

**MANHATTAN HOUSING AUTHORITY BOARD OF COMMISSIONERS  
REGULAR MEETING  
CARLSON PLAZA COMMUNITY ROOM  
Manhattan, KS 66502  
October 15, 2008  
5:30 p.m.**

**Members Present:** Randy Stitt  
Ida Jane Leupold  
Eileen Meyer  
Jim Sherow

**Members Absent:** Torry Dickinson

**City Commission Liaison:** Jim Sherow

**Staff Present:** JoAnn Sutton, PHM, Executive Director  
Mandy Thomas, Assistant Executive Director  
Patrick O’Neil, Special Projects Manager/HR  
Dustin Nelson, Housing Technician

**I. CALL TO ORDER**

Randy called the meeting to order at 5:50 p.m.

**II. OPEN FORUM**

There were no comments or concerns.

**III. MINUTES**

Jim moved to approve the minutes of the August Regular Meeting and September Regular Meeting as presented. Eileen seconded. Motion to approve August Regular Meeting minutes carried 4-0. Motion to approve September Regular Meeting minutes carried 3-0 with 1 abstention.

**IV. EXECUTIVE DIRECTORS REPORT**

- a. JoAnn informed the Board that she and Sara Yarpezeshkan, Resident Services Coordinator, had attended a focus group meeting hosted by the Housing Authority and presented by Kansas State University students and the Regional AIDS project to gather information on the community’s perception of AIDS and its impact on Manhattan. JoAnn reported that four residents attended the focus group.
- b. JoAnn stated that the Housing Authority had received two letters from HUD, which were included as hand-outs at the Board meeting. The letters were a follow up to the fair housing review conducted by HUD in February of 2008. There were no findings in Housing Authority practices and only minor items (i.e. two threshold heights, one missing grab bar and insulation

- of the pipes of two accessible units) noted from the physical assessment, which were corrected immediately after the review.
- c. JoAnn informed the Board that the petition the Housing Authority filed with HUD to revise the PHAS score designating the Housing Authority as Financially Sub-Standard was rejected and that the reason given was that the appeal was not received within 30 days of the issuance of the PHAS score, which was August 6, 2008. JoAnn stated that she did not believe this was accurate because the final rule governing the appeals process was not issued until August 21, 2008. The appeal letter was sent on September 25, 2008. JoAnn said that she had sent a copy of the denial letter to the financial analyst in the Kansas City HUD office and that the financial analyst agreed that the request should not have been rejected due to not being received in a timely manner. JoAnn added that her interpretation of the final rule was that appeals must be submitted within 30 days of the end of the fiscal year. The financial analyst will speak with the Real Estate Assessment Center (REAC) office in Washington, D.C. regarding the appeal. Randy asked if this would affect funding levels. JoAnn responded that it would probably not affect funding levels, unless it prevented the Housing Authority from reaching High Performer status.
  - d. JoAnn updated the Board on the open Public Housing Manager position. After the interview process an applicant was selected and offered the position. However, the applicant has accepted a position with another company. Further interviews will be conducted until the position is filled.
  - e. The Kansas Chapter of the National Association of Housing and Redevelopment Officials (NAHRO) Fall Conference will be held Wednesday, November 12 through Friday, November 14 in Manhattan. There will be specific sessions for Commissioners on Thursday, November 13, which all commissioners are encouraged to attend. Part of the conference will include a tour of the FHI development. Randy will attend the conference and participate in the session on Asset Calculation. Ida Jane, Mandy and JoAnn will also be trainers during conference sessions. Eileen stated that she will be able to attend afternoon sessions on Thursday. Jim stated that he would attend the Thursday sessions as well.
  - f. Randy requested that the budget report be changed to show an amortized budget and to remove the percent variance and include only dollar amount variance.
  - g. Jim asked about the Housing Authority's participation on the City of Manhattan's Rental Inspection Committee. JoAnn stated she had received a letter from the City stating that the committee had been formed; however there have been no meetings to date. JoAnn attended the last meeting of the Manhattan Landlords Association, where the rental inspection was discussed. An attorney from Lawrence was present to discuss the Lawrence inspection program. JoAnn informed the Landlord Association that neither the Housing Authority nor the Board of Commissioners had taken any position on the possibility of a rental inspection program. JoAnn added that if an ordinance was passed that was based upon the Lawrence ordinance the Housing Authority would be exempt due to Housing Authority properties already being required to be inspected by HUD regulations.

**V. COMMISSIONER'S COMMENTS**

Randy informed the Board that he had spoken with the Mayor regarding appointments of community members to vacant Board positions. The Mayor was not familiar with the current candidates and was attempting to find other prospective candidates to fill the vacant positions of the Board.

**VI. OLD BUSINESS**

- a. Personnel Policy Revisions—Resolution No. 101508-H: JoAnn reviewed the need for revisions to the Vacation and Sick Leave accrual policies, which were discussed at previous Board meetings. The revised policy will reduce all employees to a maximum of 176 Vacation hours allowed to be carried to a new year. Employees with 0-9 years of service would be allowed to carry a maximum of 264 hours during the year; however, hours above 176 would be lost if not used by the last full pay period of the year. Employees with 10+ years of service will be allowed to carry up to 352 hours during the year, but will also be subject to loss of hours not used by the last full pay period of the year. Employees who retire under KPERS guidelines will be paid all accrued vacation hours at the time of retirement. All other employees will receive only up to the maximum of 176 hours. Sick leave hours will no longer be paid out at time of termination or retirement. The proposed payouts to employees will reduce the Housing Authority's liabilities by \$68,027. This reduction in liability will be offset by the expense of the payouts in 2008, so the benefit of the reduction will not be seen until the 2009 FYE. Randy asked what the remaining liability would be. Mandy answered that the remaining liability will be approximately \$34,592. JoAnn added that because the Housing Authority has less than 250 Public Housing units it would be able to use Capital Fund monies to pay for payouts. Eileen moved to approve Resolution No. 101508-H, approving the Revisions to the Personnel Policy and lump sum payouts to eligible employees. Ida Jane seconded. Randy asked if there was any further discussion. There were no further comments or discussion. Randy called for a roll call vote. Roll call vote carried 4-0.
- b. U.S. Cellular Contract—Discussion: The Board agreed to table the discussion until a later meeting date.

**VII. NEW BUSINESS**

- a. Revised Public Housing Grievance Policy and Procedure—Resolution No. 101508-A: JoAnn explained the need to update the Public Housing Grievance Policy and Procedure to reflect current job titles and to correct some grammatical errors. The only sections substantially changed are section 3-g, to define "criminal activity" and section 7-a, to change the time frame from 10 calendar days to 7 calendar days to remain consistent with the rest of the policy. Jim moved to approve Resolution No. 101508-A, adopting the Revised Public Housing Grievance Policy and Procedure. Eileen seconded. Randy asked if there was any further discussion. There were no further comments or discussion. Randy called for a roll call vote. Roll call vote carried 4-0.

- b. Section 8 Informal Review and Hearing Procedure—Resolution No. 101508-B: JoAnn explained the need to create a procedure for the Section 8 program that is separate from the Public Housing Grievance Policy and Procedure. JoAnn stated she had reviewed other procedures and that the proposed procedure matches the requirements of HUD guidelines. JoAnn noted that the major difference between the Section 8 Informal Review and Hearing Procedure and the Public Housing Grievance Policy and Procedure is that Section 8 participants are not allowed to appeal the Informal Review and Hearing decision to a hearing panel. Ida Jane moved to approve Resolution No. 101508-B, adopting the Section 8 Informal Review and Hearing Procedure. Jim seconded. Randy asked if there was any further discussion. There were no further comments or discussion. Randy called for a roll call vote. Roll call vote carried 4-0.
- c. Revised “One Strike and You’re Out” Policy—Resolution No. 101508-C: JoAnn explained that the One Strike Policy governed the termination of assistance and admission to both the Public Housing and Section 8 programs in matters regarding criminal activity, drug activity and alcohol abuse. JoAnn stated that when housing authorities were first mandated to have such a policy the guidelines issued were very vague, and that since that time there has been much debate and litigation which has led to the creation of better policies. The Housing Authority’s current policy states that only offences going back three years will be considered. The proposed new policy is based on a sample policy provided by a HUD representative and states that offences going back five years will be considered. The new policy also states that the Housing Authority may go beyond the five year period to establish a pattern of criminal behavior. Jim moved to approve Resolution No. 101508-C, adopting the Revised One Strike Policy. Ida Jane seconded. Randy asked if there was any further discussion. There were no further comments or discussion. Randy called for a roll call vote. Roll call vote carried 4-0.
- d. Dwelling Lease Revisions—Resolution No. 101508-D: JoAnn explained the proposed revisions to the Public Housing Dwelling Lease, which included Section 7-a, clarifying that persons banned from Housing Authority owned or managed property are not allowed to visit at any time, Section 9-a, Renters Obligations, requiring that tenants immediately report needed repairs, Section 9-n, requiring that tenants must report any changes in household composition or household income which may or may not affect the amount of rent paid and Section 13, to clarify, at HUD’s request, the procedure for allowing entry to units for law enforcement. Eileen moved to approve Resolution No. 101508-D, adopting the Dwelling Lease Revisions. Ida Jane seconded. Randy asked if there was any further discussion. There were no further comments or discussion. Randy called for a roll call vote. Roll call vote carried 4-0.
- e. 2009 Fair Market Rents and Payment Standards—Resolution No. 101508-E: The Board tabled the item until after the 2009 Annual Plan and 2009-2013 Five Year Plan Public Hearing. The Board returned to this item after the conclusion of the Public Hearing and passage of the subsequent resolution. JoAnn explained the need to revise the Fair Market Rents and Payment

Standards annually after new Fair Market Rents are issued by HUD. Ida Jane moved to approve Resolution No. 101508-E, adopting the 2009 Fair Market Rents and Payment Standards. Jim seconded. Randy asked if there was any further discussion. There were no further comments or discussion. Randy called for a roll call vote. Roll call vote carried 4-0.

- f. 2009 Fair Market Rents and Payment Standards for Manufactured and Mobile Home Space—Resolution No. 101508-F: The Board tabled this item until after the 2009 Annual Plan and 2009-2013 Five Year Plan Public Hearing. The Board returned to this item after the 2009 Annual and 2009-2013 Five Year Plan Public Hearing and passage of the subsequent resolution. JoAnn explained the need to revise the Payment Standard for manufactured and mobile home space. Randy noticed that the year on the Resolution was incorrect. JoAnn stated that the year should be 2009 rather than 2008, and that she would provide a corrected Resolution for signature. Jim moved to approve Resolution No. 101508-F, adopting the 2009 Fair Market Rents and Payment Standard for Manufactured and Mobile Home Space. Ida Jane seconded. Randy asked if there was any further discussion. There were no further comments or discussion. Randy called for a roll call vote. Roll call vote carried 4-0.
- g. Public Hearing for 2009 Annual Plan and 2009-2013 Five Year Plan: Randy opened the Public Hearing. JoAnn explained the need for the 2009 Annual Plan and 2009-2013 Five Year Plan. Included in the Plan is a Replacement Housing Plan (RHP) for the use of Replacement Housing Funds received from HUD to replace the units lost through the disposition of Flint Hills Place. The RHP proposes to purchase land and construct 14-18 units, while leveraging some Low Income Housing Tax Credit (LIHTC) funds to assist with development and to include a homeless unit in the development. A provision is also included that if goals cannot be achieved, the Housing Authority will use Replacement Housing Funds to acquire existing housing. The Five Year Plan sets out what is proposed for the usage of Capital Fund monies for the next five years. Randy asked if staff discusses with or surveys residents to identify wants or needs of residents. JoAnn replied that staff does from time to time survey residents, and that results are considered when creating the Annual and Five Year plans. HUD also conducts an annual Resident Satisfaction Survey; however, no survey will be done for 2008 due to a transition in HUD's assessment system. Randy asked if there were any questions regarding the Annual and Five Year Plans. There were no other comments or discussion. Randy closed the Public Hearing and the returned to the Regular Board Meeting.
- h. Approval of 2009 Annual Plan and 2009-2013 Five Year Plan—Resolution No. 101508-G: Jim moved to approve Resolution No. 101508-G, adopting the 2009 Annual Plan and 2009-2013 Five Year Plan. Eileen seconded. Randy asked if there was any further discussion. There were no further comments or discussion. Randy called for a roll call vote. Roll call vote carried 4-0.

#### **VIII. ADJOURNMENT**

It was moved and seconded to adjourn the meeting at 7:04 p.m.

Respectfully Submitted,

Randy Stitt, Board Chair