

# FAYETTEVILLE HOUSING AUTHORITY

## Regular Meeting Minutes

Thursday, April 1<sup>st</sup>, 2021, 5:00 pm

Via Zoom

### **I. Call to Order**

Commissioner Bensinger called to order the regular meeting of the Fayetteville Housing Authority Board of Commissioners at 5:00 pm on Thursday, April 1<sup>st</sup>, 2021 via Zoom.

### **II. Roll Call**

Roll call was taken. All commissioners were in attendance, with Interim Executive Director Berry. Also present were several members of the public.

### **III. Public Comment**

John McDaniel spoke about a racial harassment issue and did not feel like the office was handling it.

Jen Cole spoke about several complaints about sexual and racial harassment. She also brought up issues of security with the cameras being down and the residential monitors not having proper training. Another issue she mentioned was the laundry room being down and the upcoming construction. She discussed the lack of communication with the office and lack of maintenance at other properties.

Jerry Andrews talked about his roach problem.

Katie, the Resident at Large at Hillcrest Towers, spoke about strangers walking around at night and bedbugs. Rose Bybee also touched upon the bedbug issue and expressed frustration about laundry.

Trevor talked about laundry, security, and pest control.

Rose Bybee spoke about people not on a lease staying for months. She also talked about a resident who goes around with a shopping cart which she believes is a risk with COVID.

Gail requested that office staff wore name tags consistently as well as having their names and photos available to residents. She also suggested that the office give some sort of acknowledgement that complaints have been received and heard.

There was discussion from the Board regarding an agenda review and if it was part of Robert's Rules of Order. There was a motion to move Items A and B- formal complaint against two commissioners and removal of current board chair from position of chair- which was seconded. The motion passed four to one, and those items were moved to the end of New Business.

### **IV. Old Business**

## **A. ERA Grant update**

Interim Executive Director Berry presented information that would be shown during Quorum Court, reviewing application numbers and a breakdown of grant funding up to April 1<sup>st</sup>, 2021.

Clarification regarding number of households served was requested.

Director of Vouchers & Supportive Services Dempsey reviewed the current workload and explained that any delays came from waiting from landlord and/or tenant paperwork.

There was a request to make this information available to the public via the FHA website.

Director of Vouchers & Supportive Services Dempsey discussed Yardi and its possible benefits and costs. There was discussion whether admin fees would be better spent on software or hiring another person.

There were questions about current incomplete applications and ways to make sure they are not discounted. There was also discussion about timing if Yardi was used for the second round of funding.

Commissioners discussed accessibility and requested the diversity/demographic breakdown that was asked for at the last meeting. Kyle Smith, the independent contractor working on the database, spoke about that data.

There was discussion about Mr. Smith's contract with FHA for work on the ESG grant, and whether the position was open to the public before Mr. Smith was hired.

There was clarification of the Procurement Policy and how it pertained to independent contractors.

There was a motion to direct Interim Executive Director Berry and the Staff to adhere to Section 16 of the Procurement Policy when making hiring decisions, including contract labor agreements. The motion was seconded and passed unanimously.

## **B. Resolution #1261 – Authorization to add case manager for ESG Grant**

Interim Executive Director Berry led discussion regarding adding a case manager for ESG clients since the second half of the grant was received.

There was a motion to adopt Resolution #1261 as is, seconded, and passed unanimously.

## **C. Continuity of Operations Plan**

The Board discussed what needs to be included in a background check for candidates and what standards to set. There was a suggestion that if a relocation package was required then there would also be a two-year stay agreement.

There was an emphasis on reaching out to BIPOC executive professional organizations and their state chapters, as well as BIPOC alumni groups at the University of Arkansas.

The Board talked about forming a hiring committee and who would be included on it, again with an emphasis on diversity.

There was a reminder to solicit staff input, with discussion including the possible SWOT analysis.

## **V. New Business**

### **A. Resolution #1264 – Authorizing appointment of an interim Deputy Director**

Interim Executive Director Berry recommended an interim Deputy Director for separation of powers and duties, and recommended Director of Vouchers & Supportive Services Dempsey for the role.

There was discussion regarding the compensation associated with the role of an interim Deputy Director.

During public comment, Rose Bybee asked about the purpose of Deputy Director. Jen Cole brought up her concern regarding staff competency. Holly Perry appreciated having someone like an Interim Deputy Director on staff.

There was a motion to adopt Resolution #1264. It was seconded, and the motion passed unanimously.

### **B. Resolution #1265 – Hazard Pay for Staff August 8<sup>th</sup> 2020 – March 20<sup>th</sup> 2021**

Interim Executive Director Berry led discussion about the previous hazard pay resolution and this proposed resolution.

The motion was made to adopt resolution #1265. It was seconded and the motion passed unanimously.

Interim Executive Director Berry discussed how comp time works in terms of rolling off, and recommended extending that usable time. There was a request for information regarding the difference between salaried and hourly employees.

There was a motion to direct the Interim Executive Director to implement the comp time policy pursuant to National Labor Board policy review. The motion was seconded, and passed with four ayes and one abstain.

### **C. SWOT**

Interim Executive Director Berry discussed what a SWOT analysis would look like if conducted by OnPoint Solutions as well as the cost.

There was discussion as to how 'key stakeholder groups' were defined, and if groups such as residents would be included in that definition.

A motion was made to direct Interim Executive Director Berry to enter into and sign the SWOT contract with OnPoint Solutions. The motion was seconded and passed unanimously.

**D. Resolution #1266 – Interim Executive Director compensation**

Interim Executive Director Berry reviewed the discussion from the agenda session regarding compensation based off the current pay with COLA raises and without the performance-based raise.

A motion was made to adopt Resolution #1266. The motion was seconded and passed unanimously.

**E. Resolution #1267 – Establishing Crouch, Harwell, Fryar, & Ferner, PLLC as lead attorneys for Fayetteville Housing Authority**

There was discussion regarding having a singular lead attorney that can then delegate as needed.

It was requested that Interim Director Berry provide them with a current copy of the Bylaws, and possibly access to all Board documents.

A motion was made to adopt Resolution #1267. The motion was seconded and passed unanimously.

**F. Formal complaints against 2 Commissioners**

There was discussion regarding the process and procedure of receiving and addressing complaints made against commissioners. The Board did reach out to Mr. Crouch as recommended during the agenda session, and there was no specific guidance.

Recommendations include receiving complaints in writing and then having the Board review the written complaint, or let commissioners work directly with the complaints to resolve it.

A motion was made to dismiss Item F.

There was discussion regarding the policy of addressing staff through the Executive Director instead of going to the staff directly.

A friendly amendment was made to dismiss the complaints as presented and direct the Board Chair to work with the attorney to develop a formal process for submitting, mediating, and curing complaints.

It was clarified that the complaints covered many different things from many different people.

There was a question if these complaints would be captured by the SWOT analysis.

Public comment included Kyle Smith and Jen Cole regarding the place of policy and procedure in situations around complaints.

The motion was seconded, and passed with three ayes, one nay, and one abstain.

### **G. Removal of current Board Chair from position of Chair**

Discussion was initiated regarding the policy around removing a Board Chair from the position of Chair.

Jen Cole asked for clarification as to why this was being brought up.

Director of Housing Butler brought up the issues with transitions and recommended against this vote.

Evelyn Stafford asked about the impact this could have on the Emergency Rental Assistance program.

There was a clarification regarding how long a removed chair would serve.

There was conversation around the reasoning behind the motion to remove the current Board Chair from the position of Chair, regarding the lack of focus on current harassment and discrimination issues.

Director of Housing Butler clarified that the resident issues brought up during public comment were noted by staff and being looked into.

The motion was made to remove the current Board Chair from position of Chair. The motion was seconded. The motion did not pass, with two Nos, one Aye, and two Abstains.

### **VI. Reports**

Interim Director Berry went over recent work anniversaries: Mary Finch and Bo Ward both for one year.

A motion was made to table the reports. The motion was seconded, and passed unanimously.

### **VII. Final Comments & Announcements**

There was discussion about planning the April Board Retreat. Interim Executive Director Berry was directed to set up a survey for availability.

It was requested that Interim Executive Director Berry follow up on diversity and inclusion training for staff.

There was a motion to formally request documents pertaining to the sexual harassment complaints to reconsider during the next monthly Board meeting.

There was a recommendation of the chair to move forward with looking at past procedures and evaluate them, and develop policies based on them. There was a request for collecting past paperwork and reviewing that at the next Board meeting, as well as documents pertaining to racial harassment.

There was a request to have updated Emergency Rental Assistance demographic data with the Quorum Court presentation.

## **VIII. Adjournment**

Commissioner Bensinger adjourned the meeting at 11:43 pm.