

FAYETTEVILLE HOUSING AUTHORITY

Special Meeting Minutes

TUESDAY, JUNE 29th 2021, 4:30 pm

Via Zoom

I. Call to Order

The special meeting of the Fayetteville Housing Authority Board of Commissioners was called to order at 4:30 pm on Tuesday, June 29th, 2021. The stated purpose of this meeting was to remove Chair Bensinger from the position of Chair of the Fayetteville Housing Authority.

II. Roll Call

All Commissioners were in attendance, forming quorum. Additionally in attendance: Interim Executive Director Berry, Tony Landecker of HUD, Attorney Jim Crouch, FHA staff members, members of the public.

III. New Business

A. Motion to remove Chair Bensinger from the position of Chair of the FHA Board of Commissioners

Commissioner Breashears opened discussion with a review of the Bylaws, citing Article III, Sections 2 and 5. He stated that Chair Bensinger did not act in accordance with transparency and that she had been acting as a sole agent rather than with the whole of the Board.

He cited her directive to FHA to cease working with FHAD per a letter from HUD. He also mentioned a letter sent to the City of Fayetteville by FHA staff that accused the Board of several allegations, and if Chair Bensinger had a hand in that.

The motion was seconded. Commissioner Terry discussed a lack of decorum and organization with Chair Bensinger's leadership.

Attorney Crouch clarified that he was the one that suggested FHA pause working with FHAD until further clarification from HUD was received. He also made a comment on voting procedure for this motion.

Interim Deputy Director Dempsey clarified that the staff letter did not involve Chair Bensinger and expressed her disapproval of the direction of this motion.

Director of Housing Butler supported Interim Deputy Director Dempsey's comment.

The question was raised of who is leading this meeting, and a motion was made to suspend the rules and request that Commissioner Breashears chair this meeting. The vote was called and passed with three Ayes and one Abstain.

Commissioner Jones discussed NAHRO rules and ethics, and spoke about focusing on common goals.

Chair Bensinger discussed the HUD processes that go along with any change in leadership and spoke about what the board has accomplished during her time and the need for transparency.

The question was called, and passed with three Ayes and one Abstain. The main motion was called for a vote, and passed with three Ayes and one Abstain.

Commissioner Breashears turned the meeting over to the Vice-chair.

B. Motion to advance Vice-chair Jones to the position of Chair of the FHA Board

Commissioner Jones declined to accept the position of chair and the motion was formally withdrawn.

Commissioner Terry was nominated for the position of Chair. She accepted the nomination. The motion was seconded and the commissioners had a brief discussion.

The question was called, and voted on, passing with four Ayes. The vote for the motion was called, and passed with three Ayes and one Abstain.

There was a request for Interim Executive Director Berry to update the posting for the open Commissioner position to the City Clerk. There was discussion about the missed deadline and clarification of procedure going forward.

There was a recommendation to forward a question regarding reconciliation between the City's process and FHA Bylaws to the City Attorney's office.

C. Motion for the property manager of FHAD to document his time with emphasis placed on how many accounts have been registered with the County for Emergency Rental Assistance.

There was discussion regarding the debt owed from FHAD to FHA. There was a suggestion for the FHAD property manager to have a document detailing who is contacted and when.

A motion was made for the property manager to document his time especially concerning collection activities he performs, with a friendly amendment that the documentation include number of tenants that have been enrolled in the Washington County ERA portal. The motion was seconded.

Commissioner Bensinger requested clarification on the motion, and also made a point of order that this motion is an operation issue. She emphasized the need to focus on the FHA – FHAD service agreement first.

There was a discussion as to whether the Board could take up this operations issue.

The vote was called, passing with three Ayes and one No.

IV. Final Comments

Commissioner Bensinger reiterated the importance of establishing the written service agreement and expressed her concern on the timeline.

There was clarification of the timeline and where the document was in its drafting process. Attorney Crouch stated that he would have the document back to the board by Thursday with his amendments.

There is a discussion regarding calling a special meeting for approving the FHA-FHAD service agreement. The special FHAD meeting was called for next Tuesday, July 13th, at 5:00 pm, with the special FHA meeting called for 6:00 pm the same night.

There was a discussion regarding accounting calculation using the number of units and what is defined as habitable.

V. Adjournment

The meeting was adjourned at 6:20 pm.