

Regular Board Meeting

Jackson/Teton County Housing Authority

Wednesday September 7, 2022 at 2pm

Via Zoom: [Link to Join Meeting](#)



1. Call to Order
2. Pronouncement of Quorum
3. Public Comment
4. Approval of Meeting Minutes (August Special and Regular Meeting)
5. Review of July Financials
6. Millward CCRs Update
7. Healing Waters Lease Amendment
8. Housing Authority Hearing Officer
9. Matters from Staff
 - a. Board Training – Roberts Rules of Order – October Meeting
10. Matters from Board
11. Adjourn



STAFF REPORT

TO: Jackson/Teton County Housing Authority Board
FROM: Stacy Stoker, Housing Manager
DATE: September 6, 2022
SUBJECT: September 7, 2022, Housing Authority Board Agenda

Item 1. Call to Order

Item 2. Pronouncement of Quorum

Item 3. Public Comment for Items Not on Today's Agenda

Item 4. Approval of Meeting Minutes (August)

Attached: Minutes for August 11, 2022 Special Meeting and August 12, 2022 Regular Meeting

Motion:

I move to approve the meeting minutes for the August 11, 2022 Special Meeting and August 12, 2022 Regular Meeting

Item 5. Review of July Financials

Attached: July Financials

Item 6. Millward CCRs Update

The Millward HOA has continued working on the update to their CCRs. They have presented a revised version that is attached.

The Board may have further comments for requested changes. If not, a motion for approval is provided. If there are further comments, the revised version will be brought back to the board in October.

Motion:

I move to approve the Millward HOA CCRs as presented.

Item 7. Healing Waters Lease Amendment

At the August 12 Housing Authority Board meeting, the board voted to raise the rent for Unit 105 at The Grove to \$37.50 per sq ft. This amount was the middle of the range provided in the market analysis received from Contour Properties and the McPeak Group. The amendment to the lease is attached.

Motion:

I move to approve the Fourth Amendment to the Commercial Lease Agreement for the Grove between Jackson/Teton County Housing Authority and Charity and Colin Brunner

Item 8. Housing Authority Hearing Officer

The current Hearing Officer engaged by the Housing Authority Board, Melissa Owens, is now the Ninth District Court Judge and can no longer perform the duties of Hearing Officer. Teton County has put out an RFP to engage a new Hearing Officer for the County Commissioners and Housing Authority and have engaged Richard D. Stout for County Commissioner’s Hearing Officer.

Richard. Stout is a partner at Defazio Law, a local law firm. Specializing in criminal defense. He is the recipient of many awards including the Rising Star award from the Jackson Hole Chamber of Commerce in 2015 and the Best Lawyer Gold Medal in Best of Jackson Hole in 2017, 2018 and 2019. Mr. Stout also served on the Housing Authority Board January 1, 2012 – December 31, 2016.

The proposed hourly rate for Mr. Stout is \$275 per hour, which is the same as the amount of payment in the agreement with Melissa Owens.

Attached for the Board’s consideration is a Letter of Engagement to engage Richard D. Stout as the Housing Authority’s Hearing Officer.

Motion:

I move to approve the Letter of Engagement to engage Richard D. Stout as the Hearing Officer for the Jackson/Teton County Housing Authority.

Item 9. Matters from Staff

a. Board Training – Roberts Rules of Order – October Meeting

Keith Gingery will be facilitating the Board Training on Roberts Rules of Order. He has proposed 1:00 on October 5th, 2022, which is one hour prior to the Regular Board Meeting. The training could also be held at the end of the meeting. Staff is seeking direction on the time.

Item 10. Matters From Board

Item 11. Adjourn

Jackson/Teton County Housing Authority
Special Meeting
August 11, 2022
Board of County Commission Chambers, and Zoom

1. Call to Order

The Special Meeting of the Jackson/Teton County Housing Authority Board was called to Order on August 11, 2022, at 11:32 A.M via Zoom. Attendees were Estela Torres, Justin Henry and Housing Manager, Stacy Stoker.

2.-Pronouncement of Quorum

Two of the three board members were in attendance. A quorum was declared.

3.-Public Comment

No Public Comment.

4.-Resolution Approving Board to sign Documents for the Purchase and Sale of 3965 Hawthorne Lane

Justin Henry made a motion to approve the resolution and Estela Seconded. The motion passed unanimously.

5.- Adjourn

Estela Torres moved to Adjourn at 11:35. Justin seconded. Motion passed unanimously.

Respectfully Submitted:

Stacy A. Stoker, Housing Manager

Approved by the Board of Housing Authority Commissioners as evidenced by their signatures below:

Estela Torres

Justin Henry, Board Clerk

Date 8/11/2022

Jackson/Teton County Housing Authority
Regular Meeting
August 12, 2022
Board of County Commission Chambers, and Zoom

1. Call to Order

The Regular Meeting of the Jackson/Teton County Housing Authority Board was called to Order on August 12, 2022, at 2:11 P.M via Zoom. Attendees were Annie Kent Droppert, Estela Torres, Justin Henry, April Norton, Housing Director and Housing Manager, Stacy Stoker .

2.-Pronouncement of Quorum

All three board members were in attendance. A quorum was declared.

3.-Public Comment

No Public Comment.

4.-Approval of Meeting Minutes

Estela Torres made the motion to approve the meeting minutes from July 13 2022, regular meeting. Justin Henry seconded. The motion passed unanimously.

5.-Review of Financials and Staff Update

The Board reviewed the June Financials and had no questions. No action was taken.

6.- Snow King Apartments- Assignment of Loan

The board discussed the matter and Estela Torres made motion to approve the Assignment of the Snow King Apartments Loan in the amount of \$270,000.00 to Black Cat Ventures, LLC with the condition that Black Cat Ventures, LLC is approved to assume the Freddie Mac Loan and only at the time of closing of the purchase of Snow King Apartments by Black Cat Ventures, LLC. Justin Henry seconded. The motion passed unanimously.

7.- Lease renewal- Healing Waters

The board and the staff discuss the rental rate.

There was Public Comment from Charity Brunner, the tenant who expressed a desire for the board to give the least amount of rent possible.

Estela Torres made motion to approve an adjusted rental rate for Unit 105 of The Grove of \$3,913 per month first payment of is due January 1st. 2023. Justin Henry seconded. The motion passed unanimously.

8. Housing Preservation Program

a. Jennifer Givens

The board and the staff discussed Jennifer Givens Housing Preservation Program application.

Estela Torres made motion to approve Jennifer Givens as a Pre-Qualified Household under the Housing Preservation Program. Justin Henry seconded. The motion passed unanimously.

9.- Subordination Agreement- Jackson Street Apartments

The board and staff discussed the matter.

Annie Droppert made a motion to approve the Subordination Agreement between Jackson/Teton County Housing Authority and Jackson Street Apartments LLC and First Republic Bank and authorized herself to execute on behalf of the board. Justin Henry seconded. The motion passed unanimously.

10. Matters from Staff.

There were no matters from the staff.

11.- Matters from Board.

There were no matters from the board

12.- Adjourn

Annie made motion to adjourn at 2:28 pm.

Respectfully Submitted:

Stacy A. Stoker, Housing Manager

Approved by the Board of Housing Authority Commissioners as evidenced by their signatures below:

Anne Kent Droppert

Estela Torres

Justin Henry, Board Clerk

Date 8/12/2022



MEMO

TO: Jackson/Teton County Housing Authority Board
FROM: Housing Department Staff
DATE: September 6, 2022
SUBJECT: Monthly Staff Update

ADMINISTRATION

Online Systems – Staff continues to meet monthly with Greenwood mapping, which is proving to be helpful with communicating our needs to them. The new Landlord/Tenant interface that will allow landlords and tenants to upload their documents is up and running. Hidden Hollow was the first landlord to begin using this system. We have now added Sagebrush Apartments and are in the process of onboarding Old West Cabins and South Park Loop Road. We will continue to add the other landlords over time. This system is more secure and provides a way for sensitive documents to be uploaded rather than emailed. Staff is also working with Greenwood Mapping to add portals for tenants to upload their documents directly instead of going through their landlord.

SALES AND RENTALS

The chart below shows the rental and ownership units either closed or in the process of being rented or sold between January 1, 2022, and December 31, 2022.

Address	Beds	Sales \$ Restriction Type	Total Applicants	Avg. Entries	Selected HH Entries	Status
4163 Melody Ranch Dr. (Forced Sale)	5	Sales \$ withheld at Buyer's request Workforce	0 – First come, first served	n/a	n/a	Closed
Unit 206, Eagle Village	1	\$158,343 Affordable 50-80%	33	7	3 entries, picked on 2	Closed
55-1 Virginian Condos	1 + office	\$596,150 Workforce	n/a – Preservation Program	n/a	n/a	Closed
280 Scott Lane Unit 603	2	\$413,829 workforce	35	7	7 entries, picked on 4	Closed
574 East Kelly Unit 1	1	\$139,062 Affordable 0–50%	2	2	4 entries, picked on 3	Closed

763 Wind River Lane	2	\$391,088 Workforce	126	6	13 entries selected on 3	Closed
Unit 202 Grove Rental	2	\$788 per month	17	4	7 entries, picked on 4	moved in July 15th
850 West Snow King Ave	2	\$274,400	22	6	10 entries, picked on 10	Closed
3965 Hawthorne Lane	1	\$92,612	NA	NA	NA	Closed
3965 Hawthorne Lane	1	\$167,800	TBD	TBD	TBD	TBD

Chrishawna Cruden (rental)

- Chrishawna works at St. Johns Health, and has one child

Ariel and Gabriel Koerber

- Ariel & Gabriel work for Snow King Resort, they have 3 children

Jennifer Reddy and Brenden Cronin

- Jen is a self-employed Graphic Design Artist, and Brenden works at Wyoming Department of Transportation. Both are Critical Service Providers.

Marcus Olson

- Marcus works part time at Maverick, Vertical Harvest, and Teton County School District

Janet Romero and David Morillion Torija

- Janet works at St. Johns, and David works at Smiths, they have 2 children.

John Kyle Kissock

- Kyle works for the JH Wildlife Foundation

Bronwen Fitzsimons and Charles Greenwald + 2 children

- Bronwen works at the Community Foundation and Chris works at Snake River Sporting Club

Allison Kalenak

- Allison is self-employed. She is the owner/operator of Remede Hydration Therapy

Grove Rental annual requalification's – 19 units were renewed at the Grove phase 1 and leases were amended for one year.

County Employee Rentals 1/1/2022 to present – 26 units have been rented to County employees in 2022.

Town of Jackson Employee Rentals 1/1/2022 to present – 26 unit has been rented to Town employees in 2022.

COMPLIANCE

Compliance Request	Since January 1, 2022
Request to Rent/Leave of Absence	1
Request for Exception	1
Qualified Mortgage Request	6: approved 1: Declined: 1 in progress
Transfer of Title	2 approved
Occupancy Agreement	1
Transfer on Death Deed	None
Workforce Ownership Requalifications	Due in October 2022
Affordable Rental Requalifications	40 Approval letter sent
Affordable Check-ins	Due in October 2022
Proof of Insurance	October 2022
Violations	Defaults:29- active 3 cured

Units with Sunset Clause	Sunset Clause Expired	Total Releases Recorded	Expirations Pending (2022)	Expire in 2023	Expire in 2024
98	51	31	1	4	8

RULES AND REGULATIONS

Rules and Regulations/Special Restriction Template Updates:

The annual update to the Housing Department Rules and Regulations schedule is as follows:

- February 28: Topic Identification at March JIM
- April 20: Presentation of Rules and Regulations to Housing Supply Board
- May 4: Housing Authority Board Discussion and Recommendations
- June 13: Direction from Town Council and Board of County Commissioners at June JIM – Continued to July 6th.
- July 6: Continuation of direction from Council and Commissioners.
- September 12: JIM Direction to post for 45-day public comment and Town 3 Readings.
- November 7: Adoption of Rules and Regs/Special Restriction updates at October JIM

HOUSING TOUR

The Housing Tour is being postponed to a future date due to July being so busy for everyone. More on this to come.

OLD BILL'S FUN RUN: The Housing Authority is participating in Old Bill's Fun Run again this year. The giving season is August 12 – 16. Last year, the Housing Authority received \$44,333. All funds raised through Old Bill's Fun Run were dedicated to the Supply Account for new unit development and are currently being allocated toward Jackson Street Apartments.

COMMUNITY PRESENTATIONS & OUTREACH

Staff is available to give presentations to the community to provide education about housing programs, developments, compliance, etc. Below are presentations given since January 1, 2022.

Presenter	Organization
Billi Jennings	Teton Raptor Center
April Norton	Rotary
April Norton	JH Chamber of Commerce
April Norton	NACO
Billi Jennings	Human Services Council
April Norton	WCCA
April Norton	Victor City Council
April Norton	WY Association of Municipalities
April Norton	Silicon Couloir
Outreach Event w/ Voices JH	Northern South Park Plan
Outreach Event w/Voices JH	Intake Form Feedback

JACKSON/TETON COUNTY HOUSING AUTHORITY
Profit & Loss by Housing Supply
 July 2022

	Hall	SPET	Wilson Meadows	Wilson Park	Other	TOTAL
Ordinary Income/Expense						
Income						
Contributions Income	0.00	0.00	0.00	0.00	3,421.50	3,421.50
Rent Income	400.00	0.00	505.00	350.00	0.00	1,255.00
Total Income	400.00	0.00	505.00	350.00	3,421.50	4,676.50
Gross Profit	400.00	0.00	505.00	350.00	3,421.50	4,676.50
Expense						
Bank Charges	0.00	25.00	0.00	0.00	0.00	25.00
Insurance	0.00	0.00	0.00	0.00	0.00	0.00
Management Fees	0.00	0.00	0.00	0.00	0.00	0.00
Preservation Program Funds	0.00	118,400.00	0.00	0.00	0.00	118,400.00
Professional Fees	0.00	0.00	0.00	0.00	0.00	0.00
Rent(Ground Lease Fee)	0.00	0.00	0.00	0.00	0.00	0.00
Repairs & Maintenance	0.00	0.00	0.00	0.00	51,871.00	51,871.00
Taxes & Licenses	0.00	0.00	0.00	0.00	0.00	0.00
Telephone	0.00	0.00	0.00	0.00	0.00	0.00
Utilities	0.00	0.00	0.00	0.00	0.00	0.00
Total Expense	0.00	118,425.00	0.00	0.00	51,871.00	170,296.00
Net Ordinary Income	400.00	(118,425.00)	505.00	350.00	(48,449.50)	(165,619.50)
Other Income/Expense						
Other Income						
Interest Income	0.00	7.66	0.00	0.00	0.87	8.53
Total Other Income	0.00	7.66	0.00	0.00	0.87	8.53
Other Expense						
Interest Expense	0.00	0.00	0.00	0.00	0.00	0.00
Total Other Expense	0.00	0.00	0.00	0.00	0.00	0.00
Net Other Income	0.00	7.66	0.00	0.00	0.87	8.53
Net Income	400.00	(118,417.34)	505.00	350.00	(48,448.63)	(165,610.97)

JACKSON/TETON COUNTY HOUSING AUTHORITY

Profit & Loss by Class

July 2022

	Administration	Broadway	Housing Supply	Millward	The Grove	TOTAL
Ordinary Income/Expense						
Income						
Contributions Income	0.00	0.00	3,421.50	0.00	0.00	3,421.50
Rent Income	0.00	20,126.16	1,255.00	1,440.00	32,015.00	54,836.16
Total Income	0.00	20,126.16	4,676.50	1,440.00	32,015.00	58,257.66
Gross Profit	0.00	20,126.16	4,676.50	1,440.00	32,015.00	58,257.66
Expense						
Bank Charges	0.00	0.00	25.00	0.00	0.00	25.00
Insurance	0.00	(129.73)	0.00	0.00	0.00	(129.73)
Management Fees	0.00	0.00	0.00	0.00	3,200.00	3,200.00
Preservation Program Funds	0.00	0.00	118,400.00	0.00	0.00	118,400.00
Professional Fees	2,075.00	0.00	0.00	0.00	0.00	2,075.00
Rent(Ground Lease Fee)	0.00	13,638.78	0.00	0.00	0.00	13,638.78
Repairs & Maintenance	0.00	329.75	51,871.00	344.14	3,158.21	55,703.10
Taxes & Licenses	0.00	(156.48)	0.00	0.00	0.00	(156.48)
Telephone	0.00	0.00	0.00	0.00	151.05	151.05
Utilities	0.00	356.67	0.00	0.00	4,686.58	5,043.25
Total Expense	2,075.00	14,038.99	170,296.00	344.14	11,195.84	197,949.97
Net Ordinary Income	(2,075.00)	6,087.17	(165,619.50)	1,095.86	20,819.16	(139,692.31)
Other Income/Expense						
Other Income						
Interest Income	4.96	0.00	8.53	0.69	0.00	14.18
Total Other Income	4.96	0.00	8.53	0.69	0.00	14.18
Other Expense						
Interest Expense	0.00	0.00	0.00	0.00	5,707.50	5,707.50
Total Other Expense	0.00	0.00	0.00	0.00	5,707.50	5,707.50
Net Other Income	4.96	0.00	8.53	0.69	(5,707.50)	(5,693.32)
Net Income	(2,070.04)	6,087.17	(165,610.97)	1,096.55	15,111.66	(145,385.63)

JACKSON/TETON COUNTY HOUSING AUTHORITY

Balance Sheet

As of July 31, 2022

	Jul 31, 22	Jun 30, 22	\$ Change
ASSETS			
Current Assets			
Checking/Savings			
FIB - Administration	605,495.93	606,993.15	(1,497.22)
FIB - Millward Ground Lease	86,729.65	87,073.79	(344.14)
FIB - Supply	986,750.28	1,133,954.96	(147,204.68)
Total Checking/Savings	1,678,975.86	1,828,021.90	(149,046.04)
Accounts Receivable			
Ground Lease Receivables	1,996.19	1,475.40	520.79
Total Accounts Receivable	1,996.19	1,475.40	520.79
Other Current Assets			
Accounts Receivable	2,655.00	1,436.00	1,219.00
Notes Receivable	320,000.00	320,000.00	0.00
Prepaid Deposit	6,000.00	6,000.00	0.00
Total Other Current Assets	328,655.00	327,436.00	1,219.00
Total Current Assets	2,009,627.05	2,156,933.30	(147,306.25)
Fixed Assets			
Buildings & Improvements			
260 West Broadway	1,391,040.08	1,391,040.08	0.00
Accumulated Depreciation	(980,977.81)	(980,977.81)	0.00
The Grove Phase I	6,789,580.35	6,789,580.35	0.00
Total Buildings & Improvements	7,199,642.62	7,199,642.62	0.00
Furniture, Fixtures & Equipment	22,024.69	22,024.69	0.00
Land & Projects			
575 East Hall Avenue	1,159,017.60	1,159,017.60	0.00
Hall Street	2,565,214.22	2,565,214.22	0.00
Millward Neighborhood	1,412,795.50	1,412,795.50	0.00
Mountain View Meadows	450,000.00	450,000.00	0.00
The Grove	3,385,000.00	3,385,000.00	0.00
Wilson Meadows	353,080.00	353,080.00	0.00
Total Land & Projects	9,325,107.32	9,325,107.32	0.00
Total Fixed Assets	16,546,774.63	16,546,774.63	0.00
Other Assets			
Allowance for Doubtful Accounts	(273,481.00)	(273,481.00)	0.00
Snow King Apts. Int. Receivable	3,481.00	3,481.00	0.00
Snow King Apts. Note Receivable	270,000.00	270,000.00	0.00
Total Other Assets	0.00	0.00	0.00
TOTAL ASSETS	18,556,401.68	18,703,707.93	(147,306.25)
LIABILITIES & EQUITY			
Liabilities			
Current Liabilities			
Accounts Payable			
Accounts Payable	677.22	897.93	(220.71)
Total Accounts Payable	677.22	897.93	(220.71)

JACKSON/TETON COUNTY HOUSING AUTHORITY

Balance Sheet

As of July 31, 2022

	Jul 31, 22	Jun 30, 22	\$ Change
Other Current Liabilities			
Current Portion of LTD	123,000.00	123,000.00	0.00
Escrow Payable	5,593.50	2,716.50	2,877.00
Security Deposits	38,379.58	38,379.58	0.00
Total Other Current Liabilities	166,973.08	164,096.08	2,877.00
Total Current Liabilities	167,650.30	164,994.01	2,656.29
Long Term Liabilities			
Current Portion of LT Debt	(123,000.00)	(123,000.00)	0.00
Note Payable - First Republic	2,405,779.98	2,410,356.89	(4,576.91)
Total Long Term Liabilities	2,282,779.98	2,287,356.89	(4,576.91)
Total Liabilities	2,450,430.28	2,452,350.90	(1,920.62)
Equity			
Retained Earnings	16,251,357.03	16,157,913.22	93,443.81
Net Income	(145,385.63)	93,443.81	(238,829.44)
Total Equity	16,105,971.40	16,251,357.03	(145,385.63)
TOTAL LIABILITIES & EQUITY	18,556,401.68	18,703,707.93	(147,306.25)

Declaration of Rules & Regulations Millward Redevelopment December 2021

This Declaration of Rules & Regulations is made by the undersigned Declarant, Teton County Housing Authority (hereafter JTCHA), with the intent of regulating and controlling the use and development of the Millward Redevelopment Subdivision located on the Moose-Wilson Road in Teton County, Wyoming. This Declaration shall be effective as of the date of recordation with the Clerk of Teton County, Wyoming. The property to be encumbered by this Declaration is known as Plat No. 1097, as recorded by the County Clerk in Teton County, Wyoming.

These Rules & Regulations shall be amended from time to time with the written approval of the Homeowners' Association and the JTCHA.

Land Development Program

1. Land Development Program. This redevelopment project provides:
 - A. Gross acreage: 8.27 acres
 - B. Base site area: 6.89 acres (300,128.4 sq ft)
 - C. Floor area ratio: 165
 - D. Residential density: 7.1 units per acre
 - E. Impervious surface coverage ratio: 35.6%
 - F. Rear yard setback: 25 feet
 - G. Side yard setback: 0 feet
 - H. Front yard setback: 0 feet
2. Authorized uses. Only single-family residential use shall be permitted.
3. Occupancy. Units shall be occupied full-time by owners and their families for a minimum of ten 10 months each year.
4. Rental. Renting of rooms is not permitted in any unit. Rental of the unit is prohibited except in instances with prior written approval and arrangement by Owner and JTCHA and to be more specifically defined by the JTCHA Rules and Regulations.
5. Prohibited uses. No commercial, industrial, or other non-single-family residential use whatsoever shall be permitted on any lot with the exception of an artist studio, workshop, home business, or other such endeavor not requiring access to the property by the public, business

Initial Draft of Proposed Revisions 12.15.2021

invitees, etc. Under extenuating circumstances, an owner may solicit temporary approval from the HOA board and JTCHA for a non-compliant use.

6. Authorized structures. The following buildings shall be permitted on the property: a duplex or single-family housing unit, and a garage. No outbuildings or temporary structures or facilities, such as tents, shacks, or other similar buildings shall be permitted. Garden beds and greenhouses are acceptable upon approval of HOA, removal may be required by TCHA upon sale of house with restoration of original state of property.

7. Building alterations. Additions of habitable space beyond a unit's original footprint are not permitted.

8. Height limits. The height limit for all units shall be twenty-seven (27) feet.

9. Fences. Owners of units with yards adjacent to Highway 390 and/or Pizza Lane may request written approval from the HOA board for constructing a fence along the portion of their lot directly adjacent and parallel to these roadways (but in no other portion of their lot or orientation to these roadways). The units adjacent to the intersection of Andersen Lane and Highway 390 (3990 Hawthorne Lane and 3992 Hawthorne Lane) may also request written approval from the HOA board for constructing a fence along Andersen Lane that terminates at or before the back of the dwelling. These fences must be constructed of milled lumber and secured with proper footers. They must not exceed a height of six feet above grade (to remain wildlife friendly), and must match existing fencing in design and aesthetic. Owners are responsible for the ongoing maintenance of any fencing associated with their unit and all resulting expenses. At the direction of the HOA, owners may be required to remove fences in conjunction with the sale of their unit.

10. Utilities. Electric and telephone utility lines have been installed underground in the shared access roads and common right-of-way. Service lines to the units from these public, underground utility lines shall be the responsibility of the individual unit owners from mainline.

11. Maintenance. Each unit will be maintained in a clean, safe, and proper condition.

A. A permanent fund will be created through Homeowners' Association dues to maintain, landscape, and/or repair the common roadway, common areas, pathways, signage, and unit exteriors (limited to a unit's siding, roofing, and roof vents). These funds will also be used to mow and maintain unit yards. All exterior home features except siding, roofing, roof vents, front porch joists, and front porch support posts are the responsibility of the homeowner. Homeowner responsibilities include but are not limited to windows, exterior doors, garage doors, front steps, front porch decking and all exterior decking.

Initial Draft of Proposed Revisions 12.15.2021

B. Owners assume the obligation to maintain a unit's interior and to safeguard its exterior against damage. Owners are financially responsible for any expenses stemming from negligence, including but not limited to failing to detect and report exterior maintenance concerns in a timely manner, failing to adequately shovel snow, damages to a unit caused by improperly shoveling snow, and damages caused by owner-initiated modifications to a unit, including but not limited to deck and patio construction, window and door replacement, garage door maintenance and replacement, and modifications to a unit's garage.

C. The HOA board may require owners to shovel their unit's roof. After the HOA board gives notice to an owner, the owner has seven days to either remove snow or schedule a date with a professional company (that provides roof shoveling as a service) to perform this work. If owners fail to comply, the HOA may contract this work done at the owner's expense. This may be done in conjunction with issuing fines in accordance with the fine schedule.

D. If desired, owners may add gutters, downspouts, and heat tape to their roof. These modifications are homeowner responsibilities both to install and maintain. Homeowners are also responsible for any damage to their home or adjacent units stemming from the installation and/or existence of these modifications.

E. Owners bear the responsibility and expense for rodent, bat, and pest control and removal.

12. Parking. Only operable and properly registered automobiles, vans, trucks, and motorcycles may be located in the subdivision. Owners must observe all parking regulations and signage. Parking on the roadway, lawns, common areas, and/or landscaping is prohibited. It is the owner's responsibility to notify guests of current parking regulations. The HOA board may impose seasonal parking regulations to accommodate proper snow removal or special maintenance activities. Violators may be towed at their own expense.

Owners are permitted to store registered and operable vehicles in their driveway so long as the vehicle/vehicles do not extend into roadways or displace owners vehicles into guest parking.

13. Pets. Owners shall be allowed one (1) indoor pet, including cats, birds, etc., however, no dogs are permitted. Should an owner's physical and/or mental health condition require a reasonable accommodation to this rule, a request with adequate documentation must be approved by JTCHA prior to the pet's occupancy in a unit. If an owner is granted an accommodation to

Commented [1]: the Housing Department. You should also add that no pets are allowed on the premises including temporary care of a pet.

Commented [2]: no pet sitting allowed.

Commented [3]: Stacey asked that we include no pet sitting into this rule per JTCHA, is everyone ok with that. Sorry forgot to clear this one.

Commented [4]: @kunkle47@yahoo.com
@hathahannah@gmail.com
@julie@calicorestaurant.com @maleardi@gmail.com
@linda@mpmjh.com

This is where I need everyone (meaning 2 board members) to say yes or no to changing this rule to include no pet sitting. I don't really want to change this. But Stacey was pretty adamant about it.....

Initial Draft of Proposed Revisions 12.15.2021

this rule, it is the owner's responsibility to keep a permanent record of this approval. It is also an owner's responsibility to abide by the specific rules associated with this approval or the pet is subject to removal. No pets shall be permitted to accompany guests on the subdivision property.

14. Outside storage of outdoor equipment will be permitted on a seasonally appropriate basis. Outdoor equipment may be stored in the owner's lot in an orderly, organized fashion on decks, patios, driveways, and yards. Determination an organized fashion will be the sole discretion of the HOA. Storage must not impact landscaping, grounds maintenance, or snow removal. It is a homeowner's responsibility to move any items that are likely to affect lawn mowing, snow removal and maintenance, failure to do so could result in additional maintenance fees incurred by the neighborhood to be billed to the homeowner.

15. Noxious or offensive activities. No noxious or offensive activity shall be permitted in any unit or lot. Outside lighting must follow relevant Teton County regulations, which require outside lights to be pointed downward and not exceed the allowable illumination standard. No physical or noise disturbance to neighboring units or adjacent property owners is permitted at any time. No lewd behavior or harassment of neighbors shall be permitted. Surveillance or security videos shall be limited to the walls and entrance of the homeowners property and can not capture common spaces of the development.

16. Signs. Absolutely no signs or advertising devices shall be erected or maintained on the property except as required under the original development agreement or as approved by the HOA board for parking designation or other appropriate purposes.

17. Common Road & Private Driveways. Common subdivision roads shall be private and for the use of owners, their guests, and adjacent property owners. Maintenance of these roadways and owner driveways shall be the responsibility of the Homeowners' Association. Construction of HOA approved individual walkways, their maintenance, snow removal from these walkways, and snow removal from owner driveways are the sole responsibility of the owner.

18. Landscaping. No owner of any unit shall remove, alter, or permit others to remove or alter any of the existing trees, lawn, or landscaping on the property without the prior written approval of the HOA board. Sprinkler heads affected by approved landscaping must be moved by a professional sprinkler company and all associated costs are the responsibility of the owner. At the direction of the HOA, owners may be required to remove landscaping and restore lawns with the sale of their unit.

Written requests to the HOA board to add or modify landscaping must include the following:

Initial Draft of Proposed Revisions 12.15.2021

1. A brief description of the proposed landscaping additions or modifications and their location.
2. If applicable, a description of how these changes or additions will impact lawn care and contractors' abilities to mow lawns, access and travel between lawns, access common areas, and attend to snow removal.
3. If applicable, a description of how these changes or additions will impact the sprinkler system and how these impacts will be addressed.

If the addition or modification of landscaping is approved by JTCHA or HOA it is an owner's sole responsibility to keep a permanent record of this approval and provide the approval as requested by the HOA or JTCHA.

All expenses for landscape maintenance in common areas shall be borne by the Homeowners' Association. The Homeowners' Association will take all actions necessary to control noxious weeds as defined by the Teton County Weed and Pest Control Board as part of its common ground landscaping responsibilities.

19. Garbage. Unit owners are responsible for their own garbage collection and expenses. Owners may store garbage receptacles outside of their garage only if they feature a bear-resistant design. Receptacles stored outside of the homeowners garage can not impact landscaping or traffic flow.

20. Enforcement. The Homeowners' Association and its elected board shall provide enforcement for these Rules & Regulations. JTCHA, as landowner, reserves the right to provide necessary enforcement subject to the ground lease(s), JTCHA Guidelines, and/or additional Covenants and Restrictions which may be recorded, and to otherwise see that the property is properly maintained. Enforcement shall be handled according to the following process:

1. Complaint. All complaints, other than those which pose an emergency or require immediate action due to health and safety concerns, shall be documented in writing by the complainant and submitted to the Homeowners' Association and property management company first. If adequate or timely action has not been taken by the HOA and or property management company then the resident should contact JTCHA.
2. Complaint Review. The Homeowners Association and/ or the property management company will evaluate complaints in a timely and consistent manner to determine the appropriate action(s). Owners shall be notified of any violations in writing and in a timely manner to avoid unnecessary delay. Where owners have failed to comply within the specified period, all necessary and legal measures may be taken by the Homeowners'

Initial Draft of Proposed Revisions 12.15.2021

Association and/or JTCHA to bring the property into compliance with these Rules and Regulations, recorded subdivision Covenants, Conditions and Restrictions, ground lease, and other local, state and federal laws.

3. Fines. Fines shall be assessed for violations by either the Homeowners' Association and/or JTCHA. A fine schedule shall be adopted by the Homeowners' Association and amended as necessary, with a minimum fine of fifty dollars (\$50). JTCHA's approval of the Homeowners' Association fine schedule is required. Fines assessed shall constitute a perpetual lien against the property until paid and may accrue interest.

21. Protection of Wildlife. Feeding of wildlife is prohibited except as expressly authorized by Teton County regulations.

22. Definitions. The following definitions shall provide clarification for the intent of this Declaration:

A. Units shall mean the structure owned by qualified buyer(s) of the JTCHA's affordable or attainable program.

B. Owner shall mean the record owners of the permanently affordable or attainable unit.

C. Property shall mean the real property described by the subdivision plat that will remain under JTCHA's ownership and which is leased to the individual unit owners for ninety-nine (99) years with provisions for renewal.

D. Subdivision shall mean the whole Millward Redevelopment property as platted and encumbered by this Declaration.

E. Common Roads shall mean the private roads within the subdivision property, which provide access to the individual units.

END of CC&Rs
Proceed to Next Page for Deck Regulations

Millward Redevelopment Deck and Patio Regulations December 2021 Updated July 2022

FYI--The original Millward CC&Rs did not authorize owners to construct decks. Through the efforts of Millward HOA boards, residents, and JTCHA, this was changed through the establishment of the "Millward Deck Regulations" guidelines. Please note that patios are currently not addressed/authorized by the Millward Deck Regulations. Revisions to the current guidelines focus, in part, on including them. Remove this paragraph after JTCHA approval.

Prior to commencing any construction, an owner must submit to the HOA board for its approval a proposal for the creation of a deck or patio. Proposals must demonstrate intended compliance with all of the regulations outlined below. If a deck or patio is approved, it is an owner's responsibility to keep a permanent record of this approval.

1. The deck or patio shall align with the front and back of dwelling and garage only and not exceed the width of dwelling and garage, and not extend more than 10 feet from buildings.
2. All decks must be attached to the dwelling and all patios must abut the dwelling.
3. No deck may be constructed higher than Finish Floor Elevation (FFE). All decking material must be water permeable. No non permeable slabs shall be permitted for HOA approval. Pavers and decorative stone may be submitted for approval. Approval of said materials will be on a case by case basis based on permeability of design and must be in compliance with Teton County's impervious surface requirements.
4. All decks and patios must be constructed in a workmanlike manner and follow industry best practices, as well as relevant state and county regulations. Decks must have proper support, including poured concrete footers. Building permits are the responsibility of owner or contractor, prior to construction and must be supplied to HOA prior to request for approval.
5. Sprinkler heads affected by the construction and existence of a deck or patio must be moved by a professional sprinkler company and all associated costs are the responsibility of the owner.
6. Owners are responsible for ensuring vents are not obstructed or compromised by the construction and use of decks and patios. Owners are responsible for making any necessary modifications to their deck and/or patio to ensure proper ventilation and drainage for their unit and, when relevant, the adjacent unit.

Initial Draft of Proposed Revisions 12.15.2021

7. All expenses associated with the construction and maintenance of decks and patios are the responsibility of the homeowner.

8. Owners are responsible for any maintenance issues or damage to their unit or adjacent units caused by the construction and maintenance of their decks and patios.

After securing written approval from the HOA board for the creation of a deck or patio, owners must contact JTCHA in order to apply for final approval and apply for any relevant Capital Improvements Credits.

FOURTH AMENDMENT TO
THE COMMERCIAL LEASE AGREEMENT FOR THE GROVE

This Fourth Amendment to the Commercial Lease Agreement for the Grove (the "Fourth Amendment") is hereby entered into to be effective on the 1st day of July, 2022, (the "Effective Date") by and between Jackson/Teton County Housing Authority Board, P.O. Box 714, Jackson, WY 83001, a duly constituted Housing Authority established pursuant to Wyoming Statute § 15-10-116, (hereinafter referred to as "JTCHA" and/or "Landlord") and Charity Brunner and Colin Brunner, P.O. Box 7543, Jackson, WY 83002, (hereinafter referred to as the "Tenant")

RECITALS

A. WHEREAS, Landlord and Tenant entered into that certain Lease Agreement, dated April 27, 2016 together with the First, Second, and Third Amendments to The Commercial Lease Agreement for the Grove (collectively the "Lease Agreement") for the use of the premises situated at 250 Scott Lane, Unit 105, Jackson Wyoming together with all appurtenances (the "Premises") for a term of lease which began on April 27, 2016; and

B. WHEREAS, pursuant to the Lease Agreement Paragraph 3.1, Lease Term, the initial term of the Lease is three (3) years and shall expire on June 30, 2019; and

C. WHEREAS, pursuant to Paragraph 3.2, Lease Renewal Term, the first renewal term which was exercised expires June 30, 2022. Tenant has exercised their second option to renew for one (1) additional term of three (3) years; and

D. WHEREAS, pursuant to Paragraph 4.2, At the beginning of the second renewal term, the rent must will be adjusted based on a market analysis; and

E. WHEREAS, the Housing Authority Board received a market analysis by Contour Properties and The McPeak Group both stating that the market rent for Unit 105 250 Scott Lane is \$35.00 to \$40.00 per square foot; and

F. WHEREAS, the subject space being leased, Unit 105 250 Scott Lane, is 1,250 square feet; and

F. WHEREAS, at their August 12, 2022 meeting, based on the market analysis, the Housing Authority Board voted to adjust the Rent to \$37.50 per sq. ft, which is equal to \$46,950 per year or \$3,912.50 per month. Due to the large difference in current rent and the adjusted rent amount, the Housing Authority determined that the adjusted rent amount will start on January 1, 2023 instead of July 1, 2022; and

AGREEMENT

NOW THEREFORE, in consideration of the aforementioned recitals, which are incorporated herein by this reference, and the mutual promises contained herein and other good and adequate consideration, the receipt and sufficiency of which are hereby acknowledged, the Landlord and Tenant agree as follows:

1. Pursuant to Paragraph 3.2. Lease Renewal Term, the Lease Agreement dated April 27, 2016 with the First, Second and Third Amendments is hereby renewed for an additional term of three (3) years, and thise third lease term (initial term plus two renewal terms) shall expire on June 30, 2025.
2. Pursuant to Paragraph 4.2. Renewal Rent Adjustment. The rent will remain the same for July June, 2022 through December, 2022. Beginning January 1, 2023, the rent will be adjusted to \$3,912.50 per month.
2. Except as expressly amended by this Fourth Amendment and the previous duly executed First Amendment, Second Amendment, and Third Amendment, all terms and conditions of the Lease Agreement, which are not in conflict with the terms of this Fourth Amendment shall remain in full force and effect.

APPROVAL AND EXECUTION

IN WITNESS WHEREOF, the parties have executed this Fourth Amendment to the Lease Agreement as being effective on the Effective Date written above.

LANDLORD:

JACKSON/TETON COUNTY HOUSING AUTHORITY

Anne Kent Droppert, Board Chair

Attest:

Justin Henry, Board Clerk

TENANT(S):

Charity Brunner

Colin Brunner



September 7, 2022

Richard D. Stout
DeFazio Law Office
P.O. Box 4877
Jackson, WY 83001

Letter of Engagement

Re: Hearing Officer for Jackson/Teton County Housing Authority

Dear Mr. Stout:

Thank you for submitting your qualifications to the Request for Qualifications for a Hearing Officer that was issued by Teton County, Wyoming and the Jackson/Teton County Housing Authority. After review, you have been selected to be the Hearing Officer for the Jackson/Teton County Housing Authority. It is our understanding that your rate shall be \$275 per hour and that you will submit invoices with vouchers to the Jackson/Teton County Housing Department for payment.

You will be a non-exclusive hearing officer; however the Housing Authority will check with you first to see if you have availability. We certainly understand that you are very busy with your private practice, so we certainly understand that you may not be able to accommodate our full hearing schedule and thus other hearing officers will need to be brought in on occasion.

If you are in agreement with this letter, please sign below and return to me at your earliest convenience. It is anticipated that the Jackson/Teton County Housing Authority will re-issue a new RFQ in 3 years' time, but the Jackson/Teton County Housing Authority may terminate this arrangement at any time, as may you. The purpose of conducting an RFQ and the iteration of this letter is to allow all interested attorneys to be considered for this position.

Agreed:

Annie Kent Droppert, Chairwoman
Jackson/Teton County Housing Authority

Richard D. Stout