

# HOMELESS ACTION COUNCIL OF ST. CLAIR COUNTY BYLAWS

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# HOMELESS ACTION COUNCIL OF ST. CLAIR COUNTY

## BYLAWS

### ARTICLE I: Name and Geographic Area

The name of the organization shall be the Homeless Action Council of St. Clair County, hereinafter referred to as HAC. It will serve the East St. Louis/Belleville/St. Clair County Continuum of Care (commonly known as the St. Clair County CoC) The permanent office and mailing address shall be #19 Public Square, Suite 200, Belleville, Illinois 62220.

### ARTICLE II: Mission, Purpose and Objectives

The mission of HAC shall be to carry out the responsibilities set forth in the Continuum of Care (CoC) Program Interim Rule. The regulations governing CoC program implementation created through the [Homeless Emergency Assistance and Rapid Transition to Housing \(HEARTH\) Act of 2009](#). The HAC is the principal planning entity for the St. Clair County Continuum of Care system for homelessness.

The purpose of HAC shall be to provide a framework for a comprehensive well-coordinated and clear planning process in working toward the prevention and elimination of homelessness in St. Clair County, Illinois.

The objectives of HAC shall be to identify and prioritize needs related to homelessness; to promote the coordination of services and sharing of information; to foster community awareness of homelessness; and to seek resources to combat the problems of homelessness.

### ARTICLE III: Membership

#### Section 1: Qualifications and Categories

The general membership of the HAC will be comprised of organizational and individual members. All members shall have an active and committed interest in working with and improving the quality of life for all individuals and families experiencing a housing crisis in St. Clair County.

There shall be two categories of general membership: Organizational and Individual.

#### Organizational Membership

Any organization located in or doing business within St. Clair County and which accepts the mission, purpose and objectives of HAC shall be eligible for membership. The term "organization" covers all

forms of organizations including but not limited to businesses, corporations, associations, nonprofit organizations, foundations, governmental agencies, educational institutions, financial institutions,

healthcare providers, labor unions and neighborhood groups.

#### Individual Membership

Any individual who is a resident of, or employed, within St. Clair County and who accepts the mission, purpose and objectives of HAC shall be eligible for membership.

### **Section 2: Recruitment**

The Collaborative Applicant for HAC will annually post a notice inviting the general public to apply for General Membership with HAC.

### **Section 3: General Membership Meetings**

At least quarterly, there will be specific sessions of the General Membership to garner input and to train on HAC functioning. General members of HAC will be involved in committee meetings described in Article IX. The General membership may attend monthly Board meetings.

### **Section 4: Voting Privileges**

General membership shall not have voting privileges except to elect the Board of Directors. The general membership will annually elect at least 15-member Board of Directors. Each member organization shall be entitled to one vote to elect the Board of Directors. If more than one representative from a member organization participates in HAC, only one representative designated by the member organization may vote.

### **Section 5: Definition of Active Member**

- a) Participates on at least one committee;
- b) Attends at least seventy-five (75%) of committee meetings within the calendar year; and
- c) Participates in special events, such as the annual count and Project Homeless Connect in St. Clair County.

### **Section 6: Compensation**

No HAC member shall receive any compensation from HAC for participation in HAC.

### **Section 7: Approval of Members**

Membership shall provide for fair representation of all target areas. Interested organizations and individuals shall apply for membership to the Board of Directors. The Board or a designee thereof shall review the request and approve or deny all requests for membership. The Secretary of the Board shall notify any organization or individual requesting membership of the decision of the Board.

### **Section 8: Terms**

Members shall serve one-year terms, commencing January 1 and ending December 31 of each calendar year. Membership shall automatically renew annually, unless notification of intent to resign is submitted in writing to the Chairperson and/or to the Secretary of the Council.

Section 9: Resignation of Members may resign at any time by submitting a letter of resignation to the

Chairperson and/or to the Secretary.

### **Section 10: Removal of Members and Representatives**

HAC may terminate organizational or individual membership for actions counter to the interests of HAC or when it is in the best interests of HAC to do so. Removal of membership requires a three-fourths majority of Board of Directors present and voting.

Individuals representing member organizations may be removed from attendance and further participation in HAC for actions counter to the interests of HAC or when it is in the best interests of HAC to do so. Prior to any such action, a representative of the Board of Directors shall attempt to discuss the problem with and present options to a person in authority over the member organization. Following this step, the Board of Directors may make a recommendation to HAC for removal. Such recommendations require a three-fourths majority of those present and voting.

## **ARTICLE IV: Board of Directors**

### **Section 1: Purpose**

The Board of Directors should be responsible for developing and approving necessary policies and procedures for the effective functioning of the HAC. Policies and procedures at a minimum will include those related to establishing and operating a coordinated assessment system, establishing performance targets and monitoring Emergency Solutions Grant (ESG) and Continuum of Care (CoC) project performance and evaluate outcomes, establish written standards for administering CoC assistance, oversee the operation of a Homeless Management Information System (HMIS) and plan for and conduct, at least biennially, a point-in-time count of homeless persons, as well as other policies as necessary to comply with the mission of HAC. Such policies and procedures may be recommended by HAC committees, the Collaborative Applicant, or by the Board of Directors.

### **Section 2: Qualifications of Directors**

Each Director shall be a person of legal age and every effort shall be made by the Board of Directors to include Directors from the general membership either an individual member or as a representative from an organizational member. If more than one representative from a member organization participates in HAC, only one representative designated by the member organization may be appointed to the Board of Directors. If two member organizations are closely linked but organized as separate non-profit organizations for IRS tax purposes, then each such organization is eligible to be on the Board of Directors.

### **Section 3: Number of Directors**

There shall be at least fifteen (15) Directors. All Directors shall have equal and full voting rights and responsibilities as members of the Board of Directors.

The Board of Directors will be comprised of a representative from an organizational member agency whose mission is to assist consumers from each of the following categories:

1. Chronically homeless
2. Victims of domestic violence
3. Veterans

4. Persons with substance abuse issues
5. Persons with HIV/AIDS
6. Persons with mental health issues
7. Unaccompanied youth
8. Homeless families

The Board of Directors should also be comprised of organizational member agencies comprised of the following types of service providers or individuals that represent the following categories:

9. Legal services
10. Unit of local government
11. Education
12. Public Housing Authority
13. Formerly homeless
14. Faith-Based Organization
15. General member

#### **Section 4. Election and Term of Office**

The initial members of the Board of Directors shall be self-selected by the St. Clair County Homeless Action Council and approved by the general membership. The term of the office of each Director shall be for one (1) year commencing January 1 thru December 31 and will automatically renew annually unless notification of intent to resign or until his or her successor has been selected by the Board of Directors and seated. Each Director shall be entitled to one (1) vote and the result shall be determined by the majority of votes cast.

When necessary an ad hoc Nominating Committee shall present to HAC candidates for Board of Directors and should have no more than two candidates.

Vacant Board positions to be filled shall be elected at a regularly scheduled November meeting and take office January 1 of the following year. At the November meeting, additional nominations may be made from the floor by any member organization. Such nominations require a second from a member organization. After all nominations have been made, the presiding officer shall conduct the election. As provided in Article III, Section 4, only member organizations may vote in the election.

#### **Section 5. Active Members**

Directors must be Active Members.

#### **Section 6. Removal and Resignation**

Any Director may be removed with or without cause at any time by a vote or the majority of the then serving Directors. Directors may resign at any time on written notice to the Chairperson or Secretary. Vacancies occurring on the Board by death, removal, resignation, refusal to serve, or otherwise shall be filled for the unexpired term by a majority vote of a quorum of Board members present at a regular or special meeting held for that purpose after appropriate notice to the other Board members.

**Section 7: Compensation**

No Director shall receive any compensation from HAC for participation in HAC.

**Section 8: Conflict of Interest**

No Board of Directors member may participate in or influence discussions or resulting decisions concerning the award of a grant or other financial benefits to the organization that the member represents.

**Section 9: Recusal**

With respect to Board of Directors decisions, Directors who become aware of circumstances that pose an actual or potential conflict of interest must recuse themselves from the decision-making process and take no part in the discussion or the vote.

## **ARTICLE V: Officers of the Board**

**Section 1: Titles and Duties**

HAC may have the following officers for the Board of Directors: Chairperson, Vice Chairperson, Secretary, and Assistant Secretary.

The duties of each officer shall be as follows:

**Chairperson**

The Chairperson shall convene and preside or arrange for other persons to preside at all meetings of the Board of Directors and general HAC meetings in the following order: Vice Chairperson, Secretary, and Assistant Secretary. The Chairperson shall serve as an ex-officio member of all committees and shall perform such duties incident to the office of Chairperson and such other duties as may be assigned by the Board of Directors. The Chairperson will be responsible for creating an agenda for the monthly meetings of the CoC Board of Directors and general HAC meetings.

**Vice Chairperson**

The Vice Chairperson shall preside at meetings of the Board of Directors in the absence of the Chairperson and shall serve in the role of the Chairperson in case of the resignation or dismissal of the Chairperson until a new Chairperson is appointed consistent with Section 7 of this Article. The Vice Chairperson shall perform such duties incident to the office of Vice Chairperson and such other duties as may be assigned by the Board of Directors or the Chairperson.

**Secretary**

The Secretary shall attend all meetings of the Board of Directors and general HAC meetings, record and maintain all votes and the minutes of the meetings of the Board of Directors, take attendance, maintain a current membership roster and send out general correspondence. The Secretary or a designee thereof will send out the agenda and minutes of the previous month's meeting approximately 72 hours before the monthly meeting. The Secretary shall perform such duties incident to the office of Secretary and such other duties as may be assigned by the Board of Directors or the Chairperson.

Assistant Secretary

The Assistant Secretary shall attend all meetings of the Board of Directors. In the absence or incapacity of the Secretary, the Assistant Secretary shall record and maintain all votes and the minutes of the meetings of the Board of Directors. The Assistant Secretary shall perform such duties incident to the office of Assistant Secretary and such other duties as may be assigned by the Board of Directors or the Chairperson.

The Collaborative Applicant will serve as an ex-officio member.

**Section 2: Qualifications**

The officers shall be elected from the Board of Directors. Officers shall be persons, not organizations.

**Section 3: Terms of Office**

**The term of the office of each Officer shall be for one (1) year commencing January 1 thru December 31 and will automatically renew annually unless notification of intent to resign or until his or her successor has been selected by the Board of Directors and seated. Section 4: Nomination and Election**

If there are any resignations/replacements the nominating committee shall recommend candidates for the offices of Vice Chairperson, Secretary and Assistant Secretary for the coming year. Such slate shall have no less than one and no more than two candidates for each said office. These officers shall be elected during the December Board of Directors meeting and take office January 1 of the following year.

**Section 5: Resignation**

An officer may resign at any time by submitting a letter of resignation to the Chairperson or Secretary.

**Section 6: Removal**

Any officer may be removed from office for failure to perform the duties of the office, for actions counter to the interests of HAC, or when it is in the best interests of HAC so to do. Such actions require a three-fourths majority of the Board of Directors present and voting.

**Section 7: Vacancies**

Vacancies in the offices of Chairperson, Vice Chairperson, Secretary and Assistant Secretary shall be filled by appointment by the Board of Directors. The replacements must meet the qualifications stated above in Section 2 and shall serve the remainder of the term.

## **ARTICLE VI: Meetings**

**Section 1: Regular Meetings of the Board of Directors**

HAC Board of Directors shall meet regularly at a date, time and place to be determined by the officers. At the beginning of each year the Board shall establish a schedule of dates and times for regular meetings and general HAC meetings, and the Secretary or designee thereof shall distribute this schedule to all members and place on the SCCCOC website. The place for each meeting shall be determined by the Board at least one month prior to the meeting. Such Board Meetings shall be open to all members.

HAC Board of Directors may conduct any business at a regular meeting, whether such business is on the agenda.

**Section 2: Special Meetings**

Special meetings of the Board of Directors may be called by any officer. The person(s) calling the meeting shall state the purpose(s) for which the meeting is to be called. Business at any special meeting is limited to the purpose(s) for which the meeting is called, and no other business of any nature may be conducted.

**Section 3: Notification of Meetings**

The Secretary or a designee thereof shall provide notification to all HAC members of all meetings, regular and special. Such notification must be given at least 72 hours prior to the meeting. Notification may be by letter, telephone, facsimile, electronic or personal communication. The notification must clearly state the date, time and place of the meeting. In the case of special meetings, the notification must additionally state the purpose(s) for which the meeting is being called.

**Section 4: Quorum**

The presence of one-half (1/2) of seated members of the Board of Directors shall be a quorum and sufficient to conduct business at any meeting of HAC. When a quorum is once present to organize a meeting, it cannot be broken by the subsequent withdrawal of any of those present.

**Section 5: Voting**

The vote of a majority of the Board of Directors present at a meeting at which a quorum is present shall be the act of the Board of Directors or of any committee.

**Section 6: Virtual Meetings**

Members of the Board, or any Committee designated by the Board, may participate in any meeting of the Board or Committee by using communication technology enabling all persons participating in the meeting to hear each other.

**Section 7: Parliamentary Procedure**

The latest revised edition of Robert's Rules of Order shall prevail at all meetings except where contrary to the bylaws or any standing rule. As a general rule, HAC should govern itself by consensus when possible.

## **ARTICLE VII: Committees, Collaborative Applicant, and HMIS Lead Agency**

**Section 1: Standing Committees and Duties**

HAC shall have the following Standing Committees:

**Planning Committee**

The Planning Committee shall formulate and recommend strategic goals and objectives for HAC and monitor progress. It shall consist of no fewer than three persons.

Ranking and Review Committee

The Ranking and Review Committee shall determine if proposed projects are eligible for funding, using the criteria established by HAC. The Ranking and Review Committee shall rank eligible projects in priority order, using criteria established by HAC, and recommend project budget adjustments as necessary in order to maximize funding for the St. Clair County Continuum of Care system. Organizations that are applying for projects may not be represented on the Ranking and Review Committee.

Executive Committee- Consists of the officers of the Board.

Community Resource/Prevention-

Permanent housing placement priorities; Involuntary separation/denial of families in shelters, TH and PH due to youth and/or family makeup; Promote safety, security, and privacy for domestic violence victims. Rapid Re-Housing protocols; Screening and selection (related to housing placement priorities); How to determine amount, type, and duration of assistance. Mainstream benefits: protocol to provide for; Assistance in filling out applications; Transportation to sources of assistance (e.g., public aid, general assistance, social security); Use of single application form for multiple programs; Follow-up for applications that are denied.

Tasks:

- Compliance with Fair Housing
- Discharge Planning: See how HAC can directly influence discharge processes.
- Coordinated with each of these: HOPWA; TANF; Runaway and Homeless Youth (RHY); Head Start; philanthropic organizations and foundations; and other housing and services programs funded by federal, state, and local government.

Coordinated Entry – Develop operating protocols for Coordinated Assessment

Tasks:

- Provide guidance and advice to Coordinated Assessment Center.
- Monitor progress toward goals; assess performance of grantee.

HMIS- To ensure that participating HMIS organizations are processing information consistent with both HUD regulations and Continuum of Care procedures.

Tasks:

- Oversee Implementation and Maintain HMIS Policies and Procedures.
- Monitor participating agency data usage and data quality.
- Monitor performance of HMIS vendor/product.
- Monitor performance of HMIS Lead agency.

Each committee should have a minimum of three (3) persons and establish a regular meeting schedule with minutes provided to the Board.

**Section 2: Committee Selection and Terms**

Following the election of the Board of Directors and officers, the Chairperson of the Board shall recruit chairpersons and committee members for each standing committee. Committees shall serve for at least one year, commencing January 1 and ending December 31 of each calendar year, but may automatically

renew annually.

Membership on committees shall provide for fair representation of all target areas and is subject to approval by the Board. Persons may volunteer to serve on any committee or be recruited by the Board or committee chairpersons. Committee membership may be drawn from the community at large, not only from those associated with HAC. However, all persons active in HAC are expected to serve on at least one committee.

### **Section 3: Ad Hoc Committees**

HAC may from time to time appoint and approve the appointment of such ad hoc committees as may be needed. The responsibilities, selection and terms of such committees shall be determined by HAC.

### **Section 4: Collaborative Applicant**

The Collaborative Applicant shall serve as an ex-officio member of the Board and performs the duties outlined in the Memorandum of Agreement for the Designation of Collaborative Applicant. A copy of the Memorandum of Agreement will be kept by the Secretary and the Collaborative Applicant. The Collaborative Applicant is responsible for maintaining records and office of HAC.

### **Section 5: Appointment of the Collaborative Applicant**

The Board of Directors shall appoint the Collaborative Applicant who shall implement policies and procedures as directed by the Board of Directors.

### **Section 6: HMIS Lead Agency**

The HMIS Lead Agency is the recipient of the HUD CoC Program HMIS Grant. The HMIS Lead Agency shall provide staffing for HMIS and work with committees on projects that require HMIS data. The HMIS Lead Agency shall also perform duties and utilize funds as designated by HAC and in

compliance with HUD requirements.

**Section 7: Appointment of the HMIS Lead Agency**

The Board of Directors shall appoint the HMIS Lead Agency.

## **ARTICLE VIII: Appeal Process**

**Section 1: Appealable decisions**

Any organizational or individual member may appeal a decision of a committee or Board of Directors that adversely affects a member including membership decisions, funding approval recommendations, and ranking decisions.

**Section 2: Written Appeal**

All appeals must be in writing. A member must submit a written appeal to the Chairperson/Vice Chairperson of the Board within fourteen (14) days of the date of the decision being appealed. A member may request an expedited appeals process.

**Section 3: Ad-Hoc Appeals Committee**

Upon receipt of the written appeal, within ten (10) days, the Executive Committee will form an ad hoc Appeals Committee to hear the appeal. The ad hoc Appeals Committee shall consist of three (3) general members who was not involved with the decision being appealed. After the ad hoc Appeals Committee has been formed, the Board Chairperson shall notify the appellant and the chair of the committee whose decision is being appealed in writing of the members of the ad hoc Appeals Committee. In the event an appellant is appealing a decision of a Board member, then the remaining Board members shall form the ad hoc Appeals Committee and shall send proper notice.

**Section 4: Informal Hearing**

The ad hoc Appeals Committee shall conduct a hearing within twenty-one (21) days of its formation. The appellant and the chair of the committee whose decision is being appealed shall be present. Either party may present testimony and evidence and may be represented.

**Section 5: Decision**

The ad hoc Appeals Committee shall make a written decision promptly upon termination of the informal hearing. The written decision shall be signed by the ad hoc Appeals Committee members or the majority of them. A dissenting vote without further comment may be noted. The written decision shall be delivered to the Chairperson within twenty-four (24) hours. The Chairperson shall mail a copy of the written decision to the appellant and the chair of the committee whose decision was appealed within three (3) days. In the absence of the Chairperson, the Vice Chairperson of the Executive Committee shall be responsible for delivering the written decision to the appellant and appropriate chair.

The Board Chairperson shall inform the full Homeless Action Council at the next scheduled monthly meeting of the decision of the ad hoc Appeals Committee.

## **ARTICLE XI: Ratification and Amendments**

### **Section 1: Ratification and Effective Date**

Following provisions of the 1998 bylaws, these bylaws shall be presented to the membership of HAC and reviewed for two consecutive meetings prior to being submitted for formal ratification at the third meeting. A simple majority vote of those present and voting is required for ratification. The bylaws shall take effect immediately upon ratification.

### **Section 2: Repeal of Previous Bylaws**

All previous bylaws of the Homeless Action Council of St. Clair County and its predecessor organizations are repealed immediately upon ratification of these bylaws.

### **Section 3: Review of Bylaws**

These bylaws will be reviewed at least annually by the Board of Directors.

### **Section 4: Amendments**

These bylaws may be amended or repealed by a majority of the Board of Directors present and voting at any meeting of HAC, provided that the amended or replacement bylaws shall have been presented in their final form and discussed at the preceding meeting of HAC. Notification for such meeting shall clearly state that amendment(s) to or repeal of the bylaws is being considered.

AMENDED: October 14, 2003, eff. October 14, 2003; December 9, 2003, eff. December 9, 2003; June 8, 2004, eff. June 8, 2004; May 9, 2006, eff. May 9, 2006; June 13, 2006, eff. June 13, 2006; November 14, 2006, eff. November 14, 2006; December 12, 2006, eff. December 12, 2006; August 14, 2007, eff. August 14, 2007; September 9, 2008; eff. September 9, 2008; eff. September 8, 2021; August 23, 2022

### CERTIFICATION OF RATIFICATION

This is to certify that the Homeless Action Council of St. Clair County, Illinois, did formally ratify and adopt these bylaws on the date specified below:

Date Ratified: August 23, 2022

Executed at HAC Board Meeting via zoom, Illinois this 23rd day of August, 2022.

By

Name:

Name:

Chairperson

Title:

Vice Chairperson

Title: