

BY-LAWS

OF

THE HOUSING AUTHORITY OF

THE

CITY OF GREENVILLE, SC



Revised 3/23/2011

BY- LAWS

The Housing Authority of The City of Greenville, South Carolina

ARTICLE I – THE AUTHORITY

Section 1 - Name of the Authority. The name of the Authority shall be "The Housing Authority of the City of Greenville, South Carolina"

Section 2 - Seal of the Authority. The seal of the Authority shall be in the form of a circle and shall bear the name of the Authority and the year of its organization.

Section 3 - Office of the Authority. The offices of the Authority shall be at Scott Towers, 511 Augusta Road in the City of Greenville, South Carolina but the Authority may have offices at such other place or places as the Authority may from time to time designate by resolution.

ARTICLE II - OFFICERS AND COMMITTEES

Section 1 – Officers: The officers of the Authority shall be a Chairman, a Vice-Chairman, and a Secretary-Treasurer.

Section 2 – Chairman: The Chairman shall preside at all meetings of the Authority, except as otherwise authorized by Resolution of the Authority. The Chairman shall sign contracts, deeds and other instruments made by the Authority in accordance with the requirements set forth in the Procurement Policy.

At each meeting, the Chairman shall submit such recommendations and information as he/she may consider proper concerning the business, affairs, and policies of the Authority.

Section 3 - Vice Chairman: The Vice Chairman shall perform the duties of the Chairman in the absence or incapacity of the Chairman, and in the case of the resignation or death of the Chairman, the Vice Chairman shall perform such duties as are imposed on the Chairman until such time as the Authority shall appoint a new Chairman.

Section 4 - Secretary/Treasurer: The Executive Director shall act as the Secretary/Treasurer and shall keep the records of the Authority; shall act as Secretary of the meetings of the Authority and record all votes; and, shall keep a record of the proceedings of the Authority in a journal of proceedings to be kept for such purposes; and, shall perform all duties incident to the office. He/she shall keep in safe custody the seal of the Authority and shall have power to affix such seal to all contracts and

instruments authorized to be executed by the Authority. The Secretary/Treasurer shall have the care and custody of all funds of the Authority and shall deposit the same in the name of the Authority in such bank or banks as the Authority may select. The Secretary/Treasurer shall sign all orders and checks for the payment of money and shall pay out and disburse such monies under the direction of the Authority. Except as otherwise authorized by Resolution of the Authority, all such orders and checks shall be countersigned by the Chairman. The Secretary/Treasurer shall keep regular books of accounts showing receipts and expenditures and shall render to the Authority, at each meeting (or oftener when requested), an account of his/her transactions and also of the financial condition of the Authority. The Secretary/Treasurer shall give such bond for the faithful performance of his/her duties as the Authority may determine.

The compensation of the Secretary/Treasurer shall be determined by the Authority, provided that a temporary appointee selected from among the Commissioners of the Authority shall serve without compensation (other than the payment of necessary expenses).

Section 6 - Executive Director: An Executive Director of the Authority shall be appointed by the Authority, who shall have general supervision over the administration of the business and affairs of the Authority, subject to the direction of the Authority. The Executive Director shall be charged with the management of the housing projects of the Authority.

Section 7 - 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.

Section 8 - Election or Appointment: The Chairman and Vice Chairman shall be elected at the annual meeting of the Authority from among the Commissioners of the Authority, and shall hold office for one year or until their successors are elected or qualified.

The Secretary/Treasurer shall be appointed by the Authority. Any person appointed to fill the office of Secretary/Treasurer, or any vacancy therein, shall have such terms as the Authority fixes, but no Commissioner of the Authority shall be eligible to this office except as a temporary employee.

Section 9 - Removal From Office: Any Officer or the Executive Director may be removed from office by the affirmative vote of four (4) Commissioners voting to do so at any regular or special meeting convened in accordance with the By-Laws of the Authority.

Section 10 – Vacancies: Should the office of the Chairman or Vice Chairman become vacant, 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 11 – Attendance at Board Meetings: Any Commissioner who misses three (3) consecutive meetings or 30% or more of the scheduled or special meetings during a twelve month period shall be removed from the Board of Commissioners. Exceptions can be made in cases of illness or special circumstances at the discretion of the Chairman. (3/23/2011)

Section 12 – Additional Personnel: The Authority may, from time to time, employ such personnel as it deems necessary to exercise its powers, duties and functions as prescribed by the Housing Authorities Law of South Carolina applicable thereto. The selection and compensation of such personnel shall be determined by the Executive Director subject to the laws of the State of South Carolina.

Section 13 - Standing Committees: There shall be three (3) standing Committees of the Commissioners as follows:

- Committee on Housing Management and Family Services
- Committee on Buildings and Grounds
- Committee on Finance

THE COMMITTEE ON HOUSING MANAGEMENT AND FAMILY SERVICES

The Housing Management and Family Services Committee shall be charged with the consideration of matters relating to Housing Management, Occupancy, the Lease, Family Services, Resource Development, and Resident Involvement in Authority activities. The Committee shall report to the Board of Commissioners with its recommendations therein for consideration, approval or disapproval of all matters relating to the assigned functions.

THE COMMITTEE ON BUILDINGS AND GROUNDS

The Committee on Buildings and Grounds shall consist of not less than three (3) members appointed at the Annual Meeting by the Chairperson. This Committee shall be charged with the consideration of all matters relating to the Buildings and Grounds of the Housing Authority; the design and location of new buildings and the maintenance, improvements and remodeling of older buildings; the landscaping of the grounds and all other matters having to do with the physical care and preservation of the Housing Authority physical plant. It shall report to the Commissioners, with its recommendations thereon for approval or disapproval of all matters relating to its assigned functions.

THE COMMITTEE ON FINANCE

The Committee on Finance shall consist of not less than three (3) members appointed at the Annual Meeting by the Chairperson. This Committee shall be charged with the general supervision of the finances of the Housing Authority; shall review in advance revised budgets for the current year and proposed budgets for the succeeding year; and shall review, in advance, any other financial matters of concern to the Commissioners. The Finance Committee shall also be responsible for selection of an Auditing Firm to perform financial audits of the Authority's books of accounts as may be required from time to time.

ARTICLE III - MEETINGS

Section 1 - Annual Meeting: The annual meeting of the Authority shall be held in conjunction with the regular monthly meeting called for the month of October. The day and time of which shall be governed by Section 2 of Article III of said Bylaws.

Section 2 - Regular Meetings: Regular meetings may be held without notice at such times and places as may from time to time be determined by resolution of the Authority. The Agenda for Regular Meetings, all information and reports related thereto, shall be delivered to each member of the Authority at least 3-days prior to the regularly scheduled meeting. At such regular meeting items requiring Board action not appearing on the Agenda shall not be considered without a majority of those present agreeing to consider such item and it being added to the Agenda.

Section 3 - Special Meetings: The Chairman of the Authority may, when he deems it expedient, and shall, upon the written request of three (3) members of the Authority, instruct the Secretary/Treasurer to call a special meeting of the Authority for the purpose of transacting any business designed in the call. The call for a special meeting may be delivered to each member of the Authority or may be mailed to the business or home address of each member of the Authority at least two days prior to the date of such special meeting. At such special meeting no business shall be considered other than as designated in the call, but if all members of the Authority are present at a special meeting any and all business may be transacted at such special meeting.

Section 4 – Quorum: Section 31-3-380 of the South Carolina Code of Laws, as amended by 1994 Act No. 360, which became effective May 3, 1994, states that: "three (3) Commissioners constitute a quorum for the purpose of organizing the Authority and conducting the business thereof. However, four (4) Commissioners constitute a quorum when exercising jurisdiction in the extraterritorial area".

It is the intent of the Authority that four (4) Commissioners constitute a quorum for the purpose of transacting any and all business of the Authority.

Section 5 - Order of Business: At the regular meetings of the Authority, the following shall be the order of business:

Roll Call

Reading and approval of the minutes of the previous meeting

Bills and Communication

Report of the Secretary/Treasurer

Reports of Committees

Unfinished Business

New Business

Adjournment

All resolutions shall be in writing and shall have copies in a journal of the proceedings of the Authority.

Section 6 - Manner of Voting: The voting on all questions coming before the Authority shall be by roll call, and the yeas and nays shall be entered in the minutes for such meeting. No proxy votes shall be permitted.

Section 7 - Conduct of Meetings:

Audiovisual or conference call meetings may be held provided that 46-hours written notice shall be given all Board members, and further, that all participants can clearly hear and understand each other. All such meetings, to the extent possible, shall be recorded.

All meetings of the Board of Commission of the Housing Authority of the City of Greenville, South Carolina, shall be conducted in accordance with Roberts Rules of Order Newly Revised, 1990 Edition, 9th Edition.

ARTICLE IV - AMENDMENTS

Section 1 - Amendment to Bylaws. The Bylaws of the Authority shall be amended only with the approval of a majority of the members of the Authority at a regular or special meeting, but no such amendment shall be adopted unless at least seven (7) days written notice thereof has been previously given to all members of the Authority.

ARTICLE V - BOARD COMPOSITION

Section 1: S.C. Code of Laws Ann. 31-3-340 was amended in 1994 to change the appointment authority from the Mayor of the City of Greenville to the Greenville City Council, and to provide for the appointment of two additional Commissioners where the Authority exercises extraterritorial jurisdiction. The Authority Board therefore may consist of five to seven Commissioners as may be the will of the City Council of the City of Greenville.

Section 2: The Secretary/Treasurer shall file the Certificate of Appointment of any new Commissioner in the following officers: (1) Greenville County Clerk of Court; (2) the South Carolina Secretary of State; and (3) the Director of the Department of Commerce.

S.C. Code of Laws Title 30 Chapter 4 Freedom of Information Act

SECTION 30-4-70. Meetings which may be closed; procedure; circumvention of chapter; disruption of meeting; executive sessions of General Assembly.

(a) A public body may hold a meeting closed to the public for one or more of the following reasons:

(1) Discussion of employment, appointment, compensation, promotion, demotion, discipline, or release of an employee, a student, or a person regulated by a public body or the appointment of a person to a public body; however, if an adversary hearing involving the employee or client is held, the employee or client has the right to demand that the hearing be conducted publicly. Nothing contained in this item shall prevent the public body, in its discretion, from deleting the names of the other employees or clients whose records are submitted for use at the hearing.

(2) Discussion of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the public agency in other adversary situations involving the assertion against the agency of a claim.

(3) Discussion regarding the development of security personnel or devices.

(4) Investigative proceedings regarding allegations of criminal misconduct.

(5) Discussion of matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by the public body.

(6) The Retirement System Investment Commission, if the meeting is in executive session specifically pursuant to Section 9-16-80(A) or 9-16-320(C).

(b) Before going into executive session the public agency shall vote in public on the question and when the vote is favorable, the presiding officer shall announce the specific purpose of the executive session. As used in this subsection, "specific purpose" means a description of the matter to be discussed as identified in items (1) through (5) of subsection (a) of this section. However, when the executive session is held pursuant to Sections 30-4-70(a)(1) or 30-4-70(a)(5), the identity of the individual or entity being discussed is not required to be disclosed to satisfy the requirement that the specific purpose of the executive session be stated. No action may be taken in executive session except to (a) adjourn or (b) return to public session. The members of a public body may not commit the public body to a course of action by a polling of members in executive session.

(c) No chance meeting, social meeting, or electronic communication may be used in circumvention of the spirit of requirements of this chapter to act upon a matter over which the public body has supervision, control, jurisdiction, or advisory power.

(d) This chapter does not prohibit the removal of any person who wilfully disrupts a meeting to the extent that orderly conduct of the meeting is seriously compromised.

(e) Sessions of the General Assembly may enter into executive sessions authorized by the Constitution of this State and rules adopted pursuant thereto.

(f) The Board of Trustees of the respective institution of higher learning, while meeting as the trustee of its endowment funds, if the meeting is in executive session specifically pursuant to Sections 59-153-80(A) or 59-153-320(C).

SECTION 30-4-80. Notice of meetings of public bodies.

(a) All public bodies, except as provided in subsections (b) and (c) of this section, must give written public notice of their regular meetings at the beginning of each calendar year. The notice must include the dates, times, and places of such meetings. Agenda, if any, for regularly scheduled meetings must be posted on a bulletin board at the office or meeting place of the public body at least twenty-four hours prior to such meetings. All public bodies must post on such bulletin board public notice for any called, special, or rescheduled meetings. Such notice must be posted as early as is practicable but not later than twenty-four hours before the meeting. The notice must include the agenda, date, time, and place of the meeting. This requirement does not apply to emergency meetings of public bodies.

(b) Legislative committees must post their meeting times during weeks of the regular session of the General Assembly and must comply with the provisions for notice of special meetings during those weeks when the General Assembly is not in session. Subcommittees of standing legislative committees must give notice during weeks of the legislative session only if it is practicable to do so.

(c) Subcommittees, other than legislative subcommittees, of committees required to give notice under subsection (a), must make reasonable and timely efforts to give notice of their meetings.

(d) Written public notice must include but need not be limited to posting a copy of the notice at the principal office of the public body holding the meeting or, if no such office exists, at the building in which the meeting is to be held.

(e) All public bodies shall notify persons or organizations, local news media, or such other news media as may request notification of the times, dates, places, and agenda of all public meetings, whether scheduled, rescheduled, or called, and the efforts made to comply with this requirement must be noted in the minutes of the meetings.

SECTION 30-4-90. Minutes of meetings of public bodies.

(a) All public bodies shall keep written minutes of all of their public meetings. Such minutes shall include but need not be limited to:

(1) The date, time and place of the meeting.

(2) The members of the public body recorded as either present or absent.

(3) The substance of all matters proposed, discussed or decided and, at the request of any member, a record, by an individual member, of any votes taken.

(4) Any other information that any member of the public body requests be included or reflected in the minutes.

(b) The minutes shall be public records and shall be available within a reasonable time after the meeting except where such disclosures would be inconsistent with Section 30-4-70 of this chapter.

(c) All or any part of a meeting of a public body may be recorded by any person in attendance by means of a tape recorder or any other means of sonic or video reproduction, except when a meeting is closed pursuant to Section 30-4-70 of this chapter, provided that in so recording there is no active interference with the conduct of the meeting. Provided, further, that the public body is not required to furnish recording facilities or equipment.