

FAYETTEVILLE HOUSING AUTHORITY

Regular Meeting Minutes

Thursday, June 24, 2021, 5:30 pm

Via Zoom

I. Call to Order

The regular meeting of the Fayetteville Housing Authority Board of Commissioners was called to order at 5:30 pm on Thursday June 24, 2021.

II. Roll Call

All Commissioners were in attendance, establishing quorum. Additionally in attendance: Interim Executive Director Berry, FHA staff members, members of the public, Sheila Posey of OnPoint, members of the press, Tony Landecker of HUD, and Attorney Crouch

III. Review and Approval of Agenda

The agenda was motioned for approval with edits, seconded. The motion passed unanimously.

IV. Presentation – Teeny Tiny Preschool, Ms. Candace

Ms. Candace reviewed current enrollment numbers and the scholarship process. She updated the board on the application progress for the federal school lunch program.

She commended maintenance's responses to the flooding issues. There was a question about a donation being offered to Teeny Tiny.

V. Public Comment

Email from Sonia Gutierrez, City Council member, who gave support for transparency at the meeting.

VI. Consent Agenda

Motion to approve all items on consent agenda, seconded. The motion passed unanimously.

VII. Reports

A. Attorney Crouch

Mr. Crouch reviewed the draft procedure for handling complaints against Board Commissioners. There was discussion of having all complaints referred to the attorney on record and determination of action required go from there, as well as the need for an objective third party. Edits were suggested to the draft, and the title 'Code of Conduct' was clarified. There was a suggestion to add a policy against retribution.

Mr. Crouch briefly discussed the privacy issue brought up in an earlier meeting regarding the Board's Google Drive. There was a recommendation to have ownership of the drive go to an institutional email. There was discussion regarding how to share folder access.

Mr. Crouch discussed possible conflict of interest regarding FHA and FHA Development. He recommended a waiver, which prompted discussion about what that would entail.

He recommended reconsidering the Board's decision to require him at meetings given the legal fees.

He and Interim Executive Director Berry were awaiting information from the former ED's attorney.

B. FHAD Chair

Commissioner Terry reviewed the unofficial minutes from the last FHAD Board meeting. There was discussion about the Choice Neighborhoods Initiative.

A motion was made to request that the FHA Board acknowledge and support the investigation of opportunities available to FHA Development potentially within the HUD Choice Neighborhoods Initiative planning grant process. The motion was seconded. There was a request for those materials to be made available to the FHA Board and time to review those documents.

Director of Housing Butler recommended discussing the capacity of FHA Development to fulfill its obligations if rewarded the grant similar to the discussion for other community partners. Interim Deputy Director Dempsey recommended waiting for the next full FHAD Board meeting for a vote, as well as finishing the contract agreement between FHA and FHAD.

A vote was called and the motion passed three Ayes to one No.

There was discussion about the FHAD arrears and current rent collection, referring to a table Director of Housing Butler provided. There was a request to table this discussion due to time. Interim Director Berry will be providing a written action plan that will be shared with the Board

C. FHA Chair

Chair Bensinger highlighted a voicemail from a new resident, went over progress on HUD compliance, and the FHAD debt repayment and service agreement. She spoke about property being sold to the city of Fayetteville that has been placed on hold. She also recognized Interim Executive Director Berry for his recognition by the University of Arkansas.

There was a discussion regarding communications and publications sent from the Board Chair to the City, and transparency with the Board. There was a motion made to have the FHA Board Chair BCC all commissioners in official correspondence with elected officials and HUD representatives.

Chair Bensinger excused herself and deferred duties to Vice-Chair Jones.

The floor was opened for public discussion. Interim Deputy Director Dempsey requested clarification regarding FHAD policy for the same proposed motion. She also made a statement regarding appropriateness of Board members to be copied on everything.

Director of Housing Butler suggested extending the motion to apply to all Board members regarding official communications.

There was discussion as to communication with the public and clarification of BCC.

Tony Landecker of HUD agreed with the amendment to the motion and shared concerns regarding efficiency.

A vote was called and the motion passed with one Absence and Three ayes.

D. SWOT – Ms. Posey

Sheila Posey updated the Board on the SWOT analysis progress regarding the resident surveys.

E. Staff Reports

Interim Executive Director Berry shared work anniversaries, gave an update on the Hillcrest renovations, and talked about community engagement. He touched upon the legal expenses as well.

He gave a report on Public Housing, PBRA, and Voucher programs, and talked about the Emergency Broadband Benefit program partnering with T-mobile.

Interim Deputy Director Dempsey shared further information regarding the Section 8 waitlist compared to other Housing Authorities, and clarified voucher terminology.

There was a discussion regarding what disqualifies someone from Public Housing and/or the Voucher programs.

There was clarification regarding the mask mandate, and a question regarding the old laundry room.

There was discussion regarding non-residents picking up food from the Hillcrest Community Center, and clarification of the food sharing process.

Interim Deputy Director Dempsey spoke further on the ESG program. There was a request to look into an accounts payable from ESG to Low Rent for \$10,000.

VIII. Old Business

A. IDEALS Institute proposal

Interim Executive Director Berry discussed the new proposal cost and what it covered. There was a motion made to approve the proposal with the inclusion of the entire executive leadership team. The motion was seconded, and passed with three Ayes and one Absence.

B. Commissioner Training

Vice-Chair Jones publicly extended an invitation to other Board members to attend NAHRO ethics training and/or HUD Lead the Way Training.

C. Sale of property to the City of Fayetteville

Interim Executive Director Berry received a recommendation that the disposition application be returned to draft status until the agreement between FHA and FHAD was in place.

D. Update: Executive Director Search

Vice-Chair Jones reviewed the timeline and current number of responses. There was discussion about the salary calculation for Executive Director.

E. Bylaws Review

There was discussion of changing how special meetings are called and updating the order of business.

There was a suggestion to place the bylaws into the FHAD shared folder to allow for amendments before the next meeting.

There was further discussion of how two commissioners could call a special meeting without violating FOIA.

This meeting served as official notice that the Board will be amending the bylaws at the following Board meeting.

There was discussion regarding the appointment of commissioners and compliance with the bylaws. There was a request for Interim Executive Director Berry to send notice to the city regarding the Board vacancy.

F. Legal Budget

Interim Executive Director Berry reviewed the legal budget versus expenses broken down by entity.

There was discussion of allocations. There was a request to review Invoice #123773 for Interim Executive Director Berry to contact the vendor and make sure it wasn't overpaid.

There was a request for specific financial documents; Interim Executive Director Berry asked for that request to be emailed to him.

There was a request for a visual representation of the legal breakdown.

G. Review of FHA sexual harassment policy & procedures

There were no recommendations from the board regarding changes to the sexual harassment policy. There was a suggestion to send the policy to TPC to review for errors and omissions.

H. Robert's Rules of Order Training

A motion was made to add a Robert's Rules of Order training during the strategic planning retreat. The motion was seconded, passed with Three Ayes and one Absence.

IX. New Business

A. Resolution 1268: Approve HUD Voucher Utility Reimbursement Rates

There was a discussion about the resolution and how the comparisons were run.

There was a request for last year's utility reimbursement rates for comparison. There was a question regarding a current list of landlords that accept Section 8 vouchers.

A motion was made to approve Resolution 1268 with the documents from the previous year. The motion was seconded and passed with Three Ayes and one Absence.

B. Financial Crosswalk pt II

There was a discussion of documents to request and items to keep a close eye on regarding the budget.

There was an overview of the budget and a request for an Accounts Payable Summary that will be sent via email to Interim Executive Director Berry.

Interim Executive Director Berry gave an update of money spent in the ERA fund, and clarified that Washington County did not award FHA a second round of funding.

C. FHAD Service Agreement

Commissioner Terry led discussion via the commented drafts. There was a suggestion to have Mr. Landecker review the document after the Board comments on it.

The request was clarified to have final board comments on the document, send it to Attorney Crouch for comparables by end of day tomorrow, and then to Mr. Landecker for approval.

D. In-person meeting

There was a recommendation to continue offering virtual access once the meetings return to in-person.

There was a suggestion to return to in-person meetings in August and offer a hybrid model if possible.

Holly Perry, resident, requested posting the Board meeting dates at all properties.

Interim Deputy Director Dempsey made a statement regarding time limits of meeting.

E. New Commissioner Search process

Commissioner Terry reviewed the timeline for filling the recent Board Vacancy. It was recommended to close applications on the 6th, and have top 3 – 5 applicants by the 8th.

There was a recommendation to place this item at the top of the next agenda to remain on the timeline.

X. Announcements

A. Motion: Remove the current chair pursuant to the bylaws

There was clarification of whether the motion would include the advancement of the Vice-chair to the position of Chair.

The motion was seconded and public comment was called for.

Interim Deputy Director Dempsey expressed her frustration and disappointment in this motion.

Director of Housing Butler commented on the timing of the motion and cautioned against rash decisions.

Cassie S., FHA staff member, requested clarification of the basis behind the motion. No comment was given.

The vote was called, with two Ayes, one Absence, and one Abstention. There was discussion as to the result of the vote regarding the Absence since Chair Bensinger was still on the call but nonresponsive.

There was a suggestion to consult Attorney Crouch for clarification. Attorney Crouch was unavailable at the time.

There was a request for Interim Executive Director Berry to reach out to Chair Bensinger for clarification. She was unresponsive to communication.

Interim Deputy Director Dempsey expressed concern regarding the motion's motivation and noted the lateness of the hour.

There was a review of Robert's Rules of Order and the FHA Bylaws. The motion was clarified as removing Kristen Bensinger from the position of Chair and remaining a commissioner on the Board.

Interim Executive Director Berry reviewed section 8 of the FHA Bylaws that requires a special meeting called for this motion.

The second and the motion was withdrawn, and a special meeting was called for June 29th at 4:30 pm.

XI. Adjournment

The meeting was adjourned at 11:42 pm.