

BYLAWS OF THE HOUSING AND REDEVELOPMENT AUTHORITY OF RICE COUNTY, MINNESOTA

ARTICLE I. THE AUTHORITY

Section 1. Name of Authority. The name of the Authority shall be the "Housing and Redevelopment Authority of Rice County, Minnesota."

Section 2. Purpose. The Rice County Housing and Redevelopment Authority's purpose, pursuant to Minnesota law, is to provide a sufficient supply of adequate, safe and sanitary dwellings in order to protect the health, safety, morals and welfare of the citizens of Rice County; to clear and redevelop blighted areas; to perform those duties according to comprehensive plans; to remedy the shortage of housing for low and moderate income residents, and to redevelop blighted areas, in situations in which private enterprise would not act without government participation or subsidies.

Section 2. Seal of Authority. The Authority shall have no official seal.

Section 3. Office of Authority. The offices of the Authority shall initially be located at the Rice County Government Center, 320 NW Third Street, Faribault, Minnesota, but the Authority may hold its meetings at such other place or places as it may designate by resolution. The offices of the Authority may be changed without notice.

Section 4. Powers and Duties. The Authority is a public body corporate and politic and shall have all powers authorized under Minnesota Statute and as necessary or convenient to carry out the purposes identified above. The powers of the Authority are vested in the commissioners.

ARTICLE II. BOARD MEMBERSHIP

Section 1. Areawide Commissioners. The Rice County Board of Commissioners shall be the appointing authority for the Rice County Housing and Redevelopment Authority Commissioners. Each of the five areawide representatives will represent a commissioner district.

1.1. Initial Term. Initial terms for areawide Commissioners shall be as follows: District 1-one year, District 2-five years, District 3-three years, District 4-two years and District 5-four years.

1.2. Subsequent Terms. Subsequent appointments shall be for five years. If the appointee is no longer a County Commissioner, the appointee must resign the position and such position shall be filled by the County Commissioner-elect for the remaining term of office.

1.3. Vacancy. If a vacancy occurs for any reason prior to the expiration of the five-year term, the County board shall appoint another to fill the remainder of the unexpired term.

1.4. Conflict of Interest. In matters of conflict of interest, as determined by the HRA Board of Commissioners, the member will not participate in any discussion and will abstain from voting in matters that affect them or could be controversial with their participation.

Section 2. Resident Commissioner. The Rice County Board of Commissions shall also appoint a

resident commissioner as a sixth member of the commission who may participate in decisions related to the administration, operation and management of the Federal public housing programs and Section 8 tenant-based rental assistance. Such person must be:

- a) Either a resident of the HRA's public housing program or a recipient of Section 8 Tenant based assistance,
- b) A resident of Rice County
- c) At least 18 years of age, and
- d) Named on the lease.

The HRA will not require a resident commissioner but will annually solicit interest for the position.

2.1. Term. Such appointment shall be for a five-year term or until the appointee is no longer a resident/client of the public housing or Section 8 programs, whichever comes first. If the appointee is no longer a resident/client, the appointee must resign their position which will then be filled with a resident/client.

2.2. Exemption. If no interest is generated in the resident/client board position, the HRA will claim the exemption permitted under federal law for a one-year period.

2.3. Vacancy. If the resident commissioner position becomes vacant prior to the expiration of the five-year term, the HRA will follow the same process to solicit interest from eligible participants.

2.4. Conflict of Interest. In matters of conflict of interest, as determined by the HRA Board of Commissioners, the resident/client member will abstain from voting in matters that affects them or could be controversial with their participation.

ARTICLE III. ORGANIZATION

Section 1. Officers. The officers of the Authority shall be a Chair, a Vice-Chair, and a Secretary.

1.1. The Chair. The Chair shall preside at all meetings of the Authority. Except as otherwise authorized by resolution of the Authority, the Chair shall sign all contracts, deeds, and other instruments made by the Authority. At each meeting, the Chair shall submit such recommendations, and information as may be considered proper concerning the business, affairs, and policies of the Authority. The Chair shall be elected at the annual meeting of the Authority, and shall hold office for one year or until a successor is elected and qualified.

1.2. Vice-Chair. The Vice-Chair shall perform the duties of the Chair in the absence or incapacity of the Chair; and in case of the resignation or death of the Chair, the Vice-Chair shall perform such duties as are imposed on the Chair until such time as the Authority shall select a new Chair.

1.3. Secretary. The Secretary shall perform the duties of a Secretary for the Authority.

1.4. Term of Office. Board members may serve a maximum of three (3) consecutive one (1) year terms in any one office.

1.5. Additional Duties. The officers of the Authority shall perform such other duties and functions as may from time to time be required by the Authority or the bylaws or rules and regulations of the Authority.

1.6. Vacancies. When there is a vacancy in the office of the Chair, Vice-Chair, or Secretary, the Authority shall elect a successor from its membership at the next regular meeting, and such election shall be for the unexpired term of said office.

Section 2. Personnel. The Board may appoint such staff as it deems necessary to exercise its powers, duties and functions as described by law. Such staff shall include a clerk to the Board who shall maintain a record of the proceedings of the Authority and perform such other duties as assigned to the office. No commissioner may be an employee of the Authority.

ARTICLE IV. MEETINGS

Section 1. Annual Meetings. Each year at the final quarterly regular meeting, the Board of Commissioners shall designate an Annual Meeting date, time, and place. The meeting shall be held on any date so designated by the Board during the month of January.

Section 2. Regular Meetings. Regular meetings shall be held quarterly commencing in January at the regular meeting place of the Authority on the 4th Tuesday of each month, commencing at a time the Board determines. Future monthly meetings may also be scheduled at the quarterly meetings if deemed necessary.

Section 3. Special Meetings. Special meetings of the Authority may be called by the Chair or two members of the Authority for the purpose of transacting business upon twenty-four (24) hour notice of the proposed meeting. Notice shall be posted at the principal office of the Authority at least twenty-four (24) hours prior to the special meeting. At such special meeting, no business shall be considered other than as designated in the call except in emergency cases.

Section 4. Quorum. A majority of eligible Commissioners shall constitute a quorum for the purpose of conducting its business and exercising its powers and for all other purposes, but a smaller number may adjourn from time to time until a quorum is obtained. When a quorum is in attendance, action may be taken by the Authority upon a vote of a majority of the Commissioners present.

ARTICLE V. MISCELLANEOUS

Section 1. Fiscal Year. The fiscal year of the Authority shall be the calendar year.

Section 2. Resolutions. All resolutions shall be in writing, and shall be copied in the journal of the proceedings of the Authority.

Section 3. Amendments to Bylaws. Any recommendation of a Bylaw change shall be brought before the Commissioners by a member of the Commission. The recommendation must be submitted to the Commission in its entirety for review at a meeting for consideration at the next scheduled meeting. The proposed amendment must be accepted by 2/3 of the eligible members of the Commission. Such action will be by resolution with an established effective date.

Approved this 27th day of January, 2009.

Rice County Housing and Redevelopment Authority

Galen Malecha, Chairperson

Attest:

Clerk to the Board