

**Town of Chase City**  
**B Street Community Improvement Project**  
**Housing Rehabilitation Program Board & By-laws**

**ARTICLE I**

**MISSION STATEMENT**

1. To promote and guide improvements to the quality of housing in the Town of Chase City and to enhance the opportunity to obtain such housing for the low- and moderate-income citizens of Chase City.
2. So That:  
The Condition of housing and housing sanitation for low- and moderate-income citizens moves closer to minimum Town and State housing quality standards, thus improving the overall quality of life in the Town.

**ARTICLE II**

**MEMBERSHIP**

1. The Housing Rehab Board will consist of at least three members with a minimum of one representative from the Town Council. The Town Manager will serve as Chairman. The Grant Manager (Secretary) and Rehab Specialist will provide the Board with technical assistance as necessary and, as such, shall be non-voting members.
2. All members serve at the Town Council's pleasure or for the project's duration. Replacement or additional board members will be selected in occurrence with Virginia Department of Housing and Community Development (VDHCD) requirements. Vacancies shall be approved by the Town.

**ARTICLE III**

**OFFICERS**

1. Officers of the Housing Rehab Board shall consist of a Chairperson who is the Town Manager of Chase City. The Grant Manager will serve as the Secretary, who will be responsible for recording meeting minutes and actions by the Board. The Chairman and Secretary shall reside in these positions throughout the project period. The term is to commence as of the first meeting of the B Street Community Improvement Project.

- a. Each officer shall have the authority to perform the duties set forth in these bylaws or, to the extent consistent with these bylaws, the duties prescribed by the Housing Rehab Board, or by direction of the Town Council.
- b. Chair: The Chair shall preside at all meetings of the Housing Rehab Board and shall have the authority to call special meetings for any purpose. The Chair shall have the authority to carry into effect all directions of the Housing Rehab Board and shall have general supervision of the business of the organization. The Chair will serve as a liaison with the Town Council.
- c. Secretary: The Secretary shall have the authority to call special meetings of the Housing Rehab Board for any purpose and shall give, or cause to be given, notices of all meetings and all other notices required by these bylaws or by law.

The Secretary shall preside at all meetings at which the Chair is absent. He / She shall record the attendance of members as well as the proceedings of the meetings of the Housing Rehab Board. The minutes shall list by name the applicants approved for assistance and contractors pre-qualified. Copies of the minutes shall be forwarded to Housing Rehab Board Members and VDHCD.

The Secretary shall have responsibility for authenticating such records and shall perform such other duties as may be assigned from time to time by the Chair and the Housing Rehab Board.

## **ARTICLE IV**

### **MEETINGS**

1. Regularly scheduled meetings shall be held each month at the Chase City Municipal Building.
  - a. Notice of Meeting: The Secretary or other designated member of the Board shall notify members of each special meeting, personally or by mail, no less than five (5) days nor more than thirty (30) days before the meeting date. Notice of a meeting need not be given when a meeting is adjourned to be held on its next regularly scheduled meeting date. Board members shall be responsible for notifying the Secretary, prior to regular Board meetings, if absences are anticipated.
  - b. Closed Meetings: No meeting or any portion of a meeting shall become closed unless there shall have been recorded an affirmative vote to that effect by the Board members present at said meeting.
  - c. Quorum: Fifty percent of the non-vacant seats on the Board shall constitute a quorum for the transaction of business at any regular or special meeting. The act of a majority of Board members present at any meeting, conference call, or other means of contact, at which a quorum is present

or has been contacted, shall be the action of the Housing Rehab Board. In the event a decision cannot be reached, the matter shall be brought before the Town Council for resolution.

- d. Attendance: If a member is absent for 3 consecutive meetings, a notice of attendance will be forwarded to the Town Council with a recommendation that a replacement is appointed. In such an event, the Board shall provide the Town Council with a list of nominees representing the same group from which the vacancy arose, for its review and vote.
2. At the meeting, the Housing Rehab Board shall actively oversee the project:
    - a. Adopt a Program Design/Management Plan, interpret and enforce it, and approve all revisions;
    - b. Adopt a Program Income Plan;
    - c. Adopt a Local Business and Employment Plan;
    - d. Adopt the criteria for selecting beneficiaries and review the selection process;
    - e. Determine contractors' eligibility, review contract documents, and award construction bids;
    - f. Develop and implement written policies and procedures for resolving complaints from applicants, beneficiaries, and contractors and ensure the procedures are observed by staff;
    - g. Keep an official record of all proceedings of the Housing Rehab Board;
    - h. Develop a fiscal policy to address the following; payment waiver, deferred payment, loan extension, loan default, property transfer, interest rate, etc.; and
    - i. Review staff and consultant work progress and performance.
  3. Major recommendations for amendments to the Program Design or Management Plan will be originated by the Housing Rehab Board with final approval and adoption by the Town Council. Minor revisions deemed appropriate to further facilitate the achievement of benefits may be approved by the Mayor. The Mayor will sign and date the adopted Revised Program Design or Management Plan which will be submitted to VDHCD for review and Concurrence.

## **ARTICLE V**

### **Miscellaneous**

1. Rules of Order: The rules in the last's edition of Roberts' Rule of Order shall govern the conduct of all meetings of the Housing Rehab Board.
2. Amendments: These By-laws may be amended at any meeting provided members have been given at least a 30-day written notice of the proposed amendment. The amended By-laws shall be submitted to VDHCD for review and concurrence.

3. Confidentiality: Every attempt will be made to maintain applicant confidentiality. The Program Administrator shall maintain the confidentiality of applicant information such as income, age, social security number, etc.

Duly adopted at the regular meeting of the Housing Rehabilitation Oversight Board on this \_\_\_\_<sup>st</sup> day of \_\_\_\_\_ 2024.

Signed: \_\_\_\_\_  
Charles Forbes, Housing Rehab Board Chairman

## **VIRGINIA FREEDOM OF INFORMATION ACT (FOIA)**

### **OVERSIGHT BOARD POLICY AND PROCEDURE**

The Virginia Freedom of Information Act (FOIA) located § 2.2-3700 et. seq. of the Code of Virginia, guarantees citizens of the Commonwealth and representatives of the media access to public records held by public bodies, public officials, and public employees, including CDBG OVERSIGHT BOARDS. A public record is any writing or recording -- regardless of whether it is a paper record, an electronic file, an audio or video recording, or any other format -- that is prepared or owned by, or in the possession of a public body or its officers, employees, or agents in the transaction of public business. All public records are presumed to be open, and may only be withheld if a specific, statutory exemption applies. The policy of FOIA states that the purpose of FOIA is to promote increased awareness by all persons of governmental activities. In furthering this policy, FOIA requires that the law be interpreted liberally, in favor of access and that any exemption allowing public records to be withheld must be interpreted narrowly.

#### **REQUESTING RECORDS**

A citizen may request records by U.S. Mail, fax, e-mail, in person, or over the telephone. FOIA does not require that the request is in writing, nor does a citizen need to specifically state that he/she is requesting records under FOIA. From a practical perspective, it may be helpful to both parties if a request is put in writing so there is a record of the request. It also gives the OVERSIGHT BOARD a clear statement of what records a citizen is requesting so that there is no misunderstanding over a verbal request. However, the oversight cannot refuse to respond to a FOIA request not put in writing. The request must identify the records the citizen is seeking with "reasonable specificity." It does not refer to or limit the volume or number of records that is being requested; instead, it requires that the request be specific enough so that the oversight can identify and locate the records that a citizen is seeking. The request must ask for existing records or documents. FOIA gives a citizen the right to inspect or copy records; it does not apply to a situation where a citizen is asking general questions about the work of the OVERSIGHT BOARD, nor does it require the OVERSIGHT BOARD to create a record that does not exist.

The citizen may choose to receive electronic records in any format the OVERSIGHT BOARD uses in the regular business course. For example, if the citizen is requesting records maintained in a database or spreadsheet, he/she may elect to receive those records electronically, via e-mail, on a computer disk, or to receive a printed copy of

those records. If the OVERSIGHT BOARD has questions about a request, the citizen should cooperate with the staff's efforts to clarify the type of records that are being sought or to attempt to reach a reasonable agreement about a response to a large request. Making a FOIA request is not an adversarial process, but staff may need to discuss the request to ensure that we understand what records you are seeking.

## **OVERSIGHT BOARD RESPONSIBILITIES**

The OVERSIGHT BOARD must respond to a FOIA request within five working days of receiving it. "Day One" is considered the day after the request is received. The five-day period does not include weekends or holidays. FOIA does, however, allow OVERSIGHT BOARD to ask for the requestor's name and legal address. FOIA requires that the OVERSIGHT BOARD make one of the following responses to a request within the five-day time period. We provide you with the records that you have requested in their entirety. We withhold all of the records that you have requested because all of the records are subject to a specific statutory exemption. If all of the records are withheld, we must send you a written response. That writing must identify the volume and subject matter of the records being withheld and state the specific section of the Code of Virginia that allows us to withhold the records. We provide some of the records that you have requested but withhold other records. We cannot withhold an entire record if only a portion of it is subject to an exemption. In that instance, we may redact the portion of the record that may be withheld and must provide you with the remainder of the record. We must provide you with a written response stating the specific section of the Code of Virginia that allows portions of the requested records to be withheld. If it is practically impossible for the OVERSIGHT BOARD to respond to a request within the five-day period, the OVERSIGHT BOARD must state this in writing, explaining the conditions that make the response impossible. This will allow the OVERSIGHT BOARD seven additional working days to respond to a request, giving us a total of 12 working days to respond to a request. If the request is for a very large number of records, and the OVERSIGHT BOARD feels that it cannot provide the records within 12 days without disrupting our other organizational responsibilities, the OVERSIGHT BOARD may petition the court for additional time to respond to a request.

## **COSTS**

The requestor may have to pay for the records requested from OVERSIGHT BOARD. FOIA allows the OVERSIGHT BOARD to charge for the actual costs of responding to FOIA requests. This would include items like staff time spent searching for the requested records, copying costs, or any other costs directly related to supplying the requested records. It cannot include general overhead costs. If the OVERSIGHT BOARD estimates that it will cost

more than \$200 to respond to a request, the OVERSIGHT BOARD may require a requestor to pay a deposit, not to exceed the amount of the estimate, before proceeding with a request. The five days that the OVERSIGHT BOARD has to respond to a request does not include the time between when the OVERSIGHT BOARD asks for a deposit and when the requestor responds. The requestor may request that the OVERSIGHT BOARD estimate in advance the charges for supplying the records that have been requested. This will allow the requestor to know about any costs upfront or give the requestor an opportunity to modify his/her request in an attempt to lower the estimated costs. If the requestor owes the OVERSIGHT BOARD money from a previous FOIA request that has remained unpaid for more than 30 days, OVERSIGHT BOARD may require payment of the past-due bill before it will respond to a new FOIA request.

### **COMMONLY USED EXEMPTIONS**

The Code of Virginia allows any public body to withhold certain records from public disclosure. OVERSIGHT BOARD commonly withholds records subject to the following exemptions:

- Personnel records (§ 2.2-3705.1 (1) of the Code of Virginia)
- Records subject to attorney-client privilege (§ 2.2-3705.1 (2)) or attorney work product (§ 2.2-3705.1 (3))
- Vendor proprietary information (§ 2.2-3705.1 (6))
- Records relating to the negotiation and award of a contract, prior to a contract being awarded (§ 2.2-3705.1 (12))