

**MINUTES OF THE REGULAR MEETING AND PUBLIC HEARING OF  
THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY  
OF EAST BATON ROUGE PARISH  
CENTRAL OFFICE, 4731 NORTH BOULEVARD  
Friday, November 17, 2017 @ 12:00 PM**

The Board of Commissioners for the Housing Authority of East Baton Rouge Parish convened in Regular Session on Friday, November 17, 2017 at 12:00 PM in the Corporate Office, located at 4731 North Boulevard, Baton Rouge, Louisiana.

**MEETING CALLED TO ORDER**

**Invocation: Commissioner Gipson**

**Pledge of Allegiance**

**ROLL CALL:**

**Members Present:**

**Commissioner Chris Brown  
Commissioner Al Barron  
Commissioner Christopher Odinet  
Commissioner Tommie Gipson, Jr.  
Commissioner Tyra Sterling  
Commissioner Dianna Payton**

**Members Absent:**

**Commissioner Lamiesa Bonton**

**QUORUM PRESENT**

**PUBLIC COMMENT PERIOD:**

Commissioner Payton stated that normally the public comment period would be conducted now, but today the public would be allowed to comment if desired as the agenda items were addressed throughout the meeting.

Commissioner Payton asked that agenda item number 6 be moved up so that it could go ahead and be addressed. Commissioner Odinet agreed that it should be moved to as well so that people with busy schedules could take part in the discussion. Agenda item 6 was changed to agenda item 2 and all others followed.

**AGENDA ITEM NUMBER 1: APPROVAL OF THE MINUTES OF THE ANNUAL AND REGULAR MEETING OF THE EAST BATON ROUGE PARISH HOUSING AUTHORITY HELD SEPTEMBER 28<sup>TH</sup>, 2017.**

Motion was made by Commissioner Barron to approve the minutes for the regular meeting for the East Baton Rouge Parish Housing Authority held on September 28<sup>th</sup>, 2017 and Commissioner Odinet seconded the motion. No further discussion was made. No abstentions or opposition were noted. Motion passed.

**AGENDA ITEM NUMBER 2: DISCUSSION ON THE CHOICE NEIGHBORHOOD INITIATIVES (CNI) GRANT APPLICATION FOR FEDERAL FISCAL YEAR ENDING SEPTEMBER 30, 2017, DUE NOVEMBER 22, 2017.**

~~Mr. Murray began the discussion. He stated that he had emailed the board the information surrounding the discussion as well as an overview.~~

Commissioner Payton pointed out that in correspondence to the email the recommendation was made not to submit an application for the CNI grant. She had requested a calculation of cost breakdown and items that had been spent towards the grant in question. She opened the floor for questions from the board. She asked if they had any concerns or questions about the CNI application that was not going forward now.

Commissioner Odinet wanted to know very simply why the CNI application was not going forward since it had been discussed for several years now.

~~Mr. Murray summarized their approach to getting their application together, the meetings that had been held, and the information and other work that had been involved in it. There had been meetings with stakeholders and a steering committee. Along the way, there had been some of the entities that dropped off so there was not enough support for the grant. They then regrouped and wanted to see how the housing authority and Intregal could fill the gaps. They had hoped that some of the other stakeholders would have come forward to fill gaps as well.~~

However, after a thorough conversation with Intregal, it was determined that the housing authority did not have the capacity to do certain parts of the grant. It was then decided that it was not in their best interest to submit the application and to cut their losses. At the end of the day, they were not going to submit the application, but they could still fulfill part of their goal of building some of the housing beginning with Phase 1. There was not the level of support they had hoped for, but they would still be addressing the needs of the community as well as working with their stakeholders and steering committee to continue to build their other initiatives toward Ardendale. He did not feel that it was a waste of their resources. There were still entities interested and they would be focusing on them and steering in that direction.

Commissioner Payton expressed her disappointment with the application not being submitted. She felt that there had been ample time to prepare for this and to pull together the stakeholders needed for the project.

Mr. Murray stated that he understood her disappointment, but he had been doing this a long time and this was just the nature of doing business. Sometimes there were hiccups and they just had to be dealt with. He reminded the board that receiving the CNI grant was very competitive and it had not been a guarantee that they would receive it even if they had acquired all the stakeholders needed. As discussed previously, in the absence of the CNI the decision would need to be made on how they would move forward.

Commissioner Odinet stated that he understood the competitive nature of the grant but it was the expectation of the board that the application would be submitted. A great deal of time and resources had been spent on Intregal and on discussing this topic of the CNI grant. He felt that someone had to have known that if they weren't going to be competitive or the resource mix wasn't there. He was disappointed that they were led to believe that everything was on track. There had been many board meetings where they had asked about the CNI and how the steering committee meetings were going. They had always been told that they were headed in the right direction, all the stakeholders were on board and they were working on submitting the application. He felt that they had not been apprised of the true nature of the situation. He commented that this was another instance where the board had not been informed as to how things were going with management.

Mr. Murray commented that he did not agree with him. He did not feel that he had portrayed the status of the CNI as perfect and on track.

Commissioner Odinet asked if the application from this year was materially different from the one that was up for submission last year and Mr. Murray answered that it was not.

Commissioner Odinet asked if it was safe to assume that he was apprised of most of the circumstances under which they would need to be competitive.

Mr. Murray reluctantly agreed that he had known about the situation. He did point out that regardless of when the decision was made, it was made and brought to Commissioner Payton on conference call to discuss. He added that if Commissioner Odinet had attended the board retreat that was recently held then he would have been privy to the information regarding the circumstances of the CNI grant as it was presented at that time as well.

Commissioner Gipson asked if they could have some input from Intregal on the matter.

Commissioner Brown stated that some of the board members were acting like children and they were more interested in bringing people down and their own power. He felt that it was sad that they were trying to bring down a good man for their own personal gain. He told them to just share what they were going to do and the way they were handling this was evil. He also felt that if they had issues within the board then they should handle that among themselves instead of airing it out in the public eye.

Commissioner Payton thanked him for his comments and asked Integral to share any information they might have.

Mrs. Hamilton stated that she had come in late and she would be glad to answer any questions, but she did not have any comments to make.

Commissioner Gipson asked what was done to submit the CNI grant and why the application was not submitted.

Mrs. Shawn Garland Hicks, the Integral program coordinator for the project stated that there had been many strategies used. She gave an overview of the process that had taken place. There were personnel transitions that had taken place within the city and when that happened some of the collaborative efforts had fallen apart. They had taken a pass last year, but they had been hopeful this year. One of the key items that they had been missing was a search committee, a body of individuals outside of the housing authority to be held accountable and be the boots on the ground. Unfortunately, those resources did not come together. At this point, they were forced to re-strategized. Month after month, the stake holders did not show up and Mr. Murray had said to them to keep going and try to have small meetings with various entities.

Commissioner Gipson asked Mrs. Hicks if she had seen any incompetency or lack of duty on the part of the board or the staff and in her experience had she ever seen a proposed grant application that had to forego submitting an application.

She stated emphatically that she had. Atlanta was a perfect example.

Commissioner Gipson commented that in his years of services he had never seen the stakeholders not come to the table but there had been so much that had occurred in 2016 to prohibit this application from coming to pass. He did ask how she felt when people had questioned her about her travel expenses and whether she had done her job or not.

Mrs. Hicks stated that when there was the type of transitions as great as had occurred in 2016, it proved to be difficult. She outlined the different entities that they had gone to for support and financial involvement. Very simply, if entities such as the BREC and RDA did not have the funds to deliver, you could not force them to do something that they did not want to do. Just because it did not come through as it should have, that did not mean that she had not done her job or that Gwen Hamilton wasn't involved in hers or that the mayor hadn't supported the project. It was simply timing.

Commissioner Payton stated that she was the one that had requested the cost analysis. She felt that it was their fiduciary responsibility to make sure the funds were spent appropriately and in this case, monies were spent and there was nothing now to show for it. There was nothing personal in the request.

Mrs. Hicks expressed that she was never offended when someone asked her a question, but she did want to make sure that there was clarity on what was achieved. In the specific matter that

they were dealing with, there was still a lot that had been accomplished. The solution was to keep moving forward and one day the timing and the resources would be right and the opportunity would be there to re-submit.

Mr. Murray added that over the years they had submitted many applications for grants without approval. He encouraged the board to re-focus. CNI was not going to happen this year. They had to decide what they needed to do next. Ardenwood still needed to be addressed and they still needed to move forward and look outward.

Commissioner Brown asked Mrs. Hicks if they had lost stakeholders because they didn't want to deal with the housing authority.

She did not want to comment to the question asked and she held to the reason for the grant not being submitted was timing and that all aspects needed to be taken into consideration. She did not feel that they should be pointing fingers at each other.

Commissioner Barron voiced his concern and wanted to know how the proposal had been presented to stakeholders.

Mr. Murray stated that he had emailed all the information to the board. Commissioners reviewed the details of what information had been presented and who it was presented to.

In relation to the Ardendale project, Commissioner Odinet asked why they hadn't submitted the application for low income housing tax credits.

Mrs. Hicks stated that it was because of a \$2 million funding gap.

Commissioner Odinet did not feel this was a significantly large amount at all and was emphatic that it could have been filled.

Mrs. Hicks explained that when submitting applications, resources had to be identified or the application would be deemed ineligible.

Commissioner Payton thanked Mrs. Gwen Hamilton for her comments. She asked Mrs. Hamilton if she had any comments she would like to make.

Mrs. Gwen Hamilton stated that her purpose for being there was to talk about the RDA and its role in the CNI grant. She expressed her disappointment that they as a community were not in a position to move forward in completing that application. She expressed that Gwen Hamilton was not the whole RDA department. There was a staff running the RDA and they would continue to press forward. There were priorities that had been accomplished on a limited budget which included a career high school, college buildings, and housing was next on the agenda for Ardendale. All of these things were done in the push for the CNI grant. There had been so much work done for the success of the Ardendale project and it was a collaborative effort that would need all housing and government entities to come together and make successful.

~~Commissioner Odinet thanked Mrs. Hamilton for her comments and the RDA for all their hard work in this project. He expressed appreciation that the next phase would have been the submission of the tax credit application for the 9% previously mentioned. He asked if he was correct in this statement.~~

Mr. Murray stated that he was.

Commissioner Odinet pointed out that not only did they miss the CNI grant application, but they also missed the submission of the low income tax credit which was the next piece of Ardendale, the housing authority's piece. This gave him very little confidence that they were getting what they should be out of their contract with Intregal.

Mr. Murray felt that Commissioner Odinet was overlooking the gap in financing and issue with timing for the submission of the applications. He also expressed his feelings that Intregal had performed their job well and had given them great service.

~~Commissioner Payton welcomed Mr. Rowdy Gaudet from the mayor's office. He reiterated that the mayor was committed to the Ardendale project. She was committed to the RDA and recently a strategic alignment was done with the agency. There were benefits to this alignment. Along with the RDA, they were in full support of the housing authority and it was noted as a strategic benefit to collaborate together for the community. They were committed to the housing authority in this project moving forward. Some communication gaps had been identified and he committed to make this application for the next year a priority. He did note that today was the first official word he had received that the application was not to proceed. He urged them not to look back but to look forward. This concluded his comments.~~

~~Commissioner Odinet made a final comment in regards to comments given by a previous board member. Since there was media, public, and guests present, he wanted to clarify that they were a public body. Their business was the public's business and they did their business in public. They had never, nor would they ever try to keep any of the housing authority's business to themselves. Not only would that be wrong, but that would be illegal. He did not think that was what his colleague had meant by his comments but he did want to clarify for the sake of the record and the individuals present. To conduct any business privately was not the sentiment of the board.~~

Commissioner Payton concluded the discussion on this agenda item.

**AGENDA ITEM NUMBER 3: APPROVING THE NEW VOUCHER PAYMENT STANDARDS FOR THE HOUSING CHOICE VOUCHER (SECTION 8) PROGRAM FOR THE EAST BATON ROUGE HOUSING AUTHORITY, EFFECTIVE NOVEMBER 1, 2017. SEE RESOLUTION NUMBER 2018-01.**

Mrs. Doris Mejia reminded the board that following the flood in 2016 they had petitioned HUD for an increase in the payment standard to 120% which had been approved in January 2017. The

approval was a temporary solution which was now expired. Now they needed to go back to the regular limit of 110%. The market had stabilized.

Commissioner Payton asked if there were any questions. None were voiced.

Motion was made by Commissioner Odinet to approve the new voucher payment standards for the housing choice voucher program and Commissioner Sterling seconded the motion. No further discussion was made. No abstentions or opposition were noted. Motion passed.

**AGENDA ITEM NUMBER 4: APPROVAL OF PROPERTY DISPOSITION OF OBSOLETE VEHICLE FOR THE EAST BATON ROUGE HOUSING AUTHORITY. SEE RESOLUTION NUMBER 2018-02.**

~~Mrs. Melonie Bayham stated that this was normal procedure for obsolete vehicles. The vehicle in question was ten years old and the condition of the vehicle was not feasible for repair. With board approval, it would be written off and would go to state surplus.~~

Motion was made by Commissioner Odinet to approve the property disposition of the obsolete vehicle and Commissioner Gipson seconded the motion. No further discussion was made. No abstentions or opposition were noted. Motion passed.

**AGENDA ITEM NUMBER 5: APPROVING THE WRITE-OFF OF UNCOLLECTIBLE TENANT ACCOUNTS RECEIVABLES FOR THE PUBLIC HOUSING PROGRAM OF THE EAST BATON ROUGE PARISH HOUSING AUTHORITY FOR FISCAL YEAR ENDING SEPTEMBER 30, 2017. SEE RESOLUTION NUMBER 2018-03.**

~~Mrs. Melonie Bayham stated that this was general procedure done on an annual basis. For fiscal year ending September 30, 2017, public housing had \$80,948 in vacated accounts. She contributed the improved numbers to the diligence of the staff and the utilization of digital resources.~~

Motion was made by Commissioner Odinet to approve the write-off of uncollectible tenant accounts receivables for the public housing program and Commissioner Barron seconded the motion. No further discussion was made. No abstentions or opposition were noted. Motion passed.

**AGENDA ITEM NUMBER 6: APPROVING THE EAST BATON ROUGE PARISH HOUSING AUTHORITY SECTION EIGHT MANAGEMENT ASSESSMENT PROGRAM (SEMAP) CERTIFICATION FOR FISCAL YEAR ENDING SEPTEMBER 30, 2017. SEE RESOLUTION NUMBER 2018-04.**

Mrs. Janie Anderson stated that it was time for them to submit their SEMAP. They had not filed last year because of the flood and they were left at the high performer status. This year they would be submitting the information, and even with the residual effects of the flooding last year, they still felt that they would continue to be designated as a high performer.

Commissioner Payton asked if there were any questions. Motion was made by Commissioner Barron to approve the SEMAP certification for fiscal year ending September 30, 2017 and Commissioner Sterling seconded the motion. No further discussion was made. No abstentions or opposition were noted. Motion passed.

**AGENDA ITEM NUMBER 7: PRESENTATION OF THE FORENSIC AUDIT OF THE OVERPAYMENT OF SALARIES FOR THE CHIEF EXECUTIVE OFFICER (CEO) AND CHIEF OPERATING OFFICER (COO) FOR THE PERIOD OF OCTOBER 2015 THROUGH JULY 2017 FOR THE EAST BATON ROUGE PARISH HOUSING AUTHORITY.**

Commissioner Payton stated that the board of commissioners could meet in executive session to discuss the results of the forensic audit report relative to the wage overpayments for the East Baton Rouge Parish Housing Authority. The audit in question was performed by Postlethwaite and Netterville, a professional accounting corporation, pursuant to LSARS 4217. While in executive session, the board may meet with its staff, attorneys, or other persons if deemed necessary, but no votes or other actions could be taken while in executive session.

Commissioner Payton entertained a motion to enter into executive session. Motion was made by Commissioner Sterling to enter into executive session and Commissioner Barron seconded the motion. No further discussion was made. No abstentions or opposition was noted. Motion passed.

Commissioner Payton stated the board met in executive session to discuss the audit report relative to the wage overpayments for East Baton Rouge Parish Authority performed by Postlethwaite and Netterville, a professional accounting corporation. While in executive session, no motions were made or votes taken. Commissioner Payton entertained a motion to reconvene in open session.

Motion was made by Commissioner Odinet to reconvene in open session and Commissioner Barron seconded the motion. No further discussion was made. No abstentions or opposition were noted. Motion passed.

The board entered into open session. Commissioner Payton stated that in executive session they had received and discussed the finalized audit report from Postlethwaite and Netterville. This report did confirm that all the overpayments had been received back to the East Baton Rouge Parish Housing Authority. Commissioner Payton asked if there were any questions regarding the finalized report. None were voiced. This concluded the discussion on this item.



**AGENDA ITEM NUMBER 8: PRESENTATION OF THE CHIEF EXECUTIVE OFFICER'S REPORT (FOR INFORMATION ONLY)**

This agenda item was not reviewed.

**AGENDA ITEM NUMBER 9: PRESENTATION OF THE DEPARTMENTAL REPORTS (FOR INFORMATION ONLY)**

This agenda item was not reviewed.

~~**AGENDA ITEM NUMBER 10: PRESENTATION OF PARTNERS SOUTHEAST REPORT. (FOR INFORMATION ONLY)**~~

This agenda item was not reviewed.

**AGENDA ITEM NUMBER 11: DISCUSSION REGARDING THE EXTENSION AND/OR RENEWAL OF THE CONTRACT OF THE CHIEF EXECUTIVE OFFICER, RICHARD L. MURRAY, PURSUANT TO LSARS 1417.**

Commissioner Payton stated that the board of commissioners could meet in executive session to discuss the extension and/ or renewal of the contract of the chief executive director, Richard L. Murray, pursuant to LSARS 1417. While in executive session, the board may meet with its staff, attorneys, or other persons if deemed necessary, but no votes or other actions could be taken while in executive session.

Commissioner Odinet suggested that it might be beneficial to hear any comments relative to the agenda item at hand before they entered into executive session to discuss it.

Commissioner Payton agreed and the floor was opened for public comments.

**PUBLIC COMMENT PERIOD:**

Mr. Kendall Plain introduced himself and greeted the board. He was a landlord of the program and an attorney. He did by no means desire to put down anyone in the administration. He did feel however that administration should be more amicable and willing to listen to the concerns that landlords and managers had. Recently, he had addressed a letter to the board chair, Mrs. Dianna Payton, which was received by certified mail. This letter delineated several concerns that

he had. Previously, he had been unable to contact Mr. Murray and several attempts had been made to meet with him. He did have meetings with Mrs. Bayham and Mrs. Anderson, but even before those meetings he had requested to see Mr. Murray to address his concerns. He did have documented emails and communications with the staff. He did not feel that his concerns were being addressed. He provided the board with copies of the letter and other communications.

At this time, Mr. Murray asked if he would get to the point on how this related to the agenda item at hand.

Mr. Plain stated that the way he handled business with the different programs and individuals directly involved with them was related to the personnel matter at hand. Personally, he did not feel that his concerns and issues had been handled professionally or according to the guidelines or procedures of the East Baton Rouge Parish Housing Authority. Pursuant to his letter to Commissioner Payton, he stated that he had not had a meeting with Mr. Murray and all his requests had been ignored. If it had not been for Commissioner Payton's intervention, he would not have had any meeting with Mr. Murray at all and the meetings with Mr. Murray's staff he felt had been nothing more than an attack on him and his constitutional rights.

Mr. Plain did add that he was not interested in taking away Mr. Murray's job since that would not benefit either one of them, but he was interested in putting in place correct due process for addressing concerns for the future. He passed out information to the board regarding correct due process and guidelines which included notice, a hearing at a meaningful time and in a meaningful manner, and an impartial hearing. He had not received any of these things.

Commissioner Payton wanted to clarify the purpose of the meeting. She asked if the hearing was set to address his matter with Mr. Murray.

He answered that it was not an official hearing and it had not addressed all his concerns. He had many properties on the program and felt that any landlord who was trying to provide safe and affordable homes to all of his constituents should be given credence to. He received a letter stating that a particular property had not passed inspection on October 20<sup>th</sup> and the unit was being abated. He had wanted to know why the unit was being abated since they had done all the repairs. He reviewed details of the emails and the string of communication between himself and the housing authority staff. At the meeting with the staff, their mind was already made up regardless of all the proof of repairs that had been submitted.

He felt that anyone in the chief executive director position should have an objective opinion instead of subjective and should be progressively minded. He pointed out that the requirements listed on the website were actually from 2011 for properties on the program which was not current. He did submit receipts for repair costs and lost rental income, but he stated that it was not at all about the money, but about the principle of the matter.

Commissioner Odinet stated that they as a board were appreciative that he had come forward with this information, but would not at this meeting be able to litigate the subject matter of the entire narrative. He did add though that the thrust of his argument was received.

Mr. Plain understood and then stated that in conclusion he would like the board to consider this when they would have the personnel discussion in regards to the renewal of Mr. Murray's contract. He also asked them to consider at a future date the reimbursement of the damages and a proper 30-day notice given on the unit in question.

Commissioner Payton thanked him for his time and comments.

At this time, Mr. Plain left the building.

Commissioner stated that the Board of Commissioners may meet in Executive Session to hold a personnel discussion on the extension and/or renewal of the contract for the Chief Executive Officer, Richard L. Murray, pursuant to LSA R.S. 42:17 et seq. While in executive session, the Board may meet with its staff, attorneys or other persons it deems necessary. No votes or other action may be taken while in executive session. Is there a motion to enter into executive session?

Commissioner Payton entertained a motion to enter into executive session. Motion was made by Commissioner Odinet to enter into executive session and Commissioner Brown seconded the motion. No further discussion was made. No abstentions or opposition were noted. Motion passed. Motion passed.

The board entered into executive session.

After Executive Session, Commissioner Payton stated that the Board of Commissioners met in executive session to hold a personnel discussion on the extension and/or renewal of the contract for the Chief Executive Officer, Richard L. Murray. While in executive session, no motions were made nor votes taken. Is there a motion to reconvene in open session?

The board entered into open session.

At this time, Commissioner Payton stated that the board of commissioners met in executive session and held a personnel discussion on the extension and/or renewal of the contract for the chief executive officer, Richard L. Murray. While in executive session, no motions were made or votes taken.

Commissioner Payton entertained a motion to reconvene in open session. Motion was made by Commissioner Barron to reconvene in open session and Commissioner Odinet seconded the motion. No further discussion was made. No abstentions or opposition were noted. Motion passed.

The board entered into regular session.

Commissioner Payton stated that while in executive session they had discussed the renewal of their chief executive officer. At this time, she asked if there was anything further. Commissioner Odinet entertained a motion to thank Mr. Murray for his service and competent

management of the housing authority and further resolve to charge the chairperson with assembling a search committee in connection with appointing a new chief executive director for the housing authority upon the expiration of Mr. Murray's contract in October 2018 to be approved at the January board meeting. Commissioner Payton seconded the motion. Commissioner Gipson called for a roll call vote.

**ROLL CALL VOTE:**

Commissioner Brown	<b>ABSENT</b>
Commissioner Gipson	<b>NO</b>
Commissioner Bonton	<b>ABSENT</b>
Commissioner Payton	<b>YES</b>
Commissioner Barron	<b>YES</b>
Commissioner Odinet	<b>YES</b>
Commissioner Sterling	<b>YES</b>

The roll call vote was four (4) yeas, one (1) nay, and two (2) absents. Motion passed.

Commissioner Odinet commented that this would give them time to assemble a proper search committee and give Mr. Murray the send-off that he deserved for his service to the agency. He felt that if Mr. Murray agreed that he should be a part of the transition process.

Commissioner Payton agreed.

Mr. Murray expressed his shock at their decision and the lack of deeper discussion on the matter.

Commissioner Odinet answered that the decision was not personal at all and pointed out that he had been a very good leader for the agency through the years. He added that Mr. Murray had helped to bring the agency from the place that it was so long ago to the healthy place that it was now, but as in the life cycle of all organizations there was a next step and the next step involved going in a different direction with their leadership. This was most certainly not a reflection on him.

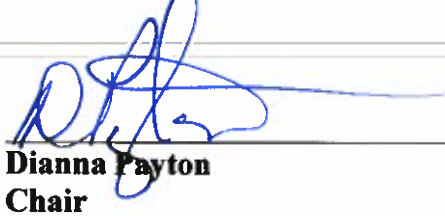
Commissioner Payton asked if there were any further questions on the matter.

Commissioner Gipson commented that the poor people in the parish had been taken care of and they would live to regret the decision they had made.

At this time, Commissioner Payton adjourned the meeting.

**MEETING ADJOURNED.**

**APPROVED:**



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**Dianna Payton**  
**Chair**



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**Richard L. Murray**  
**Secretary/ Chief Executive Officer**