

**REGULAR MEETING OF THE HOUSING AUTHORITY
OF THE COUNTY OF JACKSON, ILLINOIS
December 19, 2018**

The regular meeting of the Housing Authority of the County of Jackson, Illinois was held on Wednesday, December 19, 2018 at 5:30 p.m. to conduct regular monthly business. The meeting was held at the Housing Authority offices located at 300 North Seventh Street, Murphysboro, Illinois.

Call to Order/Roll Call

Chairwoman Brenda Hinton called the meeting to order at 5:39 p.m. with the following members present: Chairwoman Brenda Hinton, Vice Chairwoman Mary Campbell, Commissioner Wileta Brown-Martin, Commissioner Whitney Endres. Absent was Commissioner Theresa Doerr. Also present were Executive Director Young, Assistant Director Rosemary Finnegan, Attorney John Clemons and Administrative/Finance Assistant Tonya Wood.

Introduction of Visitors

There were no visitors present, but in attendance were Housing Authority employees Accounting Payable Manager Sheila Rae and Property Manager Oueida Mills.

Approval of Minutes

Minutes of the November 28, 2018 meeting were presented to the Board for approval. A motion was made by Vice Chairwoman Campbell to approve the minutes; which motion was seconded by Commissioner Endres. Upon roll call the ayes were four, nays none. Chairwoman Hinton declared the motion carried and the minutes of November 28, 2018 were approved as published.

Approval of Payment of Bills

Bills for November 2018 were presented to the Board for approval of payment. There was a discussion regarding the buying back of a defective vehicle the Authority had sold. A motion was then made by Commissioner Endres to approve the payment of the bills, which motion was seconded by Vice Chairwoman Campbell. Upon roll call the ayes were four, nays none. Chairwoman Hinton declared the motion carried and the payment of bills for November 2018 were approved for payment as shown on the attached lists.

Old Business

Currently there was no Old Business.

New Business

First on the Agenda was a Resolution to Approve Write Off of Bad Debts for Three Month Period Ending December 18, 2018. Executive Director Young stated that a copy of the list of write offs was in the Board packet. Assistant Director Finnegan stated that it was a small list this time. After a short discussion the following Resolution was introduced.

RESOLUTION 18-41

RESOLUTION TO APPROVE WRITE OFF OF BAD DEBTS FOR
THREE MONTH PERIOD ENDING DECEMBER 18, 2018

RESOLVED by the Board of Commissioners of the Housing Authority of the County of Jackson, Illinois to approve the Write Off of Bad Debts for Period Ending December 18, 2018 in the amount of Four Thousand Nine Hundred Thirty-one Dollars and Seven Cents (\$4,931.07).

A motion was made by Vice Chairwoman Campbell to adopt the foregoing Resolution, which motion was seconded by Commissioner Endres. Upon roll call the ayes and nays were as follows.

Ayes: Chairwoman Hinton, Vice Chairwoman Campbell, Commissioner Brown-Martin and Commissioner Endres.

Nays: None.

Chairwoman Hinton declared the motion carried and Resolution 18-41 was adopted. Chairman Hinton noted that the Authority will still try to collect these monies.

Reports

Capital Fund Program

Executive Director Young stated that the Capital Fund Program report was in the Board packets. Executive Director Young stated that the Authority has been power washing different units where there is mildew for the last 3-4 months. Executive Director Young stated that the Exterior façade repairs for the high-rises is on hold due to the weather. Executive Director reviewed and summarized ongoing projects in the Capital Fund Program report for the Board. Executive Director Young stated that the Authority had received the official letter approving the demolition of the eight units in Carbondale.

Attorney

Attorney Clemons stated it was a routine month, that there were not as many evictions as it was a week shorter in between meetings. Attorney Clemons stated there was nothing out of the ordinary to report.

Attorney Clemons stated that he had sent a memo to all Board Members regarding the residency requirement issue. Attorney Clemons stated that the bottom line is that yes, it is legal to have a residency requirement, but that you would have to be extremely careful with HUD that nothing would ever be fashioned that would be discriminatory. Attorney Clemons stated that the Board could only go forward with new employees, not backward with existing employees. Attorney Clemons stated that most litigation he found deals with emergency services personnel – although a recent case in 2004 that he found dealt with a mechanic and the 7th Circuit Court of Appeals, which Illinois is in, and that case was on equal protection. Attorney Clemons stated that the Supreme Court case in 1976 was on Constitutional Right to Travel and live where you want essentially, which is embodied, although not specifically, in the Constitution. Attorney Clemons stated that in all these cases there has to be a rational basis for any kind of restrictive type of ordinances or provisions, and it seems like they all get litigated. Attorney Clemons stated that one of your more recent developments is if you have a Union Agreement – any kind of Union bargaining contract – you can't have a residency requirement unless it is embodied in the labor agreement and the only labor agreement that Jackson County Housing Authority has is with the maintenance people. Attorney Clemons stated that neither Executive Director Young nor himself have been able to find anything with HUD that speaks directly to approving or prohibiting any type of residency. Chairwoman Hinton asked if we knew of any other agency doing what the Authority was doing. Executive Director Young stated he did not know of any other agency that has a written policy. Attorney Clemons stated that the City of Carbondale has a residency requirement but that it is a little different in that it is not just restricted to city limits but that there is a zone he believed 7 miles outside of Carbondale. Attorney Clemons stated that whatever policy the Board decides it wants to go with it can only go forward, it cannot go back, you cannot apply it to existing employees it would only be for new hires otherwise you violate the Ex Post Facto clause of the Constitution which prohibits making rules or laws that go backwards. Attorney Clemons stated that Jackson County has no formal residency policy, although he had been told that the County has talked about it on and off but never done anything. Commissioner Endres stated that they apply it, but it's not written. Attorney Clemons stated that there are formal and informal policies. Attorney Clemons stated one of the things that came up some years ago was a disgruntled vendor who felt the Board was awarding contracts only to Jackson County contractors, but it was quickly pointed out that the bid was awarded to the low bidder. Attorney Clemons stated that HUD has commented on that – it says you cannot have geographic restrictions on vendors – also you might not have people capable of doing the work in small counties. Attorney

Clemons stated that he was wanting to work on a checklist of thing that the Board is responsible for and things not legally responsible for.

Executive Director

Executive Director Young provided a copy of a letter sent to all Authority's from HUD and explained that this letter was regarding a new program – Repositioning Program. Executive Director Young stated that the bottom line was HUD has been trying to get out of supporting traditional public housing for 20+ years. Executive Director Young stated that there is no way HUD will ever totally eliminate public housing but is looking for ways to quit supporting it. Executive Director Young stated that Assistant Director Finnegan and himself were on a phone call after the receipt of the letter with about five people from HUD – they were asked what the Authority was doing in regards to repositioning. Executive Director stated he informed them about the demolition plans in Carbondale and Murphysboro and that he mentioned Grand Tower. Executive Director Young stated that he was given something that was rather a surprise. Executive Director Young stated that the Illinois Field Office Director from HUD stated that the Authority could sell the units to the City of Grand Tower for \$1.00. Executive Director Young stated he would be contacting the Mayor of Grand Tower, although he does not think they will want them as they will have to stay affordable housing.

Assistant Director Finnegan informed the Board that the applicant for the Assistant Director's job had accepted the position and that she would be starting January 2, 2019. Assistant Director Finnegan stated she would return to work the month of January to make sure that everything transitioned smoothly. Assistant Director Finnegan stated that back in May when she submitted her resignation, she asked the Board if she would have her accrued leave paid out in regular semi-monthly installments and asked if the Board was still ok with that, rather than put a cash burden on the Authority by having to pay her in one lump sum. Assistant Director Finnegan stated that was the practice in the past so as to not burden the Authority cash flow.

Executive Director Young informed the Board that David Rambeau, who has been working in Rusty Williams' maintenance position, did pass all his tests and it just waiting for the state to send his license.

Executive Director Young stated that the American Legion had given the Authority several presents – seven or eight 30-gallon bags full of toys. Executive Director Young stated that the Authority distributed them to residents.

Executive Director Young stated that the plumbing issue at 300 S. Marion (IL53-08/Carbondale) had been resolved. Executive Director Young stated they found the leak, replaced the pipe, re-poured the concrete and re-tiled the floor – an expensive venture, but it had to be done.

Executive Director Young updated the Board on the vacancy issue. Executive Director Young stated that the Authority was currently 84% occupied. Executive Director Young stated that when the Authority goes to court the Authority offers the tenant the opportunity to pay and remain in the unit or to enter into a repayment agreement with the Authority.

Executive Session

A motion was made by Vice Chairwoman Campbell that the Board go into Executive Session, pursuant to 5 ILCS 120-2(c)(1) for the purpose of discussing personnel matters, which motion was seconded by Commissioner Brown-Martin. Upon roll call the ayes and nays were as follows:

Ayes: Chairwoman Hinton, Vice Chairwoman Campbell, Commissioner Brown-Martin and Commissioner Endres.

Nays: None.

Chairwoman Hinton declared the motion carried and the Board went into Executive Session at 6:17 p.m.

During Executive Session discussion ensued regarding personnel matters.

Upon motion made by Vice Chairwoman Campbell, seconded by Commissioner Endres and unanimously carried, the Board came out of Executive Session at 6:21 p.m.

Chairwoman Hinton stated that no official action was taken or requested during Executive Session.

Adjournment

After a motion was made by Commissioner Brown-Martin, seconded by Vice Chairwoman Campbell and unanimously carried, Chairwoman Hinton declared the meeting adjourned at 6:22 p.m.

Chairperson

ATTEST:

Secretary