

**BYLAWS
OF THE
CLEAR CREEK COUNTY HOUSING AUTHORITY**

ARTICLE 1

THE AUTHORITY

Name of Authority

1.01 The name of the Authority shall be: CLEAR CREEK COUNTY HOUSING AUTHORITY.

Effective Date

1.02 These Bylaws shall become effective immediately following the affirmative vote of a majority of the Board of Commissioners (individually, "Commissioner"; collectively, the "Board") of the Clear Creek County Housing Authority (hereinafter, "Authority" or "Housing Authority").

Office of Authority

1.03 The offices of the Authority shall be located at: 405 Argentine St., Georgetown, Colorado 80444. The meetings of the Board of Commissioners shall be held at the Commission Meeting Room at the Clear Creek County Courthouse, but the Authority may hold its meetings at other locations as designated.

Board of Commissioners

1.04 The Clear Creek County Commissioners shall serve as the Board of the Authority.

Duties of Commissioners

1.05 The Board shall designate the Clear Creek County Manager ("Manager") to provide for the management of the Authority. The Board shall also adopt resolutions and shall provide clear and concise policies and guidelines to the Manager. Concerning the management of the Authority, the Manager shall have the authority to formulate and adopt such other policies and procedures necessary or preferable for the operation of the Authority; provided that such policies are not contrary to those policies adopted by the Board. The Board should observe the chain of command and act collectively to avoid situations where they appear to be managers rather than policymakers. Commissioners shall recognize that it is not the Board's responsibility to make day-

to-day management decisions or to interfere in the daily operations of the Authority. Only actions of a majority of the Board are directives for the Manager. Actions of less than a majority or a committee are not binding on the Manager. The Board shall have no review of personnel issues, other than those relating to the Manager, nor shall the Board hear appeals of personnel actions.

ARTICLE 2
OFFICERS

2.01 The officers of the Authority shall be a Chair, a Chair Pro-Tem, a Secretary and a Treasurer. The Secretary shall be the Manager of the Authority and the Treasurer shall be the Clear Creek County Director of Finance. The offices of Secretary and Treasurer shall not be considered Commissioners of the Authority and shall not be endowed with voting rights at meetings of the Board of Commissioners. The Chair and Chair Pro-Tem shall be the Chair and Chair Pro-Tem the same individuals serving as the Chair and Chair Pro-Tem of the Clear Creek County Board of County Commissioners.

Chair

2.02 The Chair shall preside at all meetings of the Authority. The Chair shall sign all documents required by the United States Office of Housing and Urban Development ("HUD") to be signed by the Chair. At each meeting, the Chair shall submit such recommendations and information as may be considered proper concerning the business, affairs and policies of the Authority.

Chair Pro-Tem

2.03 The Chair Pro-Tem shall perform the duties of the Chair in the absence or incapacity of the Chair. In the case of the resignation or death of the Chair, the Chair Pro Tem shall perform such duties as are imposed on the Chair until such time as the Authority shall select a new Chair.

Secretary

2.04 The Secretary shall be the Manager of the Authority and, as such, shall be responsible for the administration of its business and affairs, subject to the Board approved policies. The Manager shall be responsible for the records of the Authority. The Manager and/or any person so designated shall keep minutes of meetings of the Authority by recording all votes and maintaining a record of the proceedings of the Authority in a journal of proceedings to be kept for such purpose. Any such data may also be stored on computer disk. The Manager or his/her designee shall keep in safe custody the seal of the Authority and shall have power to affix such seal to all contracts and instruments authorized to be executed by the Authority.

Treasurer

2.05 The Treasurer shall be the Clear Creek County Director of Finance and, as such, shall have general supervision over the care and custody of the funds and over the receipts and disbursements of the Authority and shall cause the funds of the Authority to be deposited in the

name of the Authority in such banks or other depositories as the Board may designate. The Treasurer shall give such bond for the faithful performance of the duties as the Board may require. The Treasurer shall have supervision over the care and safekeeping of the securities of the Authority. The Treasurer shall have all powers and duties usually incident to the office of the Treasurer except as specifically limited by a resolution of the Board. The Treasurer shall have such other powers and perform such other duties as may be assigned to him/her from time to time by the Board or the Chair.

Committees

2.06 The Board, by resolution adopted by a majority of its members present at a meeting in which a quorum is present, may designate and appoint one or more advisory committees, each of which shall consist of two (2) or more Commissioners and any number of non-Commissioners as provided in the resolution. Such committees may contain alternates to serve as a member or members of any such committee if the Board deems advisable. Such committees shall be only advisory in nature and shall provide recommendations to be voted on by the Board of Commissioners. Any committee formed by the Board of Commissioners shall have the power to determine the form of its organization and to establish rules and regulations covering its proceedings and meetings as it shall see fit; provided, however, that any such committee shall meet whenever necessary so long as such meeting is properly noticed as provided for in Article III. Any committee shall keep regular minutes of its proceedings and shall report the same to the Board of Commissioners.

Conflicts of Interest

2.07 A conflict of interest on the part of a Commissioner is a conflict between private interests and official responsibilities. More specifically, a conflict of interest is any action, inaction, or decision by a Commissioner in the discharge of his/her official duties which would materially affect:

- a. The Commissioner’s financial interest;
- b. The financial interest of the Commissioner’s family members; and/or
- c. The financial interest of any business with which the Commissioner is associated.

Further, no Commissioner may use his/her/their official position to obtain personal gain for the Commissioner, the Commissioner’s family or any business with which the Commissioner is associated, unless specifically authorized by law.

ARTICLE 3

MEETINGS

Meetings

3.01 The Chair, Chair Pro-Tem or Manager of the Authority may schedule a meeting of the Board as deemed necessary. Notice of the time, date and place of a meeting shall be posted as soon as practicable after such meeting is called; however, notice of a meeting must be posted no

less than twenty-four (24) hours before the scheduled start of the meeting, unless (i) notice cannot be given due to emergency circumstances requiring immediate action to avoid physical injury to persons or damage to property. In such cases, notice must be given as soon as practical, but in no case less than one (1) hour before the meeting time. If a preliminary agenda is created, the agenda will be posted as soon as practicable in the same location and manner as the notice. If a preliminary agenda is not available, the posted notice shall include a general description of the nature and purpose of the meeting. The Board may discuss at a meeting additional matters not included in the preliminary agenda. Subjects not covered by the notice of the meeting, other than routine business, may not be considered at a meeting unless all Commissioners are present at the meeting and unanimously consent to the discussion of such subject(s).

Quorum

3.02 Two (2) Commissioners shall constitute a quorum for the purpose of conducting its business and exercising its powers and for all other purposes. Once a quorum is established, action may be taken by the Board upon a vote of a majority of the Commissioners present.

Manner of Voting

3.03 The voting on all questions coming before the Authority shall be by roll call vote.

Minutes

3.04 Minutes shall be kept of all public meetings. The minutes must include the following:

- a. The date, time, and place of the meeting.
- b. The names of the Commissioners present.
- c. The substance of all official actions and a record of the votes in favor, opposed to, and the number of abstentions as to all official actions.
- d. The names and sign in roster of all citizens who appeared officially at the meeting and the subject of their comments.

ARTICLE IV

AMENDMENTS

4.01 The Bylaws of the Authority shall be amended only with the approval of majority of the Commissioners at a meeting, but no such amendment(s) shall be adopted unless notice of such amendment has been submitted to Board in writing.

[SIGNATURES ON FOLLOWING PAGE]

APPROVED and ADOPTED by the Board of Commissioners of the Clear Creek County Housing Authority this 7th day of March, 2023.

Randall Wheelock, Chair

George Marlin, Commissioner

Sean C. Wood, Commissioner

ATTEST:

Deputy Clerk and Recorder
for Brenda L. Corbett
Clear Creek County Clerk and Recorder