

**South Pittsburg Housing Authority**

October 21, 2019

The Board of Commissioners of the South Pittsburg Housing Authority met for a regularly scheduled meeting at 4:30 p.m. on Monday, October 21, 2019 at the office of the South Pittsburg Housing Authority.

Chairman Bill Lawrence chaired the Board, conducted roll call and called the meeting to order with the following members present:

Bill Lawrence, Chairperson  
Jane Pellam, Vice Chairperson  
Shannon Duggar; Commissioner  
Mary Faye Payne, Commissioner  
Sarah Gaines; Commissioner

Also present was Executive Director, Lisa Bradford, PHM Jessica Kelley and Attorneys Jerry Bible and Sarah Willis. Other were in attendance including Mayor Rector and City Attorney Gouger.

The Chairman declared a quorum present and the meeting was open for business.

Mayor Samantha Rector addressed the Board of Commissioners and asked for a motion to be placed on the floor for the SPHA Board of Commissioners to vote to repay all monies that have been deducted from the PILOT since FYE 2016 and to continue to pay the PILOT in the future and the City of South Pittsburg would drop the lawsuit.

After Mayor Rector addressed the board, Chairman Bill Lawrence made a motion for the SPHA to begin paying the PILOT from FYE 2019, so long as the City drops the lawsuit and agrees to comply in full with the 1957 Cooperative Agreement and that previous PILOT owed not be paid due to the fact that the SPHA believes they were in the right to withhold. A second to the motion was made by Commissioner Shannon Duggar. The City's Attorney Billy Gouger asked the board what official request was made the City for the work to be done. It was explained by Chairman Lawrence, Director Bradford and Attorney Willis regarding requests that was given to the City with a 10 day response, which they failed to answer, as well as two letters from the Marion Natural Gas Manager stating that the lines were not the Gas, Sewer and Water Company's lines and that the lines needed to be replaced. There was a discussion regarding a meeting between Chairman's and Attorney's where at the time the SPHA wanted to settle and it was discussed in a City workshop, whereas Attorney Gouger and Mayor Rector stated that it was never discussed because Mayor Holder, at the time, did not give them figures to settle. Vice Chairman Pellam states that she feels that withholding the PILOT came from former Chairman Virgil Holder as a way of an axe to grind against the City. Chairman Lawrence stated that he feels that regardless of the reason, the Agreement was brought to the attention of the board. Vice Chairman voted no on the motion that was on the floor. Commissioner Mary Faye Payne requests a roll call vote. The votes were as follows:

Chairman Bill Lawrence- Aye  
Vice Chairman Jane Pellam- Nay  
Commissioner Shannon Duggar- Aye  
Commissioner Mary Faye Payne- Nay  
Commissioner Sarah Gaines (absent at time of vote)

Vote fails for passage by majority and no action is to be taken.

Commissioner Mary Faye Payne states that she has a motion to be brought on the floor. She explains her position and the position of being neighborly and working together for the betterment of the both the SPHA and the City, stating that we are all striving for one goal. Therefore Commissioner Payne made a motion for the SPHA to back pay all PILOTS owed to the City of South Pittsburg and to continue to pay all PILOTS in the future. Commissioner Payne also states that if the City board chooses, they can continue to get a ruling regarding the legality and/or validity of the 1957 Cooperative Agreement from a Judge if the City board chooses. Commissioner Payne requests that a roll call vote be taken for this motion as well. The votes were as follows:

Chairman Bill Lawrence- Nay  
Vice Chairman Jane Pellam- Aye  
Commissioner Shannon Duggar- Nay  
Commissioner Mary Faye Payne- Aye  
Commissioner Sarah Gaines (absent at time of vote)

Vote fails for passage by majority and no action is to be taken.

Visitors from the City exits at this time and thanks was given for allowing them to speak at the board meeting.

Chairman Bill Lawrence made a motion to approve the board agenda for the October 21, 2019 meeting. The motion was seconded by Vice Chairman Jane Pellam. All were in favor of approving the board agenda and the motion carried. At this time, Commissioner Sarah Gaines joined the meeting.

Both Chairman Lawrence and Vice Chairman Pellam stated that she wanted to discuss an issue that was in the September minutes. Commissioner Mary Faye Payne asked if the discussions would amend the minutes, both stated no. Commissioner Mary Faye Payne made a motion to approve the September regularly scheduled meeting minutes. The motion was seconded by Commissioner Shannon Duggar. All were in favor of approving the September regularly scheduled meeting minutes and the motion carried.

Chairman Lawrence discussed the lack of funds on the Public Housing side from the Treasurer's Report. Lisa Bradford stated that there should be no further out of pocket expenses on the Contract work at this point, we should begin building those funds. Vice Chairman Jane Pellam stated that she had not been receiving financials from our Accountant Denise Wright. The other board members, as well as Lisa Bradford stated that they had been receiving those but that she would double check with the Accountant

that the email was correct for her. Vice Chairman Pellam asked for clarification about the disbursements from the Management Fee account back to the SPHA Account. It was clarified that it was for reimbursements for expenses. Chairman Bill Lawrence made a motion to approve the September financials. The motion was seconded by Vice Chairman Jane Pellam. All were in favor-Aye and the motion carried.

### **Old Business:**

Old Business to be discussed is the Grievance Policy and Procedure. Lisa Bradford stated that she and Attorney Willis had just discussed and that the Attorney's had presented a policy/procedure for Mrs. Bradford and Miss Kelley to look over prior to any passing of the policy by Resolution to the board. Mrs. Bradford stated that it was determined that based on the information found, that applicants are not afforded a grievance hearing only a lessee, but that she would get that clarified by HUD. Attorney Willis briefly explained the policy and stated that she believed that the Executive Director could serve as a neutral party between the resident and the public housing manager. Commissioner Mary Faye Payne disagreed; however, did believe that we could find an impartial person to serve as that person. After a small discussion, Lisa Bradford agreed to work with the Attorney on this new policy and procedure after both her and PHM Kelley has had a chance to look over it. Attorney Willis stated that this policy and procedure would make a good legal case for the SPHA before any discrimination lawsuits could be filed, they would have to follow this procedure first.

### **New Business:**

The first item of new business was Resolution 964: A resolution for the Amendment of the Maintenance Charge List. Lisa Bradford stated that since the first Charge list was passed in 2015, there has been an increase in prices for the replacement of refrigerators and stoves, as well as adding the cleaning of those appliances as a charge as well due to tenant damage. There was also an increase in the court costs and a place for a signature from the lease holder. Chairman Bill Lawrence asked if we needed to do a separate resolution or passing of the Elderly Maintenance Charge List. After discussion, it was determined that because the Maintenance Charge was one of the policies that the Elderly would abide by that the SPHA currently uses, the the passage of this resolution would serve a 30 day notice to make this change on both PH and Elderly. Commissioner Mary Faye Payne made a motion to adopt Resolution 964: A resolution for the Amendment of the Maintenance Charge List. The motion was seconded by Chairman Bill Lawrence. All were in favor-Aye and the motion was passed.

The second item under new business was the awarding of the second roofing contract. Lisa Bradford explained that the current contractor was unable to submit a bid, due to an accident on the way to the bid opening. In addition, the lowest bidder had made a mistake on his figures and asked to have his bid removed, which Lisa Bradford felt was the right thing to do. Therefore, the next lowest bidder was to Affordable Construction in the amount of \$ 139,652.00. Commissioner Mary Faye Payne asked if we had any knowledge of this company. Mrs. Bradford stated that no she did not; however,

Cauthen and Associates had checked references, HUD disbarment list, etc and has recommended that we sign a contract with this contractor. Lisa Bradford asked for a vote for her to sign a contract with Affordable for the contract amount. Chairman Lawrence asked if our grant money would cover the cost. Lisa Bradford stated that there would be no out of pocket cost on these roofs. It was also discussed that this contract would be replacing approximately 20 buildings. Chairman Bill Lawrence made a motion for Lisa Bradford to sign a contract with Affordable Construction for the second roofing contract. The motion was seconded by Commissioner Shannon Duggar. All were in favor- Aye and the motion was so ordered.

The last item under new business was permission from the board to purchase a ham or turkey for the employees from Foodland from the Management Fee Account. Chairman Bill Lawrence made a motion for the purchase of either a ham or turkey for each employee from the Management Fee Account. The motion was seconded by Commissioner Mary Faye Payne. All were in favor-Aye and the motion was so ordered.

### **Commission Reports, Comments, Questions:**

The first item to be discussed was the company WEROC, roofing contractor. Lisa Bradford stated that they should be completed with the roofing contract by next week and they have also completed the renovation work at 1205-1207 Hamilton Avenue that have been undergoing Modernization for the Foundation Stabilization. Mrs. Bradford also stated that we would have those units back online and residents living there by next week. In addition, during each of the inspections for the work WEROC has completed, the inspector has been very pleased with the work that they have been doing.

Next, Lisa Bradford stated that the Elderly Annual Thanksgiving would be held at the Senior Activity Center on November 14<sup>th</sup>. She stated that all Commissioners would be sent a formal invitation as well. Chairman Lawrence asked if there was anything else that needed to be discussed with the Elderly building. Lisa Bradford explained that she has been trying to get the Elevator repaired at Chester Powell. Mrs. Bradford stated that she has been trying to keep both boards aware of the problems that we have been having with the elevator and the constant communication that she has been having to get that elevator repaired. After discussions with Otis Elevator Company, it is believed that after this next repair, the elevator should not cause any additional problems. Commissioner Mary Faye Payne asked if there were any invalid residents on the 2-4 floors that would not be able to use the elevator and if so what the plan was in case of a fire. Lisa Bradford stated that the SPHA, along with the police and fire department last year did a fire drill with the Emergency Plan that we have in place with the Police Department. The fire system was placed on test and the PD went to every unit to vacate the building. The SPHA was there to check off apartments and residents when they exited the building. The ladder truck will be used in cases where individuals cannot get down the stairs because the elevator cannot be used during a fire. It was discussed that Lisa Bradford get in contact with Fire Chief Corey Comstock to try to set up a more frequent/regular fire drills for the residents. Lisa Bradford stated that she would definitely do this. Due to the issues that have risen regarding the Elevator not being in service in an Emergency, Commissioner Payne suggested that Lisa Bradford look into a

Lift/Service Elevator for the exterior of the building that residents could use in the event that the main Elevator was not working and it would also help with residents moving in/out of the building. In the discussion regarding the suggested issue of elevators not working in the event of a fire, etc., Commissioner Payne also suggested that Mrs. Bradford look into a Generax Generator for the building so that in case of a power outage, Chester Powell would have a backup Generator to continue the Electricity at the building. Vice Chairman Jane Pellam asked that we check with the State Fire Marshall to see if an external elevator would be acceptable in the event of a fire. Commissioner Sarah Gaines stated that she had a complaint from a resident regarding the elevator and a resident not being able to travel up and down the stairs as easily. Chairman Bill Lawrence stated that while looking at the lift elevator, it may be possible to find one handicap accessible. Lisa Bradford explained that Cauthen and Associates had completed the Physical Needs Assessment and as a result of the study was necessary to have an interior and exterior Section 504 Study completed, which she has ordered.

Lastly, Director Bradford stated that we had a HUD visit two Fridays ago. Shannon Cross from the Knoxville Field Office stated that because of our occupancy, he came to meet with the Maintenance Staff to see if he could be of assistance to helping get the apartments turned around. He offered his expertise in two areas, he stated that we are under staffed and need to look at employing at least one more Maintenance employee. As well, he was able to get two more of our units that had tenant damage in modernization for us so that those two will not count against us. Lisa Bradford stated that she spoke with our staff and they suggested that we hire 2 employees in a part time manner at 30 hours a week in the hopes of finding 1 full time employee that we would hire after a 6 month probation period. Commissioner Payne stated that she did not believe that it would be fair to do this, as well Chairman Lawrence stated that he felt that you would get a better applicant if we changed the advertisement to one full time employee with full benefits. Vice Chairman Jane Pellam stated that she agreed due to our benefits package, she feels that we could get applicants that would be willing to leave their current positions for a position with the SPHA.

Vice Chairman Jane Pellam asked to clarify minutes in the previous minutes where if anything important came up, the Executive Director would notify the entire SPHA board of anything necessary or that she feels the need to discuss with the board, that she would so by email. In addition the minutes stated that if there were any issues that come up and the Executive Director feels it necessary to confer with the Chairman and that if the Chairman and Director are unable to address, it would be brought before the board in the next board meeting. Vice Chairman Pellam stated that the Chairman has no more power than the rest of the board members and that she has a problem with things going on that she is unaware of. She stated that she had been confronted about a couple of things in the last month, including personal issues concerning Director Lisa Bradford. Vice Chairman Pellam also address Chairman Lawrence stating that she has heard around town that he is at the SPHA office too often and that she was afraid there were decisions being made that the board was unaware of. Attorney Sarah Willis stated that for the record she wants to clarify that any emails that are being sent are just informational and not regarding policy. Lisa Bradford stated that no policies are being made without board approval. After some additional discussion, Commissioner Mary

Faye Payne asked if there was ever a formal vote by the board on record for withholding the PILOT from the City of SP. Lisa Bradford stated that she did not believe so. Attorney Jerry Bible stated that all of that was taken up in legal sessions and not in public meetings.

**Adjournment:**

After no further business to be brought before the board, Commissioner Mary Faye Payne made a motion to adjourn the meeting. The motion was seconded by Chairman Bill Lawrence. All were in favor and we stand adjourned.

Respectfully Submitted:

Approved by:

\_\_\_\_\_ (Secretary)

\_\_\_\_\_ (Chairman)