

HOUSING AUTHORITY AGENDA

Thursday, February 6, 2025 at 1:00 PM

MEETING LOCATION

1101 Broad Street, Meeting House, Milliken, CO 80543

Zoom Meeting Details

To Join via Zoom

<https://us02web.zoom.us/j/87125237589?pwd=c0pRcHM4cTNWcEZpMUZCbFRMTUIDdz09>

Meeting ID: 871 2523 7589

Passcode: 054513

One tap mobile

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1. Discussion Topics

- a. Discuss revisions to the Milliken Housing Authority Bylaws (last revised 2022)
Kellie Matthews, Housing Authority Chair



1.a.

**TOWN OF MILLIKEN
MILLIKEN HOUSING AUTHORITY
AGENDA MEMORANDUM**

To: Milliken Housing Authority
From: Kellie Matthews, Housing Authority Chair
Via: Cheryl Powell, Town Administrator

Meeting Date:
February 6, 2025

Item Category: Discussion Agenda

Agenda Title: Discuss revisions to the Milliken Housing Authority Bylaws (last revised 2022)

Attachments:

- 1. MHA APPROVED BYLAWS 2022
- 2. P York suggestions to bylaws

PURPOSE

To Discuss revisions to the Milliken Housing Authority (MHA) Bylaws.

BACKGROUND

The MHA Bylaws were last revised in 2022. The committee would like to reevaluate the bylaws in general and discuss whether the date and time of meetings should be changed.

BUDGET IMPLICATIONS

\$0.00

STAFF RECOMMENDATIONS

Staff recommends, "The Milliken Housing Authority revise bylaws to be voted on at the February 20, 2025 Board Meeting."

SUGGESTED MOTION

**BYLAWS OF THE
TOWN OF MILLIKEN HOUSING AUTHORITY**

**ARTICLE I
NAME**

The name of this organization shall be the Town of Milliken Housing Authority, hereafter referred to as the Authority.

**ARTICLE II
OFFICE OF THE AUTHORITY**

The principal office of the Authority shall be located at 1101 Broad Street in the Town of Milliken, Weld County, Colorado.

**ARTICLE III
OBJECT**

The object of the Authority shall be to create additional affordable housing opportunities for the Town of Milliken and to act as an advocate for and participate in other affordable housing opportunities and to perform such other functions as are permitted by applicable statutes, ordinances, and resolutions.

**ARTICLE IV
BOARD OF COMMISSIONERS**

SECTION 1. DESIGNATION: The Authority shall be managed by a Board of Commissioners, who shall each have one vote in the conduct of the affairs of the Authority.

SECTION 2. VACANCY: Upon a vacancy on the Board of Commissioners, any person interested in becoming a Commissioner shall submit his or her application for appointment to the Town of Milliken clerk. The applicant shall be interviewed by the Board of Commissioners and if voted to be acceptable, then the application shall be submitted for review to the Board of Trustees of the Town of Milliken. If found to be timely and complete, the appointment shall be made by the Mayor of the Town of Milliken. Any person appointed to fill a vacancy shall remain a Commissioner until the end of the term of the Commissioner he/she is succeeding.

SECTION 3. NUMBER, TENURE AND QUALIFICATIONS: The number of Commissioners shall be no more than nine (9). Commissioners shall be elected or appointed pursuant to the current provisions of the applicable resolution which created the Authority. The term of office for each Commissioner shall be four (4) years.

SECTION 4. NON-LIABILITY FOR DEBTS: The private property of the Commissioners shall be exempt from execution or other liability for any debts of the Authority, and no Commissioner shall be liable or responsible for the debts or liabilities of the Authority.

SECTION 5. INDEMNIFICATION OF COMMISSIONERS AND OFFICERS: To the extent permitted by law and as provided in the applicable insurance coverage, the Authority shall indemnify any Commissioner, Officer, or former Commissioner or Officer of the Authority, against expenses. To include attorney fees actually and reasonably incurred by him/her in connection with the defense of any action, suit, or proceedings, civil, or for any loss or claim resulting from any such action, suit or proceeding, in which he or she is made a party by reason of being or having been a Commissioner or Officer; including any matter as to which he or she is adjudged in such action, suit or proceeding to be liable for negligence in the performance of duty to the Authority.

**BYLAWS OF THE
TOWN OF MILLIKEN HOUSING AUTHORITY**

The Authority is authorized to obtain a policy or policies of insurance for the purpose of providing such indemnification of the Commissioner and Officers of the Authority.

SECTION 6. COMPENSATION: No Commissioner shall receive any salary or compensation for his or her services, nor shall any Commissioner, nor any person from whom the Authority may receive any property or funds, receive of the Authority any pecuniary profit from the operations of the Authority. A reasonable compensation may be paid to agents and employees hired by the Authority for services rendered in effecting one or more purposes of the Authority, and any Commissioner may, from time to time, be reimbursed for his or her actual or reasonable expenses incurred in connection with the administration of the affairs of the Authority. Approval of such expenses shall be made by the Board of Commissioners.

SECTION 7. CONFLICT OF INTEREST: No Commissioner or employee shall enter into any contract or agreement with the Authority in which there exists a conflict of interest of such person in his or her capacity as a Commissioner or employee. No Commissioner or employee shall acquire any interest, direct or indirect, in any project nor shall he or she have any interest, direct or indirect, in any contract or proposed contract for materials or services to be furnished or used in connection with any project. If any Commissioner or employee of the Authority owns or controls an interest, direct or indirect, in any property included or planned to be included in any project, he or she shall immediately disclose the same in writing to the Authority, and such disclosure shall be entered upon the minutes of the Authority. Failure to disclose such interest shall constitute misconduct in office. That commissioner shall abstain from voting on matters related to said conflict.

**ARTICLE V
OFFICERS**

SECTION 1. OFFICERS: The Officers of the Authority shall be Chairperson, Vice Chairperson, Secretary and Treasurer, each of whom shall be elected by the Board of Commissioners. Other officers and assistant officers may be elected or appointed by the Board of Commissioners. Any two or more offices may be held by the same person, except the office of Chairperson.

SECTION 2. ELECTION AND TERM OF OFFICE: The Officers of the Authority shall be annually elected by the Board of Commissioners at the regular Annual meeting of the Board which is held in May. Each Officer shall hold office until his or her successor has been duly elected and shall have qualified. New offices may be created and filled at any meeting of the Board of Commissioners.

SECTION 3. REMOVAL: Any Officer elected or appointed by the Board of Commissioners, may be removed from his or her office by a majority vote of all the other Commissioners. Any Commissioner may remove themselves from the Board by submitting a written letter of resignation.

SECTION 4. VACANCIES: A vacancy in any office because of death, resignation, removal, disqualifications or otherwise, shall be filled pursuant to the applicable statute.

**ARTICLE VI
DUTIES OF OFFICERS**

The duties of the Officers of the Board of Commissioners shall be as follows:

**BYLAWS OF THE
TOWN OF MILLIKEN HOUSING AUTHORITY**

SECTION 1. CHAIRPERSON: The Chairperson shall be the principal Executive Officer of the Authority, and shall, in general, supervise and control all the business and affairs of the Authority. He/she shall preside at all meetings of the Board of Commissioners, and may sign, together with the Secretary or any other Officer of the Authority authorized by the Board of Commissioners. This includes any leases, deed, mortgages, bonds, contracts, or other instruments which the Board of Commissioners has authorized to be executed. The signing and execution of these documents may also be expressly delegated by the Board, by these Bylaws or by statute to some other Officer or agent of the Authority. In general, he/she shall perform all duties incident to the Office of Chairperson and such other duties as may be prescribed by the Board of Commissioners from time to time.

SECTION 2. VICE CHAIRPERSON: In the absence of the Chairperson or in the event of the inability or refusal of the Chairperson to act, the Vice Chairperson shall perform the duties of the Chairperson, and when so acting, shall have all the powers of and be subject to all the restrictions upon the Chairperson. The Vice Chairperson shall perform such other duties as from time to time may be assigned by the Chairperson or the Board of Commissioners.

SECTION 3. SECRETARY: The Secretary or Secretary's designee shall be responsible for the minutes of the meetings of the Board of Commissioners in one or more books provided for that purpose. The Secretary shall see that all notices are duly given in accordance with the provisions of these Bylaws or as required by law. He/She shall be custodian of the corporate records and of the seal of the Authority and affix the seal of the Authority to all documents; the execution of which on behalf of the Authority under its seal is duly authorized in accordance with the provisions of these Bylaws. He/She shall, in general, perform all duties incident to the office of the Secretary and such other duties as from time to time may be assigned by the Chairperson or by the Board of Commissioners.

SECTION 4. TREASURER: The Treasurer, Chairperson and their designees shall give a bond for the faithful discharge of his/her duties in such sum and with such surety or sureties as the Board of Commissioners shall determine. The Treasurer shall have charge and custody of, and be responsible for, all funds and securities of the Authority. He/she shall receive and give receipts for moneys due and payable to the Authority from any source whatsoever, and deposit all such moneys in the name of the Authority in such banks, trust companies, or other depositories as shall be selected. He/she shall render to the Board of Commissioners, quarterly written financial reports and an annual review of the financial condition of the Authority. The Treasurer shall be responsible for submitting the Board approved annual Authority budget to the Town of Milliken in November of each year. In general, shall perform all the duties incident to the office of the Treasurer, and such other duties as from time to time may be assigned by the Chairperson or by the Board of Commissioners.

**ARTICLE VII
MEETINGS**

SECTION 1. ANNUAL MEETINGS: The Annual Meeting of the Board of Commissioners shall be held at the principal place of business, or at such other place as the Authority shall determine.. The Annual Meeting of the Board of Commissioners shall be held at the Milliken Town Hall on the third Thursday in the month of May in each year, at a time to be established by the Chair, for the purpose of electing officers and for the transaction of such other business that may come before the meeting.

SECTION 2. REGULAR MEETINGS: Regular meetings of the Board of Commissioners shall be held on the third Thursday of each month at a time to be established by the Chair, at the Milliken Community complex of the Town of Milliken, or such time and place as designated by the Board of Commissioners.

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SECTION 3. SPECIAL MEETINGS: Special Meetings of the Board of Commissioners may be called by the Chairperson, or by a majority of the Commissioners. It shall then be the duty of the Secretary to give written notice of time and place of such meeting delivered either personally, by US mail or electronically to each Commissioner entitled to vote at such meeting and to the public via the Milliken Housing Authority website at least 24 hours before such meeting. Special Meetings may be held at the principal location or at such other place as designated. Special Meetings may be held if all the Commissioners consent to the holding of a Special Meeting. At such meeting, any Housing Authority action may be taken.

SECTION 4. NOTICE OF MEETINGS: All meetings shall be open to the public. Members of the public and Milliken Housing Authority Commissioners may attend in person or via Zoom Video Conference. Zoom Video Conference link will be continuously posted on the Milliken Housing Authority website. At least 5 business days prior to the date fixed by Section 1 of this Article for the holding of the Annual Meeting of the Board of Commissioners, written notice of time and place of such meeting shall be delivered either personally, by US mail or electronically to each Commissioner entitled to vote at such meeting by the Secretary. In case of a Special Meeting or when required by statute or by these Bylaws, the purpose, or purposes for which the meeting is called shall be stated in the notice. If mailed, the notice of a meeting shall be deemed to be delivered when deposited in the US mail addressed to the Commissioner at his/her address as it appears on the records of the Authority with postage thereon prepaid.

SECTION 5. QUORAM: Presence in person or via Zoom Video Conference of Commissioners representing a simple majority of the voting rights of the Authority shall constitute a quorum at any meeting of the Board of Commissioners. If less than a quorum is present, the meeting may be adjourned without further notice.

SECTION 6. PROXIES: At any meeting of the Board of Commissioners, a Commissioner may not vote by proxy or in writing.

ARTICLE VIII COMMITTEES

The Board of Commissioners shall have the authority to establish those committees which they feel are necessary to advise the Board of Commissioners on issues and projects of the Authority.

ARTICLE IX CONTRACTS, LOANS, CHECK AND GIFTS

SECTION 1. CONTRACTS: The Board of Commissioners may authorize any officer or officers, agent, or agents, in addition to the officers so authorized by these Bylaws, to enter any contract or execute and deliver any instrument in the name of and on behalf of the Authority, and such authorization may be general or confined to specific instances.

SECTION 2. LOANS: No loans shall be contracted on behalf of the Authority and no evidence of indebtedness shall be issued in its name unless authorized by a resolution of the Board of Commissioners. Such authorization may be general or confined to specific instances.

SECTION 3. CHECKS, DRAFTS AND OTHER ORDERS: All checks, drafts, or other orders for the payment of money, notes or other evidence of indebtedness issued in the name of the Authority, shall be signed by two (2) such officer or officers, agent, or agents of the Authority and in such manner as shall from time to time be determined by resolution of the Board of Commissioners. In the absence of such determination by the Board of

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Commissioners, such instruments shall be signed by the Treasurer or a designee and countersigned by the Chairperson or their designee of the Authority.

SECTION 4. GIFTS: The Board of Commissioners may accept on behalf of the Authority any contribution, gift, bequest, or devise for any purpose of the Authority.

SECTION 5. DEPOSITS: All funds of the Authority shall be deposited, from time to time, to the credit of the Authority in such banks, trust companies or other depositories as the Commissioners may select.

**ARTICLE X
PARLIAMENTARY AUTHORITY**

The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the Authority in all cases to which they are applicable and in which they are not inconsistent with these Bylaws, statutes, and any special rules of order that the Authority may adopt.

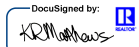

**ARTICLE XI
AMENDMENTS**

These Bylaws may be altered, amended, or repealed by the affirmative vote of two-thirds of the Board of Commissioners at any Special or Regular Meetings of the Board of Commissioners provided that the amendment has been submitted in writing at the previous Regular Meeting. Notwithstanding the foregoing, these Bylaws may not be altered, amended, or repealed to be inconsistent with applicable law.

CERTIFICATE

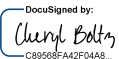
I hereby certify that the foregoing Bylaws constitute the Bylaws of the Town of Milliken Housing Authority, adopted, and approved by the Commissioners of the Authority on June 19, 2022.

Chairperson

DocuSigned by:
 

Kellie Matthews

Secretary

DocuSigned by:


Cheryl Boltz

Suggested changes from P. York

Article III - "opportunities for the Town of Milliken". Keep in mind with regard to new DV residents

Art.VI S1 L7 - Define "agent" give example. Would this be an ongoing situation or could it be for the time period of a specific instance

Art.VI S3 L3 - "notices given" (topic for discussion only; not to affect bylaws). Cost to value of using the Breeze; post at Town Hall, post at Post Office, Town website, Milliken Messenger (timing is important for the Messenger due mailing date).

Art.VI S3 L4 - "corporate records" How and where are they kept now

Art.VI S3 L4 - "seals"

Art.VII S1 - Update if change from current date & time

Art.VII S3 - Update if needed

Art.VII S3 L4 - "website notification" Should we be using? Would Secretary or Town Staff do this (also who does Messenger?)

Art.VII S5 - simple majority or 2/3? (Art XI shows 2/3 but perhaps 2/3 for this specific act only)

Art.IX S3 L3&5 - "agent and designee". current procedure working well (saves time and keeps signature cards at a minimum). Could be used for unusual circumstances?

Art. IX S5 L1 - "time to time". Too vague, suggest ie., within 10 days of receipt

Art.XI L3 - "submitted previous meeting". Anyway to change this? Takes 3 months to get anything going.

ie., June meeting Discuss and decide on project

July meeting Submit in writing

Aug meeting Approval and begin project