

**Public Housing Agency
Meeting Minutes
December 15, 2020 at 11:30 AM
Video Conference**

Pursuant to due call and notice thereof, a regular meeting of the Public Housing Agency was held in the Video Conference , on December 15, 2020, at 11:30 AM.

Roll call of the members was made as follows:

Call to Order and Roll Call

Agenda Amendments

Citizens to be Heard

Approval of Minutes

Request Board Approval of November 24, 2020 Meeting Minutes

Request Approval for Payment of Bills

Request Board Approval of Payment of Bills - Resolution 12-15-20-33

Business

COVID 19 Statutory and Regulatory Waivers - Resolution 12-15-20-34

Camera Upgrades - Resolution 12-15-20-35

Strategic Plan Progress Report and Next Steps - Resolution 12-15-20-36

Other Business

Capital Funding Grant Update

COVID 19 Emergency Sick Leave Provisions Expiring 12/31

Executive Director Updates

1. 2020 FYE Audit Presentation Next Month
2. Other Updates

Closed Executive Session- Pursuant to Minn.Stat. 13D.05 subd. 3

For the purpose of considering offers or counter offers for the purchase of real property described as Clay County Parcel 58.601.0200 located at 10 ½ St and 17th Ave N in the Henry R. Peterson Addition of the City of Moorhead.

Attorney's Report

Adjournment

APPROVED BY:

ATTEST:

Donna McMaster
Chair

Terry Braun
Secretary

I. CALL TO ORDER AND ROLL CALL

Chairperson Lemke called the Public Housing meeting to order at 11:41.

Members Present: Greg Lemke, Chairperson; Alexa Dixon; Secretary, Shelly Dahlquist, Moorhead City Council Liaison, Michael Carbone, Vice Chairperson

Members Absent: Ezzat Haider; Commissioner

Others Present: Dawn Bacon, Executive Director; Toni Vondal, Housing Manager;

II. AGENDA AMENDMENTS

None

III. CITIZENS TO BE HEARD

None

IV. REQUEST APPROVAL OF OCTOBER 27, 2020 REGULAR MEETING MINUTES.

Dixon moved, seconded by Carbone to approve the Minutes of October 27, 2020. All votes were in favor. Motion Carried.

V. REQUEST APPROVAL FOR PAYMENT OF BILLS-RESOLUTION 11-24-20-31.

Carbone moved, seconded by Dixon to approve the payment of bills as presented. All votes were in favor. Motion Carried.

VI. BUSINESS

- A. Designate Authority for COVID 19 Personnel Policy and Safety Measures – Resolution 11-24-20-32.

Dixon moved, seconded by Carbone to designate authority for COVID 19 personnel policy and safety measures. All votes were in favor. Motion Carried.

VII. OTHER BUSINESS:

- A. What Home Means to Me Poster Competition – Information Only

LillyAnn's artwork will be featured in the 2021 NAHRO What Home Means to Me Calendar.

- B. Maple Court – Information Only

The Moorhead City Council passed a resolution to pursue the acquisition of Maple Court Townhomes and submit a Request for Action to Minnesota Housing Financing Agency.

Dawn will continue working in partnership with the City of Moorhead on this project. MPHA purchase price and financing, this will be presented in Executive Session with the board and a summary following in the general board meeting.

- C. Executive Director Updates

1. Grant Updates – Section 18 Demo/Dispo – HUD approved to submitting to Special Application Center. ROSS grant was submitted last week. Safety and Security grant – made a decision not to pursue due to it is a very competitive Grant. Will look at other avenues for funding.

2. Other Updates

1. Watching the POHP grant.
2. Bridges 2 year funding will be coming up.
3. Will update soon on the strategic plan.
4. Board meeting is a week early in December.

VIII. ATTORNEY'S REPORT

None

IX. ADJOURNMENT:

There being no further business to discuss, the meeting adjourned at 12:16 PM.

Greg Lemke – Chair

Alexa Dixson – Secretary

CHECK REQUEST TOTALS

PREPARED: December 11, 2020

PAID IN: Nov and Dec 2020

	TOTAL AMOUNT	CHECK NUMBERS
PHA	\$33,841.67	13976-14023
Payroll- Direct Deposit	\$28,889.38 (2 payrolls)	764-777
Capital Fund	\$5,477.57	30373
AMHSIP	\$14,420.33	44482-44501
BRIDGES	\$10,001.02	54074-54093
BCOW	\$10,725.53	73633-73651
General Fund	\$0	
ROSS	\$5,941.94	60067
TOTAL	\$109,297.44	

BANK TRANSFERS made between funds:

DATE OF TRANSFER	FROM ACCOUNT	TO ACCOUNT	AMOUNT	REASON

 D. Bacon

Executive Director Approval

MEMORANDUM

DATE: December 10, 2020

MEMO TO: PHA Board of Commissioners

FROM: Dawn Bacon, Executive Director

REGARDING: Statutory and Regulatory Waivers Resolution 12-15-34

HUD is giving PHA's options to waive certain regulations in response to the pandemic. These waiver options are at the full discretion of the PHA. The board initially implemented a set of waivers in April. In July, HUD released a second PIH Notice with revisions. This month, HUD released another update, [PIH Notice 2020-33](#). This notice adds new waiver options and provides extensions on a number of regulatory waivers addressed in previous notices.

The summary grid below includes all waivers to date with current extensions noted. Most changes are extended timelines but it also includes a few additional waiver options. I am recommending that MPHA adopt the two recent waiver options that apply to our agency. They are as follows:

1. Annual choice of flat or income based rent- Waives the requirement that a family may not be offered a choice between a flat rent and an income-based rent more than once a year.
2. Termination Requirement for Over income - Waives the termination requirement for an over-income family and, alternatively, requires the PHA to charge the family the applicable Fair Market Rent as the family's monthly rental amount.

Additional Background

On March 27th, the President signed the Coronavirus Aid, Relief and Economic Security (CARES) Act in to law (Public Law 116-136). The Act provided HUD with broad authority to waive statutes and regulations for Housing Agencies. On April 10, HUD issued [PIH Notice 2020-05](#) detailing out specific short and long term waivers that Housing Authorities may elect to put in to place in order to prioritize mission critical functions given that normal operations are restricted due to the COVID 19 pandemic. On July 2, HUD issued a second/updated [PIH Notice 2020-13](#). On December 1, HUD issued a third/updated PIH Notice 2020-33. This notice added additional waivers and provided updates and extensions to previously announced regulatory waiver options.

Item	Statutory and Regulatory Waiver	Summary of alternative requirements	Availability Period Ends	Did PHA implement waiver and alternative requirement?	Date of PHA adoption
PH PHA 5 Year Plan Annual Plan Significant Amendment Requirements	Section 5A(a) (1), Section 5A (b)1, Section 5A(g), Section 5A (b) 903.5(a) (3), 903.5(b) (3), 903.21	Alternative dates for submission Changes to significant amendment process	Varies based on FYE 12/31/20	No for the PHA 5 Year and Annual Plan. - MPHA already submitted annual plan Yes- for Significant Amendment process	4/10/20
Family Income and composition- delayed annual reexaminations	Section 3(a) (1) 982.516(a) (1) 960.257 (a)	Permits PHA to delay the annual re-exam of income and family composition	6/30/21	No MPHA is able to continue with the reexam schedule and will process them without in person appointments.	
PH Annual reexamination Income Verification	5.233(a)(2) PIH Notice 2018-18	Waives the requirements to use the income hierarchy, including the use of EIV, and will allow PHAs to consider self-certification as the highest form of income verification.	6/30/21	Yes- attempts will be made to obtain the highest form of income verification but self-certification will be utilized if needed.	4/10/20

			PHAs that implement this waiver will be responsible for addressing material income discrepancies that may arise later			
Interim Reexaminations	Section 3 (a) (1) 5.233 (a) (2), 982.516 (c) (2), 960.257 (b) and (d) PIH Notice 2018-18		Waives the requirement to use the income verification requirements, including the use of EIV, for interim reexaminations.	6/30/21	Yes	4/10/20
EIV System Monitoring	5.233 PIH Notice 2018-18		Waives the mandatory EIV monitoring requirements	6/30/21	Yes- MPHA will continue to run and monitor EIV reports but may not be able to resolve discrepancies with 3 rd party verification during this time. Self-certification will be permitted	4/10/20
Waiting List	982.206(a) (2) PIH Notice 2012-34		Waives public notice requirements for opening and closing the waiting list Requires alternative process	6/30/21	No	
Fiscal Close out of Capital Grant Funds	905.322(b)		Extension of deadlines for ADCC and AMCC due between 3/1 and 9/1.	Varies by PHA No changes	No	
Cost limitations	905.314(j)		Allows for the use of force account labor for modernization activities in certain circumstances	06/30/21	No	
ACOP	960.202 (c) (1)		Changes to approval process for ACOP. Establishes alternative requirement that policies may be adopted without board approval until 3/31/21. Any provisions adopted informally must be adopted formally by 6/30/21.	6/30/21	Yes	4/10/20
CSSR	Section 12 (c) 960.603(a) and 960.603 (b)		Temporarily suspends CSSR	6/30/21	Yes	4/10/20
Over Income Families	Housing Opportunity Through Modernization Act		Changes to timeframes for determination of over-income when a delay in the annual reexamination occurs as a result of adoption of wavier	6/30/21	Yes	4/10/20

			PH						
of 2016; Final implementation of the public Housing Income Limit 83 FR 35490 PIH Notice 2019-11									
Utility Allowance	965.507	Provides for delay in updating utility allowance schedule		6/30/21	No- utility allowance schedule has already been updated.				
Tenant Notifications	966.5	Advance notice not required except for policies related to tenant charges		6/30/21	Yes			4/10/20	
Public Housing Assessment System (PHAS)	24 CFR Part 902	Allows for alternatives related to inspections PHA to retain prior year PHAS score unless requests otherwise			HUD will resume issuing new PHAS scores starting with PHAs with FYE dates of 3/31/21	N/A- implemented automatically		N/A- implemented by HUD automatically	
Designated Housing Plan Renewals	Section 7 (f)	Extends the Plan's effective period through December 31, 2020, for Plans due to expire between the date of this Notice and December 31, 2020.			No changes				
Public Housing Agency Annual Self-Inspections	Section 6(f) (3) 902.20(d)	Waives the requirement that the PHA must inspect each project		6/30/21	No- MPHA's designated plan renewal was already submitted and approved.				
PHAS	24 CFR Part 902	Allows for alternatives related to inspections PHA to retain prior year PHAS score unless requests otherwise		12/31/20	YES				
Financial Reporting	5.801 (c) 5.801 (d) (1)	Allows for extensions of financial reporting deadlines			HUD will resume issuing new PHAS scores starting with PHAs with FYE dates of 6/30/21 Varies by PHA FYE	N/A		N/A	
Form HUD 50058	24 CFR Part 908, 982.158 PIH Notice 2011-65	Waives the requirement to submit the 50058 within 60 days Alternative requirement to submit within 90 days of the effective date of action		12/31/20	No- MPHA has already submitted the 2019 FYE Audit report and is on track for 2020 submission. Yes			4/10/20	

Designated Housing Plan	Section 7 (e) (1)	Allows for HUD to delay notification about designated housing plan	7/31/20	This waiver is for HUD Staff. This applies to Sharp View. Housing Plan already submitted and under HUD review.	N/A
Deadlines for reporting Operating and Capital Fund expenditures	Section 9 (j) 905.306 (d) (5)	Provides an 18-month extension for all open capital fund grants from the obligation and expenditure end date in LOCCS as of 4/10/2020. No programmatic end date beyond one month (this would apply to ROSS).	No changes	Yes	4/10/20
NEW Over Income Limit: Termination Requirement	Section 16(a) as amended by section 103 of HOTMA Implementation Notice: Housing Opportunity Through Modernization Act of 2016: Final Implementation of Public Housing Income Limit, 83 Fed. Reg. 35,490 (July 26, 2018)	Waives the requirement that a family whose income has exceeded the over-income limit for the locality for two consecutive years be terminated within 6 months of the third income determination. As an alternative requirement, over-income families will remain public housing households instead of being terminated and will be charged the applicable FMR as the family's monthly rental amount.	6/30/21	Yes	12/15/20- pending board action
NEW Annual Choice of Rent	42 USC 1437a(a)(2)(A) § 960.253	Allows families an additional opportunity to select an income-based or flat rent	6/30/21	Yes	12/15/20- pending board action
NEW Year Substantial	Section 6(j)(3)(B)(ii)	For PHAs designated as troubled prior to the date of this Notice	The period of availability for this	No- MPHA is not designated as troubled.	

<p>Improvement Requirements</p>	<p>24 CFR § 902.75(d)</p>	<p>that have not received a PHAS assessment for the first full fiscal year after the initial notice of the troubled designation, HUD will: (1) evaluate the 1-year substantial improvement benchmark based on the first released score for fiscal years ending on or after June 30, 2022; and, (2) toll the evaluation of the 2-year recovery benchmark to the next sequential fiscal year</p>	<p>waiver and alternative requirement: (1) is effective on the date of this Notice; and, (2) will continue through June 30, 2023, at which time HUD will reevaluate any additional impacts of this waiver on any PHA in the process of being evaluated.</p>	
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MEMORANDUM

Date: December 10, 2020
Memo to: PHA Board of Commissioners
From: Dawn Bacon – Executive Director
Regarding: Camera Replacement- Resolution 12-15-35

MPHA does not have adequate camera coverage at the apartment locations and the current cameras have poor resolution.

I am proposing to the board that MPHA release a call for proposals from companies to look at our options for replacing the current system and adding cameras.

Funding could be drawn from the Clay HRA public housing transfer dollars for this purpose.

MEMORANDUM

Date: December 11, 2020
Memo to: PHA Board of Commissioners
From: Dawn Bacon – Executive Director
Regarding: Capital Funding Grant Budget: Information Only

This to provide an update on our four active capital funding grants which total \$890,425. The 2021 grant will begin with a new 5 year plan which the board will take up at a public hearing in the Spring of 2021.

1. 2018 Grant = 263,330

ITEM	LOCATION	OBLIGATED	BUDGET	COMPLETE?
Physical Needs Assessment	All	37,650	Same	YES
Furnace and AC Replacement	Scattered Site	15,367	Same	YES
Air Handler Unit	River View	157,235.18	Same	YES
Elevator	Sharp View	6,107.82	Same	YES
Elevator	River View	2,736.23	Same	
Tenant Damage	Scattered Site	7,971	Same	YES
Transfer to Operations	All	20,000	Same	YES
Hazardous Materials	All	16,262.77	Same	YES
		263,330		

Notes:

To date, this grant is 100% obligated and we have spent 262,749.39. This grant will close soon as invoices are paid for the Air Handler Unit.

2. 2019 Grant= 275,171

ITEM	LOCATION	OBLIGATED	BUDGET	COMPLETE?
Air Handler Unit Replacement	River View	63,219.44	Same	YES
Re-shingle & Roof Repairs	Scattered Sites	132,003.94	Same	YES
Interior Renovations	Scattered Sites	22,374.26	Same	NO
Truck and Plow	All	14,400	Same	YES
Elevator	Riverview	773.80	Same	YES
Furnace Replacement	Scattered Sites	21,079	Same	YES
Concrete Repair	Scattered Sites	21,320.56	Same	NO
		275,171	275,171	

Notes:

To date, this grant is 100% obligated. \$118, 129.68 has been expended.

3. 2020 Grant= 295,205

ITEM	LOCATION	OBLIGATED	BUDGET	COMPLETE?
Carpet Replacement & New Machine	River View	21,921.75	Same	YES
Water Heater	Sharp	9,600	Same	YES
Interior Renovations	Scattered Sites	6,578.43	10,000	NO
Interior Renovations (concrete remaining)	Scattered Sites	10,412.44	15,412.44	NO
Kitchen Upgrades	River View	0	0	Move to next 5 year plan
Roof Replacement	Sharp View	0	182,565	No
Underground Fuel Tank	River View	0	0	Move to next 5 year plan
High Rise Sprinkler Upgrades	River View	0	20,705.81	NO
Window Replacement	River View	0	20,000	Include in next 5 year plan
Transfer to Operations	All	0	15,000	
		48,512.62	295,205	

Notes:

To date, this grant is 16% obligated. \$38, 100. 18 has been spent.

More was budgeted for window replacement. However, the Sharp View roof has become more urgent.

4. 2020 Grant from Clay HRA Transfer= 56,719

Note- Funding use to be determined. Could be put towards leverage for the window replacement project.

EMPLOYEE RIGHTS

PAID SICK LEAVE AND EXPANDED FAMILY AND MEDICAL LEAVE UNDER THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT

The **Families First Coronavirus Response Act (FFCRA or Act)** requires certain employers to provide their employees with paid sick leave and expanded family and medical leave for specified reasons related to COVID-19. These provisions will apply from April 1, 2020 through December 31, 2020.

▶ PAID LEAVE ENTITLEMENTS

Generally, employers covered under the Act must provide employees:

Up to two weeks (80 hours, or a part-time employee's two-week equivalent) of paid sick leave based on the higher of their regular rate of pay, or the applicable state or Federal minimum wage, paid at:

- 100% for qualifying reasons #1-3 below, up to \$511 daily and \$5,110 total;
- $\frac{2}{3}$ for qualifying reasons #4 and 6 below, up to \$200 daily and \$2,000 total; and
- Up to 12 weeks of paid sick leave and expanded family and medical leave paid at $\frac{2}{3}$ for qualifying reason #5 below for up to \$200 daily and \$12,000 total.

A part-time employee is eligible for leave for the number of hours that the employee is normally scheduled to work over that period.

▶ ELIGIBLE EMPLOYEES

In general, employees of private sector employers with fewer than 500 employees, and certain public sector employers, are eligible for up to two weeks of fully or partially paid sick leave for COVID-19 related reasons (see below). *Employees who have been employed for at least 30 days* prior to their leave request may be eligible for up to an additional 10 weeks of partially paid expanded family and medical leave for reason #5 below.

▶ QUALIFYING REASONS FOR LEAVE RELATED TO COVID-19

An employee is entitled to take leave related to COVID-19 if the employee is unable to work, including unable to **telework**, because the employee:

- | | |
|---|---|
| <ol style="list-style-type: none">1. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;2. has been advised by a health care provider to self-quarantine related to COVID-19;3. is experiencing COVID-19 symptoms and is seeking a medical diagnosis;4. is caring for an individual subject to an order described in (1) or self-quarantine as described in (2); | <ol style="list-style-type: none">5. is caring for his or her child whose school or place of care is closed (or child care provider is unavailable) due to COVID-19 related reasons; or6. is experiencing any other substantially-similar condition specified by the U.S. Department of Health and Human Services. |
|---|---|

▶ ENFORCEMENT

The U.S. Department of Labor's Wage and Hour Division (WHD) has the authority to investigate and enforce compliance with the FFCRA. Employers may not discharge, discipline, or otherwise discriminate against any employee who lawfully takes paid sick leave or expanded family and medical leave under the FFCRA, files a complaint, or institutes a proceeding under or related to this Act. Employers in violation of the provisions of the FFCRA will be subject to penalties and enforcement by WHD.



WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

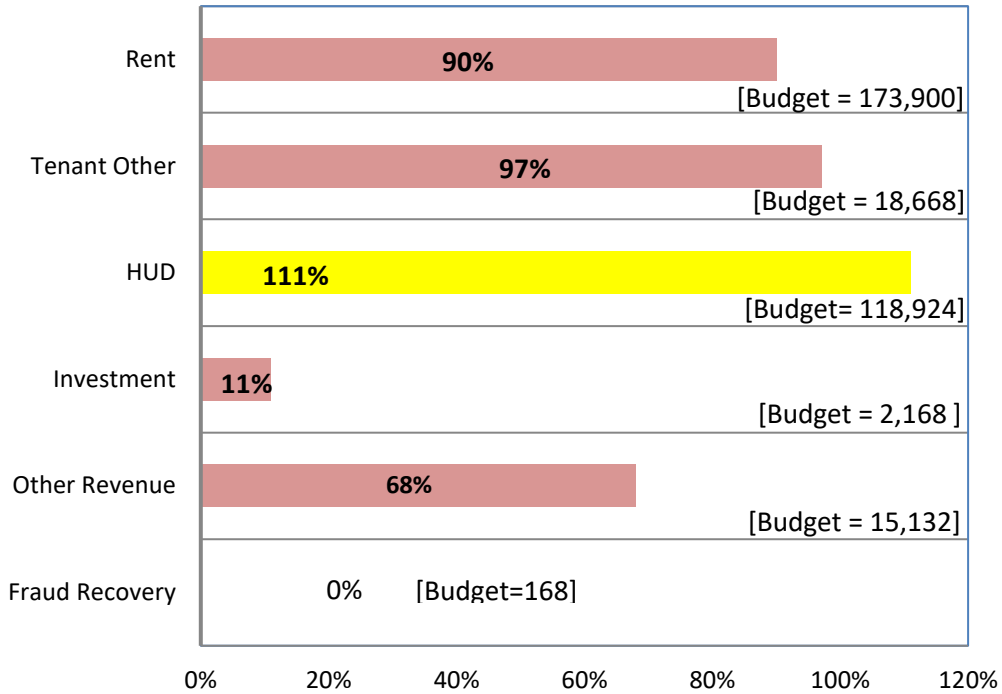
For additional information
or to file a complaint:
1-866-487-9243
TTY: 1-877-889-5627
dol.gov/agencies/whd



WH1422 REV 03/20

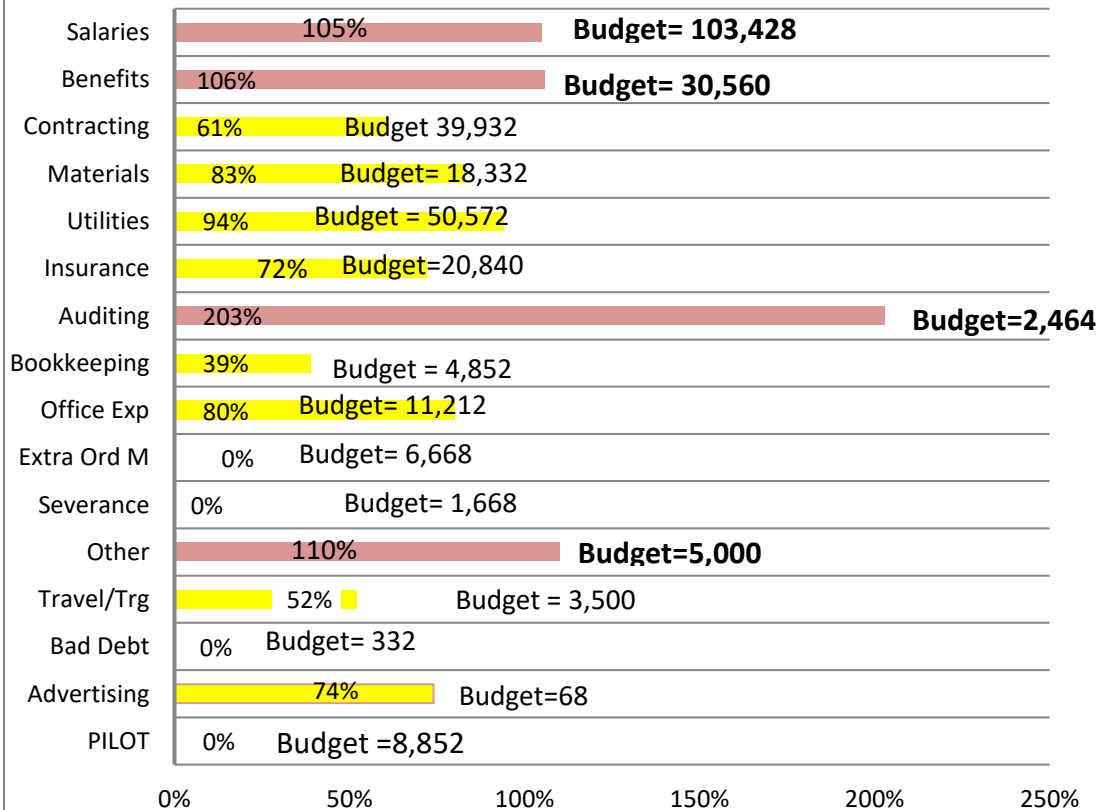
FYE 2021

MPHA Revenue: 4 Mth ended Oct 31, 2020



FYE 2021

MPHA Expenses: 3 Month ended Oct 31, 2020



ABOUT THIS DOCUMENT- Public Housing program only. 4 month budget compared to 4 month revenue and expenses. Categories were combined from financial statement for easier viewing. For example, utilities is a summation of multiple FDS line items (sewer, water, gas, etc.)

OVERALL SUMMARY:

YTD revenue was 317,784 and YTD expenses 269,096. There were a number of expenses that were reported as 0% but those expenses will be reported in later months. Those include insurance costs and PILOT costs.

Salaries and benefits are over-budget due to there being three payrolls in October. This will even out in future months.

Auditing costs are over budget but this is because they are a one-time expense.

Rent revenue is trending under budget by about 4,000 per month.

This financial statement begins to show additional funding resulting from the Clay HRA transfer as well as some COVID funding allocated to assist housing agencies with the pandemic response. As of Dec 9, MPHA has collected \$44,388 as a result of the Clay HRA transfer.

