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# Bylaws

## The Housing Authority of the County of DeKalb

Adopted by Resolution 17-02  
April 19, 2016

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### ARTICLE I – THE AUTHORITY

#### Section 1 - Name of Authority

The name of the Authority shall be the “Housing Authority of the County of DeKalb, Illinois.”

#### Section 2 - Seal of 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 Authority

The offices of the Authority shall be at 310 North Sixth Street in the City of DeKalb, State of Illinois, but the Authority may hold its meeting at such other place as it may designate by the Authority.

### ARTICLE II – OFFICERS

#### Section 1 - Officers

The officers of the Authority shall be a Chairperson, Vice-Chairperson and a Secretary-Treasurer.

#### Section 2 - Chairperson

The Chairperson shall preside at all meetings of the Authority. Except as otherwise authorized by the Authority, the Chairperson shall sign all contracts, deeds and other instruments made by the Authority. At each meeting the Chairperson shall submit such recommendations and information as s/he may consider proper concerning the business, affairs and policies of the Authority.

#### Section 3 - Vice-Chairperson

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

#### Section 4- Secretary – Treasurer

The Secretary-Treasurer 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 purpose, and shall perform all duties incident to his/her office. S/He 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.

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S/He 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. S/He shall sign all orders and checks for the payment of money and shall pay out and disburse such moneys under the direction of the Authority. Except as otherwise authorized by resolution of the Authority, all such orders and checks shall be counter-signed by the Chairperson or a member of the Board. S/He shall keep regular books of accounts showing receipts and expenditures and shall render to the Authority, at each regular meeting (or oftener when requested), an account of the transactions and also of the financial condition of the Authority. S/He shall give such bond for the faithful performance of her/his duties as the Authority may designate.

The Secretary-Treasurer of the Authority shall serve without compensation (other than the payment of necessary expenses).

### Section 5 - Executive Director

The Executive Director shall be appointed by the Authority and serve as its administrator to conduct its business and affairs, subject to the policies set forth by the Authority. The Executive Director shall be charged with all management responsibilities, including the hiring of additional personnel, promotion, transfer, demotion, supervision, and the separation of personnel. The Executive Director shall serve as the Secretary-Treasurer of the Authority and shall have all the powers and duties of that office as described in Section 4. The compensation of the Executive Director and all other personnel shall be determined annually by the Authority.

### Section 6 - 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 7 - Election or Appointment

The Chairperson and Vice-Chairperson 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 and qualified.

The Housing Authority's legal counsel and the Secretary-Treasurer positions will be appointed or reappointed for a one year term at the Authority's annual meeting.

### Section 8 - Vacancies

Should the office of Chairperson or Vice-Chairperson 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.

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### Section 9 - Additional Personnel

It shall be the Executive Director's responsibility to employ additional personnel when deemed necessary as prescribed by the Housing Authorities Act of Illinois and all other laws of the State of Illinois applicable thereto.

## ARTICLE III – MEETINGS

### Section 1 - Annual Meeting

The Annual Meeting of the Authority shall be held at a time as designated prior to the regular meeting of the Authority.

### Section 2 - Regular Meetings

Regular meetings shall be held without notice at the regular meeting place of the Authority at 2:30 p.m. on the third Tuesday of each month, unless the same shall be a legal holiday, in which event said meeting shall be held on the next succeeding secular day.

### Section 3 - Special Meetings

The Chairperson of the Authority may, when s/he deems it expedient, and shall, upon written request of two members of the Authority, call a special meeting of the Authority for the purpose of transacting any business designated 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 four members of the Authority are present at a special meeting, any and all business may be transacted at such special meeting.

### Section 4 - Quorum

The powers of the Authority shall be vested in the Commissioners thereof in office from time to time. Three 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.

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### Section 5 - Order of Business

At the regular meetings of the Authority the following shall be the order of business:

1. Roll Call
2. Reading and approval of the minutes of the previous meeting
3. Bills and Communications
4. Report of the Secretary-Treasurer
5. Reports of Committees
6. Unfinished Business
7. New Business
8. Adjournment

All resolutions shall be in writing and there shall be 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 ayes and nays shall be entered upon the minutes of such meetings.

## ARTICLE IV – CONFLICT OF INTEREST BOARD MEMEBERS & APPOINTING OFFICAL

In order to eliminate the appearance of a conflict of interest:

### Section 1

No employee of the Housing Authority will be a family member of the board or appointing official. The only exception will be if the family member is an employee before the Board Member or Appointed Official officially takes office. In this case the Board member shall abstain from all actions relating to the family member(s) concerning personnel decisions of the employee.

### Section 2

No Board Member or Appointing Official will have any interest either financially or otherwise in any contracts, programs, or work with the Housing Authority.

### Section 3

No Board Member or Appointing Official of the Housing Authority may ask any employee to perform work or other activities unless it is directly related to his/her duties at the Housing Authority during official time, including overtime and comp time.

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### Section 4

No Board Member or Appointing Official may use Housing Authority's vehicles, materials, tools, equipment or other items owned, leased or rented by the Housing Authority.

Any violation of the above will require a Board member to resign their position and notify, in writing, the appointing official that a replacement will be required immediately. If the Board Member does not write the letter the Board Chairman is authorized to do so only with a resolution from the full Board.

If the Appointing Official violates any of the above they will be notified in writing by the Board Chairman that they are in violation of the Housing Authority's Bylaws.

## ARTICLE V – CONDUCT OF BOARD MEMEBERS

### Section 1

All Board Members are expected to attend every regular Board meeting. The times of regular Board meeting are established at the beginning of each year. If a Board member misses more than two consecutive regular Board meetings, or 3 regular Board meetings per the PHA fiscal year, without good cause as determined by the Board, see actions below.

### Section 2

No individual Board member may discuss issues with the staff or tenants of the Housing Authority without first going through the Executive Director and getting permission from the Board, except: during a Board meeting, or with approval of the Board by resolution. Failure to follow this procedure the first time shall result in the Board Member being given a written letter of the infraction. Continuation shall result in actions taken below.

### Section 3

The Board Chairperson is the official spokesperson for the Board of Commissioners. No Board member, on his/her own, may approach any outside organization without the full Board's approval, by resolution, that s/he may do so. If the Board Member is approached by an outside organization s/he must refer them to the Chairperson. If the Board Member approaches an outside organization s/he shall be given a written letter of the infraction. Continuation shall result in actions taken below.

### Actions

Any violation of the above will require a Board Member to resign their position and notify, in writing, the appointing official that a replacement will be required immediately. If the Board Member does not write the letter the Board Chairperson is authorized to do so, with a resolution from the Board.

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### ARTICLE VI – CONFLICT OF INTEREST – PHA STAFF

In order to eliminate the appearance of a conflict of interest:

#### Section 1

There shall be no more than two family members employed by the Housing Authority at the same time. This would include, but is not limited to, immediate family, uncles, aunts, and cousins.

#### Section 2

No employee will have any interest either financially, or otherwise, in any contracts or other work with the Housing Authority.

#### Section 3

No employee of the Housing Authority may ask another employee to perform work for anything other than official work, during official time, for the Housing Authority.

#### Section 4

Housing Authority materials, tools, equipment or other items owned, leased or rented by the Housing Authority shall not be used by an employee except as required by their duties and during official time. Standby or emergency work will be considered official time.

Any violation of the above shall require a minimum of a three day suspension, without pay, for the first infraction, a 30 day suspension, without pay, for a second infraction, and termination for a third infraction

If the employee is directed by his/her chain of command then the employee directing that individual will be subject to the suspensions or dismissal. It is the responsibility of the individual to report, and the Board to take immediate actions, on all reports of this activity.

### ARTICLE VII – AMENDMENTS

#### Amendments to Bylaws

The Bylaws of the Authority shall be amended only with the approval of at least three of the members of the Authority at a regular or special meeting, but no such amendment shall be adopted unless at least seven day's written notice thereof has been previously given to all of the members of the Authority.