

FAYETTEVILLE HOUSING AUTHORITY

Regular Meeting Minutes

THURSDAY, JULY 22nd, 2021, 5 pm

Via Zoom

I. **Call to Order**

The regular meeting of the Fayetteville Housing Authority Board of Commissioners was called to order at 5:00 pm on Thursday, July 22nd, 2021.

II. **Roll Call**

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

III. **Approval of Agenda**

There was a proposal to table the review of the bylaws until the Commissioner-elect is fully seated. There was a question about the timeline for the new Commissioner to fully join the Board.

The agenda was approved as amended.

IV. **Consent Agenda**

A. **Minutes**

The previous meeting minutes were approved as presented.

V. **Reports**

A. **FHA Chair**

Clarification was requested regarding commissioner response when receiving resident complaints. There was discussion about established procedures for grievances between tenants and staff, as well as residential complaints.

There was a request for comment regarding FHA's involvement with Patriot Park coming from a community patron. The full agreement will be made available in the FHA Board of Commissioner's folder. An email will be sent to Mr. Petty as to why the document references FHA and not FHA Development.

B. **Attorney Crouch**

Mr. Crouch reviewed the procedure for handling complaints against Board Commissioners and the recent revisions. There was discussion regarding anonymous complaints. There was a suggestion that initial complaints go to the Chair, as well as to drop anonymity for complaints.

Mr. Crouch gave a minor update on the severance pay situation, mentioned that there has been communication with Mr. Landecker, and touched on the lawsuits by Mr. Cloyd against FHA Development.

C. **Hiring Committee**

Commissioner Jones reviewed the current timeline. There was a question as to whether the commissioners wanted to interview more than the top five applicants. There was a

discussion about structured interview questions. There was a question about the timeline of the background checks.

D. Staff

Interim Executive Director Berry highlighted work anniversaries and the upcoming leadership team meeting with the IDEALS institute.

Mr. Berry gave a visual breakdown of the legal fund bills. He is in the process of reviewing an issue with overpayment.

Mr. Berry reviewed the 401(k) payout for the former Executive Director, Angela Belford, and what she is entitled to accordingly. There was a discussion about vestment and what FHA contributes. There was a recommendation that Mrs. Belford receive what she put in but not what was contributed since she was not employed for five years. Mr. Crouch recommended eliminating any chance for follow up with any other types of claims. Mr. Berry offered to reach out to Jessica Lee, regional legal counsel, regarding offering matching funds to someone not entitled to severance. There was a question if there was any precedence set within FHA.

He reviewed the recommendations made by TPC on the handbook and resident policy regarding harassment. The recommendations, along with the current policies referenced will be shared with the board to allow for Commissioner comments. There was a request for clarification regarding the investigation process of a sexual harassment complaint. There was discussion regarding what parties each document covers. There was a discussion as to whether the Code of Ethics should be included with those documents for review. There was a request for Interim Executive Director Berry to reach back out to TPC to review the questions brought up by the FHA Board.

Interim Executive Director Berry talked about community engagement across the properties. The plans for a tree canopy were applauded, and there was a question regarding power-washing Willow Heights and Lewis Plaza. Commissioner Jones highlighted vaccination clinics and upcoming community events. There was a question about the percentage of tenants and residents that are vaccinated against COVID.

Director of Housing Butler reviewed options for power-washing the properties. There is a possible solution involving the fire hydrants- Chair Terry will forward a discussion with Councilor Gutierrez and the Fire Chief to Interim Executive Director Berry. Director of Housing Butler reviewed Public Housing numbers- waitlist, vacancies, unit turnover- and explained the difference between all the properties. There was a question regarding ESG clients and the Public Housing waitlists. Sarah Moore asked about how vacancy is tracked and if there are goals. She requested average amount of days vacancies are left open at each properties.

Interim Deputy Director Dempsey reported on the HCV programs. There was a question regarding general finances for those programs. She discussed the ERA funding- with discussion of current fees and admin spending. She highlighted the new Emergency Housing Voucher program. There was a question regarding the waiving need for Board approval, and further discussion of the program.

Mrs. Dempsey spoke about Support Services events and accomplishments. There was clarification of Mabry's role as a social worker, and a request to report on how many people she has successfully connected to mainstream resources.

Interim Executive Director Berry briefly discussed the current open staff vacancies. There was a request to highlight monthly changes in the updated organizational chart.

E. Hillcrest Resident Council President

Jennifer Brown, new President of the Hillcrest Resident Council, gave her report. She introduced the current Resident Council members, and their progress as a council. There was a question regarding resident attendance. There was a question regarding partnerships with Tri-cycle Farms and St. James.

There was a discussion about MOUs with community partners. There was a question about mask policy with the rising COVID rates, with discussion regarding mask mandates and vaccinations.

Holly Perry, resident, stated that most volunteers and community partners would be willing to wear masks if they were made more aware of the rising risk.

F. FHA Development Chair

Chair Terry (as FHAD Chair) reviewed the current offer status on all three scattered site properties. She reviewed the progress of ERA rental relief for the residents at Development properties, and talked very briefly about the lawsuit from Mr. Cloyd regarding condition of the properties that were returned to him. She reviewed the meeting she had with the County Judge regarding the ERA process.

Sher reviewed the documents pertaining to Patriot Park, and clarified that the application required a non-profit partner so any references to FHA are likely document shorthand for FHA Development. There was further discussion as to FHA's involvement with Patriot Park. Sarah Moore, community member, wanted to know if there was an update on timeline for breaking ground. There was discussion about the percentage of ownership FHA has of Patriot Park.

VI. Old Business

A. Ratification of conflict-of-interest waiver for FHA/FHAD attorney

A motion was made to waive any perceived conflicts of interest and the co-representation between FHA and FHA Development by the Attorney on record, Jim Crouch. The motion was seconded, and called for a vote. The motion passed unanimously with 3 Ayes and 1 Absence.

B. Ratification of final version of FHA/FHAD service agreement

The final draft of the management agreement between FHA and FHAD was reviewed as pertaining to Northgate, Redbud Gardens, and Magnolia Court. Clarification was requested regarding the definition of 'reasonably'.

Mr. Crouch had made edits based on previous meeting discussions. There was discussion regarding inconsistencies in dates for payments- the flat fee and the bills.

There was discussion about rent collection, ERA payments, and property closings and how those could affect a payment timeline.

There was a suggestion to moving the commitment date back to August 31 to allow Development to replenish negative cash flow before making payments. There was discussion about rent collection. There was another suggestion to retroactively commence the agreement to July 1st with anything past due that date based on a payment schedule.

Mr. Crouch recommended against that since FHA/FHAD are quasi-public entities and recommended dating it after it was voted on by both entities.

There was discussion around the amount of rent in arrears and the monthly expenses, with a suggestion to build up cash flow and then paying the monthly bills before paying the debt owed to FHA on August 31st.

Mr. Crouch discussed the term 'reasonably' in the context of paying down the arrears owed to FHA by August 31st. He dictated direct edits that were typed by Interim Executive Director Berry onto the final draft of the agreement.

There was a discussion about net 30 and if that would apply to these payments.

A motion was made to approve the management agreement between FHA Development and the Housing Authority of the City of Fayetteville with the substantial changes as proposed, and the understanding that any further changes will be very minor and non-substantive. The motion was seconded with no public comments or further discussion from the board. The vote was called and approved unanimously by the quorum present (three Ayes, one absence).

VII. New Business

A. Resolution 1269: Authorization for the addition of June 19 "Juneteenth" as annual paid holiday for all regular, benefit-eligible employees

Interim Executive Director Berry reviewed the resolution. There was a question regarding being able to backdate the resolution.

The motion was made to approve Resolution 1269, and seconded. The vote was called and the motion passed unanimously with the quorum present.

B. Update: Finance

Interim Executive Director Berry gave a slide presentation with the revenue compared to budget and expenses. There was a request for the Accounts Payable Journal for better review of the cash flow. There was a discussion regarding the lower income rate for Morgan Manor.

C. Hybrid meeting protocol

There had been no response from the City regarding inquiries into a Hybrid meeting format. There was discussion regarding increasing COVID rates and accessibility. It was recommended to remain Zoom only for the August meeting and evaluate afterwards.

D. NAHRO Training Fees

Commissioner Jones sought board approval for NAHRO training since a fee is involved. There was discussion as to best practice on training fees.

VIII. Announcements

A. MTW

There was a request for updates regarding the Move-to-Work program. Due to the lateness of the hour, it will be included in next month's agenda.

IX. Adjournment

The meeting was adjourned at 10:42 pm.