISCUSSION OF INSURANCE POLICY FOR PUBLIC HOUSING.

The board expressed that they are not pleased with the current insurance company that is currently covering the Emery County Public Housing. It was discussed the probability of one insurance company covering both ECHA and CCHA, in which it will save money for housing authorities.

CCHA had a fire recently to their public housing unit as well, and the unit was ready to be occupied within three months. CCHA has errors and omissions insurance, in which ECHA currently does not have. Jeff explained ECHA originally placed that item in the budget, but all the maintenance and so forth money was transferred over to operation funding. It did not go for insurance but it did, however, went to benefits and salaries for two former employees. The board requested the former Executive Director to obtain errors and omissions insurance, but he never did.

REPORT AND DISCUSSION OF TENANT ACCOUNT RECEIVABLE BALANCES/RENT REGISTER.  
CONSIDERATION AND APPROVAL OF ANY REPAYMENT CONTRACTS AND EVICTIONS.

The board was presented a copy of the rent register. No repayment agreements need to be approved.

A recalculation was made on previous tenant in Castle Dale #2, and the ending balance the tenants owe is \$2.86. Previous tenant in Castle Dale #8 has paid off all debts. Previous tenant in Ferron #2 has paid off all debts. Previous tenant in Ferron #5 has paid off all debts and is requesting to occupy the unit again. A letter was sent to family member of previous tenant Ferron #11 explaining the debt that needs to be paid. Currently, there is no response from the letter sent.

It was requested for CD #9 to be evicted.

It was requested for CD#4 to be evicted. The tenant received a three-day eviction notice to vacate the premises at a certain time and date. The tenant owes \$416.00 for the month of April 2015 and \$258.00 for the month of May 2015, plus last portion of security deposit and late fees, which totals \$704.50.

The tenant in CD#4 informed Jeff that she will move into low-income housing up North. Jeff informed the tenant that her debt will be posted on a website, according to the policy, and she will not be able to receive housing assistance until her debt is paid.

CCHA currently has a policy in place stating that if a Public Housing tenant causes a fire, that tenant would be responsible to pay a deductible.

Liz Neilson made a motion to write off the remaining balance of \$2.86 that the previous tenants in CD #2 owe. The motion was seconded by Bart Cox and approved by all members present.

DISCUSSION OF INFORMATION REGARDING GARRISON BANKRUPTCY NOTICE.

Emery County Housing Authority received a bankruptcy notice from the previous tenants that lived in one of the Castle Dale Crown homes. Jeff explained to the board, that in the past, these tenants were allowed to build up a debt of almost \$2,000 in back rent. The former Executive Director allowed them to also have pets. Eventually, tenants did vacate the premises due to instruction that they had to get rid of their pets. The clean-up and repair of this crown home totaled approximately \$4,500 so that the home could be rented again. Jeff informed the board that the Garrison bankruptcy initial meeting is scheduled sometime in June 2015 and he will be attending that. He will make sure the court has all the information they need in regards of the damage that occurred in the home.

DISCUSSION OF VIOLATION POINTS AGAINST CD#9 AND CD#12.

Castle Dale #9 has accumulated enough violation points to be evicted. The tenant was sent a form to fill out and send back. The tenant did bring back a few documents to verify there is no income in the household, however was still missing a few. The tenant was given until May 21, 2015 to submit last of documents or eviction process will begin.

Jeff explained to the legal counselor that was present, that if a tenant claims zero income, they must fill out a "Certification of Zero Income" every thirty days and submit any appropriate documentation the housing authority requests. This particular tenant is refusing to submit documentation that was requested as this has been an on-going issue for months.

Bart Cox questioned of what documentation that is required. Jeff explained documentation that supports how the tenant is paying the basic necessities such as utilities, fuel for vehicle, etc. which all counts as income.

Mr. Staley asked the board why wasn't this situation brought about months ago. It was explained that the administrative assistant was still in the learning process at the time.

On the last page of the Public Housing Packet, the rules of the "Violation Point System," it was explained on one of the violation descriptions, "disturbances requiring law enforcement," first violation is fifty (50) points. Tenant in CD #9 was given the first violation points because of this incident.

There was a discussion that if there are any complaints from tenants about another tenant, that all of this must be in writing with date and signature.

Tenant in Castle Dale #12 accumulated beyond the maximum points according to the "Violation Point System," in item "Apartment in unclean, unsafe, unhealthy, or unsanitary conditions." This was discussed before in past meetings.

DISCUSSION OF REAC HUD INSPECTION JUNE 30, 2015-JULY 6, 2015.

The Public Housing tenants will need to be notified prior to the REAC HUD inspections.

DISCUSSION AND SCHEDULING OF ROUTINE MAINTENANCE/HOUSEKEEPING INSPECTIONS FOR PUBLIC HOUSING.

A discussion was made that a date needs to be set, who will attend the inspections as well as a list will be made on repairs during that time that need to be completed. Any minor repairs will be worked onsite during this time. CCHA will send out two of their HUD-Certified inspectors to assist with the inspections.

All fire extinguishers will need to be re-certified in all units.

PRESENTATION OF FINANCIAL INFORMATION AND APPROVAL OF MONTHLY EXPENSES. RATIFICATION OF MAY 2015 SECTION 8 CHECKS.

The board was presented copies of financial information.

A motion was made by Bart Cox to ratify the May 2015 Section checks and approve monthly bills. The motion was seconded by Paul Cowley and approved by all members present.

PRESENTATION OF MONTHLY FINANCIAL REPORT FROM LOUCKS & SCHWARTZ.

The board was presented copies of monthly financial report from accountant.

A motion was made by Bart Cox to approve monthly expenses. The motion was seconded by Paul Cowley and approved by all members present.

DISCUSSION OF ACOP CHAPTER 12 AND APPROVAL OF POSSIBLE AMENDMENTS AS PART OF ON-GOING PROCESS TO REVIEW AND UPDATE ACOP.

A motion was made by Liz Nielson to table this item until June 2015 meeting. The motion was seconded by Bart Cox and approved by all members present.

APPROVAL OF APRIL 15, 2015 MINUTES AND SPECIAL MINUTES MAY 14, 2015

A motion was made by Bart Cox to table the approval, pending corrections. The motion was seconded by Paul Cowley and approved by all members present.

CLOSED SESSION FOR STRATEGY TO DISCUSS PENDING OR REASONABLY IMMINEENT LITIGATION

A motion was made by Paul Cowley for a closed session. The motion was seconded by Bart Cox and approved by all members present. A roll call vote was taken.

Christine Jensen – aye

Bart Cox – aye

Liz Nielson – aye

Paul Cowley – aye

Jeff Horrocks – aye

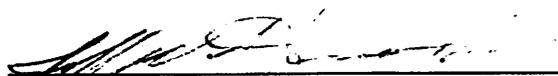
The vote was unanimous.

The board returned to meeting.

Mike discussed the management contract with Carbon County Housing Authority and has given legal advice to the Emery County Housing Authority and about the contract and information that was discussed in the closed session.

A motion was made by Liz Neilson to offer Carbon County Housing Authority \$30,000 to oversee Emery County Housing Authority, which also include maintenance and accounting. The motion was seconded by Paul Cowley and approved by all members present.

A motion was made by Bart Cox to adjourn the meeting. The motion was seconded by Paul Cowley.

  
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Approved By:

7-13-15  
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Date: