

**MOORHEAD PUBLIC HOUSING AGENCY**  
**REGULAR MEETING AGENDA**

**August 28, 2018**  
**11:30 AM**

**Sharp View 920 5th Avenue S.**

- I. Call to Order and Roll Call
- II. Approval of Minutes
  - A. Request Board Approval of July 24, 2018 Meeting Minutes \_\_\_\_\_
- III. Request Approval for Payment of Bills
  - A. Request Board Approval for Payment of Bills - Resolution 2018-23 \_\_\_\_\_
- IV. Agenda Amendments
- V. Business
  - A. Request Board Approval of Performance Evaluation of Executive Director - Resolution 2018-24 \_\_\_\_\_
  - B. Request Board Approval for Collaboration with Clay County Housing and Redevelopment Authority - Resolution 2018-25 \_\_\_\_\_
  - C. Litigation Update \_\_\_\_\_
- VI. Citizens to be Heard
- VII. Other Business
  - A. Executive Director Updates
    - 1. Maintenance Supervisor Position
    - 2. ROSS Grant
    - 3. 2018 Audit
    - 4. Informational memo on 2012 Operating Subsidy \_\_\_\_\_
- VIII. Attorney's Report
- IX. Adjournment

Upon request, accommodations for individuals with disabilities, language barriers, or other needs to allow participation in Moorhead Public Housing Agency meetings will be provided. To arrange assistance, call the City Clerk's office at 218.299.5166 (voice) or 711 (TDD/TTY).



I. CALL TO ORDER AND ROLL CALL

Chairperson Lemke called the Public Housing meeting to order at 11:30 AM.

Members Present: Donna McMaster, Commissioner; Mary Beth Kalvik, Resident Commissioner; Brenda Elmer, City of Moorhead

Members Absent: Michael Carbone, Vice Chairperson; Terry Braun, Secretary

Others Present: Dawn Bacon, Executive Director; Toni Vondal, Housing Manager Sharp View Resident's Lisa Leclerc, Jim and Marlys Winter, Charlene Rude, Petra Roquet

II. REQUEST APPROVAL OF JUNE 19, 2018 REGULAR MEETING MINUTES.

McMaster moved, seconded by Kalvik approve the Minutes of June 19, 2018. All votes were in favor. Motion Carried.

III. REQUEST APPROVAL FOR PAYMENT OF BILLS-RESOLUTION 2018-19.

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

IV. AGENDA AMENDMENTS

None

V. CITIZENS TO BE HEARD

Smoking at Sharp View

Residents reported ongoing concerns with second-hand smoke smell in their apartments.

PHA staff recently met individually residents that smoke to review smoke free rules.

Exhaust vents on top of the building recently were repaired yesterday. PHA staff are also researching detectors that send an alert if someone is smoking inside their apartment.

VI. BUSINESS

A. Request Board Approval for Audit Proposal Selection – Resolution 2018-20.

McMaster moved, seconded by Kalvik to approve working with Brady Martz and Associates. All votes were in favor. Motion Carried.

B. Request Board Approval for Elevator Consultant Proposal – Resolution 2018-21.

McMaster moved, seconded by Kalvik to approve working with Elevator Technical Consulting Inc. All votes were in favor. Motion Carried.

C. Request Board Approval to obtain Public Comment for Revisions to 5 Year Plan – Resolution 2018-22.

Kalvik moved, seconded by McMaster on the approval to obtain public comment for revisions to 5 year plan. All votes were in favor. Motion Carried.

VII. OTHER BUSINESS:

A. Executive Director Updates –

Don Gibson, Maintenance Supervisor recently gave his 2 week notice. The Maintenance Tech position was recently filled. Currently screening a number of candidates for Maintenance Supervisor. Position has been advertised widely (Forum, City of Moorhead Facebook page). Clay County HRA maintenance will help if needed.

Dawn Bacon and Dara Lee with Clay County HRA have been discussing ways to collaborate more with use of maintenance staff (on call coverage as well as back-up for day to day issues).

Maple Court – trying to obtain as much information on the buildings, in process of setting up a meeting with Dan Madler and board representatives. MPHA could look at retaining current management company for a time if purchase occurs prior to maintenance department being at full capacity.

B. Executive Session – Executive Director Performance Review.

VIII. ATTORNEY'S REPORT

None

IX. ADJOURNMENT:

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

---

Greg Lemke – Chairman

---

Terry Braun – Secretary

**CHECK REQUEST TOTALS**

**PREPARED: August 22, 2018 PAID IN: July and August 2018**

	TOTAL AMOUNT	CHECK NUMBERS
PHA	\$ 41,911.12	12027-12102
PHA- Direct Deposit	\$36,322.69 (3 payrolls)	340-357*
Capital Fund	\$0	N/A
AMHSIP	\$9,668.75	43887-43909
BRIDGES	\$11,981.59	53350-53377
BCOW	\$7,546.88	73138-73157
ROSS	\$2,853.04	60000-60001
<b>TOTAL</b>	<b>\$110,284.07</b>	

\*Correction- July numbers for direct deposit stated 330-334 but should have stated 330-339.

**BANK TRANSFERS made between funds:**

To date, MPHA has 2 accounts remaining with Wells Fargo. They are a PHA Checking Account and a Bridges Checking account. The accounts will be closed when 2 checks are cashed and the direct deposit for Sprint roof rent leased is processed.

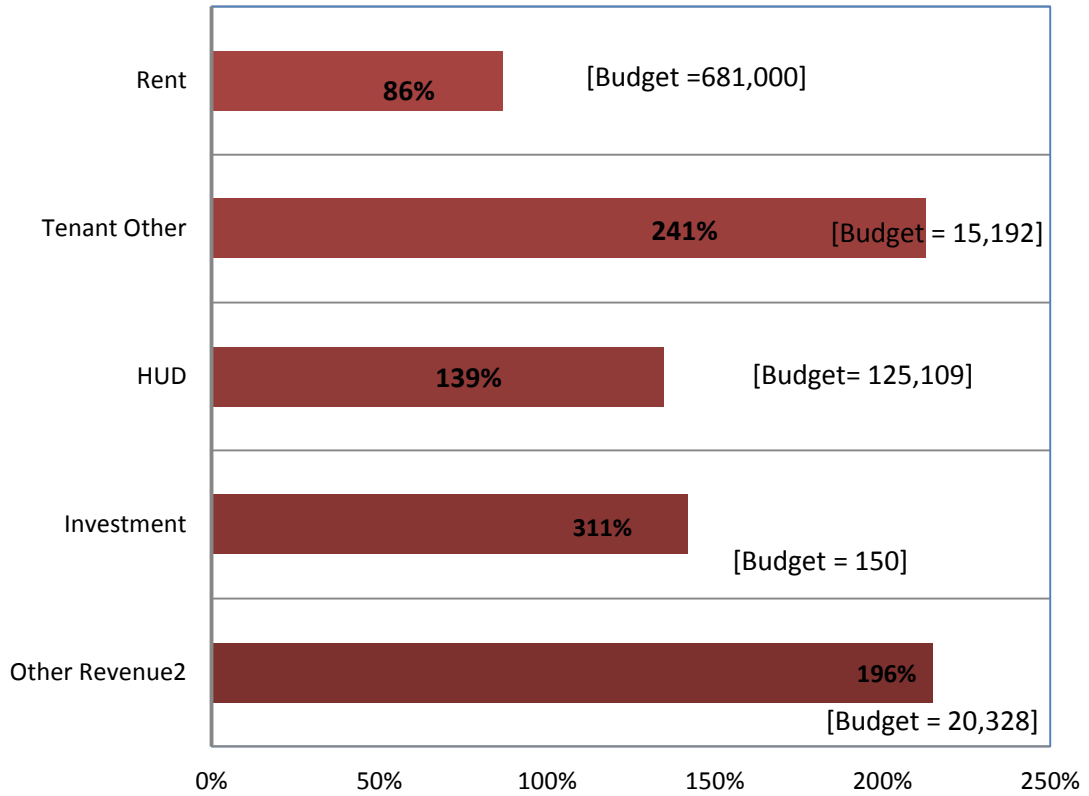
DATE OF TRANSFER	FROM ACCOUNT	TO ACCOUNT	AMOUNT	REASON
8/20/18	Wells Fargo PHA Checking	Bremer PHA Checking	\$15,000	Moving to Bremer

D. Bacon

Executive Director Approval

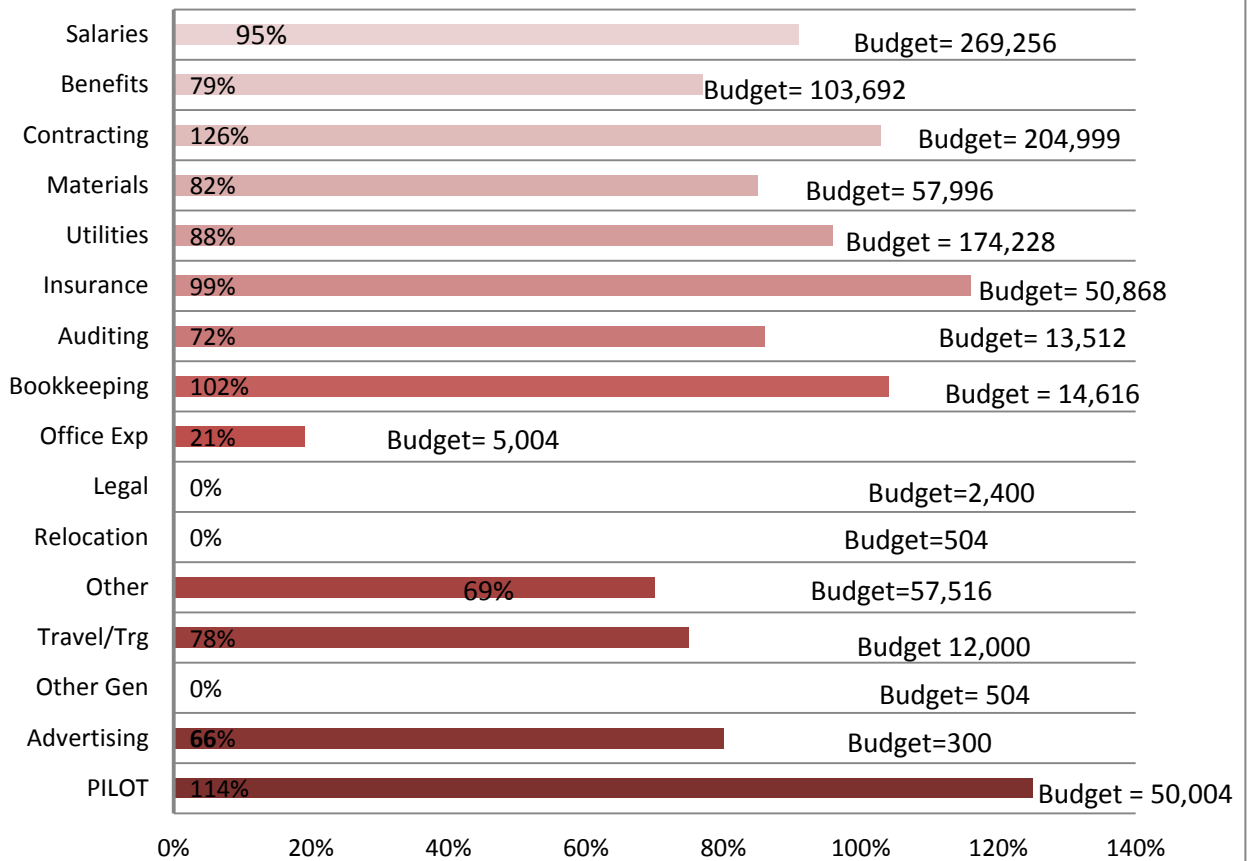
FYE 2018

## MPHA Revenue: 12 Month ended June 30, 2018



## MPHA Expenses: 12 Month ended June 30, 2018

FYE 2018



**ABOUT THIS DOCUMENT-** This is Public Housing program only. 12 months revenue compared to 12 months 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:**

- Revenue total was 835,921.85. Without factoring in depreciation, expenses were 978,385.40. Average per monthly operations deficit at (\$11,872)
- Revenue was 5,857.15 less than what was budgeted.
- Expenses were \$46, 856 less than budgeted (not factoring in depreciation expenses).

**NOTEWORTHY:**

- Rent Revenue at 95K under budget. This is mostly due to corrections in how expenses are classified and reported. Rent for transitional units and tenant charges are no longer reported as rent revenue. Overall revenue was \$5,857.15 less than what was budgeted.



# MEMORANDUM

---

**DATE:** August 23, 2018

**TO:** PHA Board of Commissioners

**FROM:** Dawn Bacon, Executive Director

**RE:** Collaboration with Clay County HRA: Resolution 2018-25

Clay County Housing and Redevelopment Authority (HRA) recently passed a resolution to pursue a special levy for the tax year 2019 within the Authority's area of operation which includes Clay County and in the cities of Barnesville and Moorhead.

The County and Cities would need to consent to Clay HRA exercising its powers under Minnesota Statutes §469.033 subd. 6. If the levy is exercised, Clay HRA would equally divide the portion of the levy attributable to the City of Moorhead with Moorhead Public Housing Agency.

Moorhead Public Housing Agency (MPHA) and the City of Moorhead have authorized Clay HRA to operate a number of housing programs in the past. The Housing Choice Voucher/Section 8 program and the purchase of Fieldcrest Townhomes are two recent examples.

I am seeking MPHA board approval for Clay County HRA to exercise its powers under Minnesota Statutes Minnesota Statutes §469.033 subd. 6. within the City of Moorhead. This collaboration with HRA levy funding would support both agencies to improve and expand affordable housing options within the community.

# MEMORANDUM

---

**DATE:** August 23, 2018  
**TO:** PHA Board of Commissioners  
**FROM:** Dawn Bacon, Executive Director  
**RE:** Litigation Update- Information Only.

In July of 2017, the MPA board passed a resolution to participate in a nationwide lawsuit challenging the operating reserve offset that Congress and HUD imposed on the 2012 operating subsidies.

The estimated amount of money in damages that Moorhead Public Housing may be eligible to receive is \$134,228.

Below is are the last two updates on the status of the litigation. The first is from May 1 2018 and the second is from July 30, 2018.

May 1, 2018

Dear Plaintiffs:

If you remember, we filed the Complaint in this case on November 15, 2017. After two extensions totaling 90 days, in addition to the initial 60 days that the Government had to respond to the Complaint, the Government, on April 18<sup>th</sup>, filed a motion to dismiss the second lawsuit on the grounds that the Court lacks jurisdiction to consider the case. The Government did not raise a jurisdictional objection in the first operating reserve offset lawsuit.

The Government's position is that in a federal grant program, like public housing, only program funds, subject to all the limits on program funds, can be awarded and that these are not money damages. In contrast, money damages, like the damages awarded in the first lawsuit, are not subject to program rules and restrictions since they are payable out of the Judgment Fund.

The importance of this distinction is that the Court of Federal Claims is not empowered to order the payment of program funds. It can only order the payment of money damages.

We, of course, do not agree with the Government's position. Therefore, we will file an opposition to the Government's motion to dismiss, probably in late July.

Please let me know if you should have any questions.

Carl A. S. Coan, III  
Coan & Lyons  
1100 Connecticut Avenue, N.W.  
Suite 600  
Washington, DC 20036  
(202) 728-1070

July 30, 2018

Dear Plaintiffs:

If you recall, the Government filed a motion asking the Claims Court to dismiss the offset lawsuit on the basis that the Claims Court does not have jurisdiction over your claims in April. We, of course, strongly disagree with the Government's contention. Accordingly, on Friday, we filed an Opposition to the Government's motion.

Currently, the Government's deadline to file a response to our Opposition is August 10. However, I will be very surprised if the Government doesn't request an extension of its current deadline. The judge will make a decision on the Government's motion to dismiss after the Government files its response to our Opposition. We will keep you informed of the progress of the case.

Please let me know if you should have any questions.

Carl A. S. Coan, III  
Coan & Lyons  
1100 Connecticut Avenue, N.W.  
Suite 600  
Washington, DC 20036  
(202) 728-1070