

FAYETTEVILLE HOUSING AUTHORITY  
Regular Meeting Minutes  
THURSDAY, AUGUST 23<sup>rd</sup>, 2021, 5:00 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, Thursday, August 23, 2021.

**II. Roll Call**

Commissioners Terry, Breashears, Scott, and Paxton were in attendance, forming quorum. Additionally in attendance: Interim Deputy Director Butler, FHA staff members, members of the public, and Ms. Davison of DISH Network

Commissioner Jones arrived after the approval of the agenda. Attorney Crouch was not in attendance.

**III. Approval of Agenda**

The agenda was approved on consensus as amended.

**IV. Announcements: Review of meeting decorum protocols**

**V. Special Guest**

Mr. Hugh Odom with Vertical Consultants requested a reschedule due to possible conflict of interest. Commissioner Breashears will bring this forward again during an upcoming session.

**VI. Approval of Previous Meeting Minutes: August 26th, 30th; September 2<sup>nd</sup>, 13<sup>th</sup>**

There was a request to amend meeting minutes to reflect specific vote tallies of individual commissioners, except in the case of a unanimous vote, in which case the record will reflect whether the motion unanimously failed or passed.

A motion was made to have the minutes of the public meetings reflect the vote of each Commissioner by name by vote; if the vote is unanimously, then the vote can be recorded as such as passed or failed. The motion was seconded and passed unanimously.

There was a motion to table the current set of minutes until voting was amended as requested, with discussion from the board. The motion was seconded, and unanimously approved.

**VII. Reports**

**A. FHA Chair**

Chair Terry gave an update on ERA2 progress, with discussion regarding communication from Washington County- RFP for pipe insulation for Hillcrest, and the budget waiver request. She reached out to the coordinator in DC but has not received a reply yet.

All Move to Work documents were made available to Board members, as well as all FOIA responses.

There was a review of the current amount of outstanding rent, with a question regarding how checks from ERA are processed.

Commissioner Jones requested clarification regarding processing ERA funds for rehousing.

Commissioner Breashears asked for a breakdown of FHA Development outstanding rent owed.

A motion was made to suspend the rules and move to the Leadership Transition plan. The motion was seconded and passed unanimously.

#### **B. Leadership transition plan, Continuity of Operations Planning – Gerald Turner**

Mr. Gerald Turner, HEAL Collective, reviewed the meetings he has had so far with staff. He requested a friendly amendment that his contract start October 1<sup>st</sup> as to allow for the 60 days to start at that time. There was discussion as to if this would change the contract in other ways.

He discussed three options that HUD proposed to aid with Section 8: enter into an MOU with a surrounding Housing Authority, work through HUD with a third-party administrator, or contract directly with an Interim Executive Director candidate. He recommended pursuing the third option with next steps being working with Commissioner Jones who chairs the Hiring Committee.

Commissioner Breashears asked about payroll and upcoming vouchers, and how it is being handled currently.

Chair Terry requested a weekly written report for the Board from Mr. Turner.

Mr. Turner spoke about possibly hiring temporary administrative support to aid staff for the first few weeks of October.

A motion was made on Mr. Turner's behalf to amend the approved contract to being the first payment October 1, 2021 with no change in scope of work and/or the amount approved in the contract. The motion was seconded.

Commissioner Scott requested Interim Deputy Director Butler's opinion on the change.

Cassie Snider, FHA Section 8 specialist, asked for clarification regarding the billing of the 19 days of work Mr. Turner has done.

Commissioner Scott asked if there was going to be a plan developed for segregation of duties as it relates to approval of financial documents and check-cutting. Commissioner Paxton reviewed the agenda for the Staffing Committee.

The vote was called, and the motion passed unanimously.

#### **C. Hiring Committee Report**

Committee Chair Jones updated the Board on the Hiring Committee's progress. She will update the timeline to reflect recent changes. There was discussion of Mr. Turner recommending an Interim Executive Director.

#### **D. Staffing Committee Report**

Committee Chair Paxton reviewed the agenda for tomorrow's Committee meeting. Commissioner Jones recommended posting the additional staff positions in diverse areas.

Commissioner Jones asked about TPC's role in making sure candidates meet minimum qualifications and recommended pulling TPC's contract to verify their role.

Commissioner Paxton discussed that the committee would review the hiring process. Chair Terry asked about internal hiring practices and suggested focusing on performance evaluations first. There was a discussion regarding internal hiring/promotion protocol and clarification of the annual performance evaluation cycle.

## **E. Staff Reports**

### **i. Interim Deputy Director Report**

Interim Deputy Director Butler reviewed staff anniversaries and open positions via the organizational chart. Commissioner Breashears requested a marker for salaried positions.

There was discussion regarding the financial manager position, pay range, and current applicants. Chair Terry requested feedback on the idea of changing out the Deputy Director position for CFO. Commissioner Breashears recommended tying any hiring practices to income and budget.

Interim Deputy Director Butler gave an update on funding from the CARES Act. There was a discussion regarding reimbursement.

She reviewed the current Credit Card policy and led discussion on the Segregation of Duties as it applies to credit cards.

The IDEALS Institute recommended placing the project on hold until leadership was in place at FHA.

She gave an update on the Morgan Manor Closeout report and stated that it was the final report that was required.

There was a discussion as to the closed out Public Housing CD, with Interim Deputy Director Butler recommending leaving the money in the account until after everything has been budgeted and then having the Board discuss whether to place it into a CD.

She gave an update on the HUD DEC review.

### **ii. Housing Report**

She reviewed current vacancies and turnover rates for Public Housing. Commissioner Breashears asked for a typical turnover rate.

Ms. Butler touched upon the annual waitlist confirmation process.

There was a discussion of ERA2 funding as it pertains to Public Housing residents who may have outstanding rent. There was discussion about prioritizing the off-site properties for tabling.

Chair Terry asked if admin funds from ERA1 could be used to hire temp workers to aid with intake for ERA2.

Holly Perry, Hillcrest Resident, asked about possible communication barriers.

Ms. Butler reviewed the current process for the mold and mildew concern at Hillcrest Towers. She clarified that while the pipes are insulated, the wall insulation was not replaced at the same time.

Jen Cole, Hillcrest Resident, shared her concern about the backwalls and air intake, and wanted to make sure there was good cleaning measures in place for units who did test positive for mold.

Commissioner Scott wanted to verify that staff received photographs that had been sent to the Board regarding the mold issue.

There was discussion about developing a safety policy around potential active shooter situations on the FHA properties.

### **iii. Vouchers, Support Services**

Interim Deputy Director Butler reviewed the current standings of the Housing Choice Vouchers. She highlighted the various events and accomplishments of the Support Services staff.

## **F. Hillcrest Resident Council**

President Brown discussed Resident Council open positions and committee formation. She talked about a program to help combat rumors, and working with staff to put together informational packets for residents regarding issues like bedbugs and molds.

Jen Cole wanted to make sure the paperwork being distributed was doing due diligence to make sure it covers all the information.

Holly Perry requested addressing cleaning responsibilities and chemicals that might enter shared air between units.

Jen Cole suggested that maintenance be properly trained on cleaning out mold.

Commissioner Paxton made a recommendation to move forward with the agenda.

## **G. FHA Development Chair**

FHA Development Chair Terry gave an update on the scattered site property listings. Washington County Quorum Court unanimously approved \$10k disbursement from ARPA funds to FHAD for utilities. She gave an update on ERA2 applications and current outstanding rent in arrears.

# **VIII. Old Business**

## **A. Roof Leasing funds**

Interim Deputy Director Butler discussed how funds from roofing leases were coded and how they are restricted. There was discussion on best practices for those kinds of funds.

She reviewed the DISH lease that has been reviewed by the FHA legal counsel. She invited Ms. Davison with DISH to clarify parts of the contract. There was discussion as to Vertical Consultant's role and clarification that the consultant's role was to help negotiate the lease. Ms. Davison emphasized the time constraints of the offer from DISH.

There was further discussion regarding Vertical Consultants' role as a possible contractor. There was a request for clarification on the timeline of the DISH lease proposal. Chair Terry requested calling back Mr. Odom to see if he could come back to the meeting, and recommended tabling this item for now.

**B. Update: TPC comments on Sexual Harassment Policy**

Interim Deputy Director Butler recommended taking TPC's comments to the staff to come back with recommended policy changes.

Commissioner Paxton made a motion to forward the proposed policy changes to staff for review and present recommendations in the October staff report. The motion was seconded and passed unanimously.

**C. Update: Comp time as it pertains to salaried employees**

Commissioner Breashears led discussion, focusing on not paying compensatory time to salaried individuals. Commissioner Paxton stated that there is no route forward to reverse existing comp time and recommended forwarding it to legal.

Commissioner Breashears stated that the employees who took comp time were also doing payroll. Commissioner Scott made a point of order regarding that statement and volunteered to review past discussions regarding comp time and bring that information back to the Board at the next meeting.

**D. Update: Willow Heights & Lewis Plaza, Morgan Manor power-washing RFP**

Interim Deputy Director Butler had placed the RFP on hold until there was clear separation of duties. There was a discussion about the details of the RFP

**E. Financials**

**i. Check# 144350**

Interim Deputy Director Butler made the check available to the Board for review. Commissioner Breashears does not need any further information and is satisfied with the state of the check.

**ii. Clarification: FHA Development Credit Card**

Interim Deputy Director Butler reviewed the process for documenting credit card and p-card expenses. There was a discussion regarding the FHA Development Simmons Bank credit card. Commissioner Terry requested clarification regarding the primary applicant of the FHA Development card and any outstanding balance.

**iii. Payroll process**

Interim Deputy Director Butler clarified the process of payroll allocation between FHA and FHA Development.

**iv. End of FY Budget Review**

Chair Terry proposed a special meeting time on October 7<sup>th</sup> with the stated purposes of reviewing this year's budget and the fiscal year coming up. Commissioner Breashears requested reviewing the financial statements and balance sheets for 2019, 2020, 2021.

Commissioner Paxton discussed possibly combining this with his proposal for adjusting meeting frequency.

## **IX. New Business**

### **A. Motion: Add additional Board meetings & agenda sessions alternating weeks throughout remainder of calendar year**

Commissioner Paxton led discussion on the timing of Board meetings – both frequency and length. He recommended adjusting agenda session times to the first and third Thursday, and regular meeting times to the second and fourth Thursday. He recommended closing the FHA office to the public after 12 on Tuesdays to allow staff to work on administrative tasks. He also wanted to add a 10:00 pm cut-off time for all board meetings.

Commissioner Scott supported Commissioner Paxton's motion for additional Board meeting as well as recommending the Board more closely adhere to Robert's Rules of Order and parliamentary procedures to make good use of time during the meetings. Commissioner Paxton seconded Commissioner Scott's comments, and referred to best practices during Board meetings, such as discussion format.

Chair Terry agreed with the proposal and mentioned that the by-laws need to be reviewed. Commissioner Jones was not present, and Commissioner Breashears agreed that meeting times need to be limited.

Commissioner Paxton made a motion to adjust agenda session times to the first and third Thursday and regular meeting times to the second and fourth Thursday of each month; and to fix adjournment times, have said meetings to no later than 10 pm unless discussing time-sensitive issues throughout the remainder of this calendar year. Chair Terry seconded the motion.

Interim Deputy Director Butler stated that this is a short term solution and strongly suggested that it not be extended past the end of the calendar year to avoid staff burnout due to weekly meetings.

The vote was called, and the motion passed unanimously.

### **B. Recommendation: Close FHA office to public from 12 – 5:30 pm Tuesdays through the end of the calendar year.**

Commissioner Paxton clarified that the purpose of this change was due to the currently low staffing level at the office.

The motion- close the FHA office to the public from noon to 5:30 pm on Tuesdays through to the end of the calendar year- was seconded.

Interim Deputy Director Audra shared that staff overall supported this measure, and that Section 8 staff had bigger concerns that would be addressed with the Staffing Committee.

The vote was called and the motion passed unanimously.

### **C. Continued discussion: Roof Leasing funds**

Ms. Davidson with DISH proposed a change to the lease rate as well as the escalator to meet AT&T's monthly lease rate.

Commissioner Breashears strongly recommended meeting with a consultant to review the contract before making a proposal to DISH Network. There was discussion regarding the hardware that DISH wanted to set up, with Commissioner Paxton recommending fitting this into a special meeting and/or the Finance Committee.

It was recommended to have Mr. Odom (Vertical Consultants) give a short presentation that would allow the board to approve a micro-purchase contract for his services to have a proposed counteroffer for DISH on the week of the 14<sup>th</sup>.

Commissioner Scott was no longer present. A motion was made to move forward with requesting the potential contractor give a presentation at the October 7<sup>th</sup> meeting, at which time the full board will approve or decline his proposed contract for services; if it is approved, then he would have a counteroffer prepared for the board seven days later, on October 14<sup>th</sup>. The question was called and the vote passed unanimously.

A motion was made to move items F4- End of FY Budget review and F5- FY 22 Budget planning to the October 7<sup>th</sup> meeting for review. The motion was seconded, the question was called, and the motion passed unanimously.

#### **D. Update: IT contractor for IT Security Audit**

Commissioner Paxton reviewed the internal audit report summary with information from staff and GCM. A motion was made to approve the recommendations as presented.

Interim Deputy Director Butler voiced concern about time constraints with addressing IT issues. The question was called. Commissioner Paxton added the caveat of revisiting this during the first regularly scheduled meeting of November. The vote was called and the motion passed unanimously.

He reviewed the open tickets with GCM. Chair Terry asked if Interim Deputy Director Butler was aware of any unreturned equipment that was being used by departing employees.

Commissioner Scott was not present to lead discussion of the FHA Google Drive update, and the item was moved to the next meeting.

##### **i. Security cameras**

Interim Deputy Director Butler clarified that the purchase for security cameras for Morgan Manor had not been made due to an increase in required equipment and therefore funds. Commissioner Breashears requested she look into a payment to the vendor that the previous ED had asserted she (the previous ED) made.

Chair Terry asked if there was a request for bids or proposals issued for the original purchasing of security cameras for Morgan Manor.

Commissioner Paxton moved to table the item until the second regularly scheduled meeting of October. The motion was seconded, and the question was called. The motion passed unanimously.

#### **E. Resolution 1270: Set payment standards for HCV & VASH programs**

Interim Deputy Director Butler reviewed Resolution 1270, prepared by the former

interim Deputy Director. Commissioner Breashears asked about changes in cost to the organization. There was discussion as to what would happen if this resolution was tabled.

The motion was made, seconded, and the question called. The motion passed unanimously.

**F. Resolution 1272: Charge-off Delinquent accounts of former tenants**

There was general discussion regarding clarification of the resolution, what months the resolution spans, and how this applied to ERA applicants.

The motion was made to approve resolution 1272 as presented, with a caveat to ask the Staffing Committee to consider the creation of a temporary position for all outstanding potential ERA applications to be considered during the regular October board meeting.

The motion was seconded, and the question called. The vote passed unanimously.

**G. Resolution 1273: Resolution to update contacts for Purchasing Card account with Arvest Bank**

There was discussion regarding having a second name or role as contact. Interim Deputy Director Butler asked about the appropriateness of having a board member who has direct access to bank accounts. There was a recommendation to come back to the Board or the Staffing committee with suggestions for a system administrator.

The motion was made, seconded, and the question was called. The motion passed unanimously.

**H. Formally establish Board Committees for Financials & IT**

Chair Terry led discussion on formally establishing committees for Financial and Budget, and IT. Commissioner Paxton did not think a full committee was necessary for IT issues, and recommended continuing with the internal audit and working directly with staff to address issues.

A motion was made to ratify the Finance & Budget Committee with Commissioner Breashears as Committee Chair. There was discussion as to the other members of the committee. The motion was seconded, and the question called. The motion passed unanimously.

**I. Discussion: Protocol for polling Board Members re: dates/times for special meetings in compliance with FOIA**

Chair Terry led discussion on current protocol for calling special meetings in compliance with FOIA.

A motion was made to establish protocol that calling a special meeting requires two commissioners, that the commissioner calling for the special meeting shall do so by sending a written request to legal counsel, stating the specific purpose for which they would like to call the meeting; and then legal counsel would send that request to the rest of the board.

The motion was seconded, and the question called. The motion passed unanimously.



**J. Update: Sidewalk right-of-way from the City of Fayetteville, HUD status**  
Commissioner Scott was not present and Chair Terry recommended tabling this to the second meeting in October. The question was called and the motion passed unanimously.

**K. Request: Additional staff compensation**

There was discussion regarding compensation for former interim Deputy Director Dempsey's time serving in that position at the Deputy Director's pay scales.

The motion was made to approve the request as presented, seconded. The vote was called and passed unanimously.

**L. Discussion: Establishment of expeditious hiring process for current staff vacancies**

The Board discussed establishing an active Staffing Committee, comprised of Commissioner Paxton as Chair, the management stabilization contractor, and the senior most FHA Staff member. There was a suggestion to prioritize the Finance Manager position.

There was a motion to ratify the appointment of Mr. Gerald Turner (HEAL Collective) to the Staffing Committee. The motion was seconded, and the question called. The motion passed unanimously.

**X. Action Required: Request for Executive Session pertaining to employment matter**

A motion was made to enter Executive Session and permit Ms. Butler to enter for the discussion for the purpose of reviewing the Deputy Director position description. The motion was seconded and approved unanimously.

A vote was called to enter back to regular session and passed unanimously.

Chair Terry made a motion to approve the interim Deputy Director position description as presented and adjust the compensation to \$34 an hour. The question was called, and the motion passed unanimously.

Commissioner Paxton revisited the question of additional staff compensation to recommend that Ms. Dempsey receive her compensation at \$34 an hour for the 15 days she worked as interim Deputy Director.

A motion was made to approve the compensation for the 15 days that Ms. Dempsey was in the role at a rate reciprocal to what was just approved for Ms. Butler at \$34 an hour. The motion was seconded, and the question called. The motion passed unanimously.

**XI. Final Comments & Announcements**

Chair Terry announced that City Councilor Gutierrez asked her to give an update to City Council at their agenda session next Tuesday to check in with FHA.

There was a suggestion to include the ending time of the minutes along with the beginning time.

**XII. Adjournment**

The meeting was adjourned at 1:37 AM.