

Fayetteville Housing Authority Board of Commissioners

Special Meeting Minutes

Thursday, August 22, 2019

I. Roll Call

Commissioner Stafford called to order the special meeting of Fayetteville Housing Authority at 6:00 pm on August 21, 2019 at City Hall Room 326, 113 W Mountain Street, Fayetteville, AR 72701.

- a. The following persons were present: Commissioner Stafford, Commissioner Breashears, Commissioner Bensinger, Commissioner McMahan, Angela Belford, and Greg Northern.
- b. Commissioner Breashears stated that by our By-Laws we are having a meeting that is not in compliance and asked for an explanation. Commissioner Stafford stated that our attorney Greg Northern was emailed to address the issue and responded that our By-Laws do not state a specific number of hours but specifies a number of days and based on an interpretation on that this meeting can move forward. Greg Northern stated that under the Arkansas Freedom of Information Act (FOIA) Statute open meetings requires a 2-hour notice. FHA's By-Laws say two days which is open to interpretation, so FHA has not had any violation. If this needs to be clarified for future meetings this can be addressed with updating the By-Laws. Commissioner Breashears asked how two days not equate to 48 hours. Greg Northern stated that under Arkansas Law, two days for purposes of legal proceedings is two business days so Monday to Wednesday would be two days. Federal Law requires two calendar days so from Friday to Sunday would be two days. As long as we are compliant with FOIA and go based off of past precedent we are okay to move forward with the meeting. Commissioner Breashears stated that he does not agree and believes that this meeting will result in what is discussed as null and void. Commissioner Breashears recommended that the meeting not continue. Commissioner Stafford asked Greg Northern if the interpretation of 2 days could be anything over 24 hours. Greg Northern stated that By-Laws are based on past practice and since this is his 2nd meeting of attendance he cannot provide legal advice. Commissioner Bensinger would say that past practice has not followed that standard at all and Commissioner Stafford 2nd that. Angela Belford gave multiple examples of meetings being called not following the by-law standard. Greg Northern stated that as long as this meeting is properly noticed under FOIA that any action taken here would not be null and void. Commissioner Bensinger clarified that FHA has been in compliance with FOIA with past practice. Commissioner Breashears then stated that since past leadership there has never been a meeting called that was not proper and asked if board members are confusing what the chairman has called alone, which she can do. Commissioner Stafford then stated that the chairman cannot call a meeting alone, and referred to Article 3 Section 3 of the By-Laws "The chairperson of the authority may when he/she deems expedient upon the written request of 2 members of the authority call a special meeting of the authority for the purpose of transacting any business designated in the call". Commissioner Breashears expressed that he disagreed with the current By-Laws regarding that the chairman cannot call a meeting

alone. Commissioner Stafford brought back the topic of our past practice and expressed that changes can be made when FHA updates the By-Laws. Commissioner Stafford stated she was confident that FHA could move forward with the meeting. Commissioner Breashears wanted it noted that he objected to the meeting.

II. New Business

- a. Resolution #1169- Authorization to convert Community Center Manager to Resident Engagement Coordinator.

Angela Belford explained the current Community Center Manager position at 32 hours and is classified as a full-time employee. Informed the board that the current Community Center Manager has submitted her resignation so as we look at replacing her, the job had grown under her leadership. In addition, the board has urged FHA to better connect with our Section 8 clients and desire to promote homeownership. The Community Center Manager position is paid 100% out of public housing. Stated that the new position covers the majority of Hillcrest Towers (32 hours) and the other portion devote towards voucher engagement and homeownership engagement (8 hours). A portion of the salary would then come out of the voucher program and PRBA. Angela proposed to change the title of the position and add an additional 8 hours. The 8 hours would be allocated from the voucher program reserve fund. Commissioner Stafford asked how quickly FHA planned to fill the position. Angela informed the board that when the position was originally filled there was another applicant who has since applied for two other positions with FHA. Since she has already met our residents and been through the interview process, we would be able to give a job offer quickly. Expressed that this job is very critical to our success and renovation. Commissioner Stafford opened discussion to the board. Commissioner Breashears stated that Jenny gave her notice on 8/13/19 and FHA had a board meeting on 8/14/19. He asked why this topic was not brought up at the 8/14/19 board meeting and are instead having a special meeting? Angela stated that by the time the notice was given, the notices for the 8/14/19 agenda were already published. Commissioner Breashears then asked how much the position would cost. Angela stated it would be \$8,000 per year. Based on the duties of the job description, Commissioner Breashears expressed that he believes the person to fill the position should hold a bachelor's degree. Angela pointed out the job description stated or "equivalent experience", which she does. Commissioner Breashears asked if she would be under a probationary period and Angela responded that yes, she would, and it would be 90 days. Commissioner McMahon referred back to the resident engagement piece of the job and asked if the position will be at any of the other properties. The way that the job has been structured, the renovation has been a focus but has already started to be the point of contact for other resources for engagement. As the renovation wraps up and streamlined, that role will absolutely be spending time with other properties. The social work intern will also be spending time with the other properties. Commissioner Breashears asked if there would be an assigned percentage of time with this position. Angela stated that 20% would be for the voucher program, 15% for PBRA, and the remainder 65% would be for public housing. Commissioner Breashears asked what would take place at Morgan Manner. Angela gave examples of mediation and conflict resolution.

Commissioner Bensinger made the motion to approve Resolution #1169 to authorize the conversion of Community Center Manager to Resident Engagement Coordinator. Commissioner McMahon 2nd the motion. Roll call. Commissioner McMahon Aye, Commissioner Bensinger Aye, Commissioner Stafford Aye, Commissioner Breashears requested to abstain. Resolution passes.

b. Resolution #1170- Authorization to apply for NWA Continuum of Care Domestic Violence grant

Angela Belford stated that last month the board authorized FHA to apply for Permanent Supportive grant and the CoC assumed that the domestic violence grant was going to be pursued by one of our 2 domestic violence providers. Neither have the capacity to apply at this time. This year is unique with the additional funding with HUD that is renewable. We would be able to provide the rental assistance for up to 12 and then Peace at Home provide the additional supportive services. What we hope is that this can become a model to the community. This would serve about 10 households for 12 months. The match would be provided through housing search services with our housing navigator and the social worker will be able to provide support. We would also refer additional supports to Peace at Home and Ozark Guidance Center. Angela stated that the deadline is 8/23/19. Commissioner Stafford asked for clarification on what services FHA would be providing. Angela stated that FHA would only be providing rental assistance but would provide minimal supportive services as an in-kind match. Peace at Home will have the capacity to provide the wrap around services. Commissioner Breashears asked if FHA would get paid a fee from HUD with this grant. Angela stated that with this grant we can allocate 10% for administrative costs. We have taken 5% of the administrative costs and then will donate the remaining 5% for the in-kind match. Commissioner Breashears asked if FHA would be using any of our facilities. Angela Belford stated that this would be scattered site locations and we would use our Housing Navigator, Housing Specialist, and the social worker. Angela explained the timing of the grant. FHA will we apply in September, be notified in January if we have been awarded or not, the grant agreement will be issued by May, and we could start billing the grant in July. Commissioner Breashears expressed that when something like this comes up it is nice to have time to review the material to prepare for the meeting. He stated that he understands that some things need to be acted upon quickly but that it seems like FHA has been doing a lot of things quickly lately. He hesitates to burden the FHA with more responsibility when he doesn't have the details and would like more information in the future. Commissioner Bensinger stated that as a point of order, as a board we have agreed that if it something that is going to be a directive, is it something that needs to be voted upon by the board. Commissioner Stafford stated that a policy directive needs to be voted on by the board. A single commissioner can make an informal request, but it doesn't carry the weight of a policy directive. Angela did let the board know that FHA found out about the grant of Friday and needed input from the CoC to see if this was a good idea for our community, which is why there was last minute notice.

Commissioner Stafford motioned to approve Resolution #1170 to authorize the executive director to apply for NWA Continuum of Care Domestic Violence grant. Commissioner Bensinger 2nd the motion. Roll call. Commissioner McMahon Aye, Commissioner Bensinger Aye, Commissioner Stafford Aye, Commissioner Breashears abstained. Resolution passes.

- c. Angela Belford let the board know that the auditor is unable to meet with the board during regular board meetings. Angela asked the board if they have ideas of when would work for them. Angela will send out a poll to find out what days and times will work for each commissioner. Commissioner Stafford also requested the fee accountant be available for questions. Suggested we have a designated financial workshop to review audit findings and then take the information and decide what changes need to be made that our best for FHA.
- d. Commissioner Breashears would like to authorize a written legal opinion of the validity of tonight's meeting. Stated he feels like the meeting is invalid. Commissioner Stafford stated he could make a motion. Commissioner Stafford then corrected herself and stated that the motion could not be made without all members present as they are not able to vote on anything that is not on the agenda. Commissioner Breashears asked if he would be able to add that to next week's agenda. Commissioner Stafford said he could make a motion at that time.
- e. Angela Belford also let the board know that she has included an executive session on next week's agenda to discuss her performance review.

III. Public Comment

- a. No public comment

IV. Adjournment

- a. Commissioner Stafford made a motion to adjourn. Commissioner Breashears 2nd the motion. All in favor. Adjourned at 6:58 pm.