

BY-LAWS OF THE HOUSING AUTHORITY OF
WASHINGTON COUNTY, MARYLAND

ARTICLE I - THE AUTHORITY

Section 1. Name of Authority. The name of the Authority shall be the "Housing Authority of Washington County, Maryland."

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 at¹ 319 East Antietam Street, 2nd Floor, Hagerstown, Maryland, but the Authority may hold its meetings at such other place as it may designate by resolution.

ARTICLE II - COMMISSIONERS

Section 1. General. The powers of the Authority shall be vested in the Commissioners thereof in office from time to time. The number and appointment of Commissioners shall be as provided by law.

Section 2. Quorum. A simple majority of current Commissioners shall constitute a quorum for the purpose of conducting the business of the Authority and exercising the 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 the vote of majority of the Commissioners present.

Section 3. Meeting.

(a) Annual Meeting. The annual meeting of the Commissioners shall be held on the second Thursday in the month of January at 3:30 o'clock P.M.² at the regular meeting place of the Authority. In the event such date shall fall on a legal holiday, the annual meeting shall be held on the next succeeding Thursday.

(b) Regular Meetings Monthly meetings shall be held without notice at the regular meeting place of the Authority on the second Thursday of each month at 3:30 o'clock P.M., unless the same shall be a legal holiday, in which event said meeting shall be held on the next Thursday Monthly meetings may be held at such

¹ 6/26/2003 office location changed., and again in February, 2008

² 6/26/2003 meeting time changed from 3:00 p.m.

other place and hour as may from time to time be selected by the Commissioners, such place to be in Washington County, Maryland. When the meeting is called for any place other than the regular meeting place, a letter so advising shall be forwarded to each Commissioner at least three days prior to the date of the meeting.

(c) Special Meetings. The Chairperson of the Authority may, when s/he deems it expedient, and shall, upon the written request of three members of the Commissioners, call a special meeting of the Commissioners for the purpose of transacting any business designated in the call. The call for a special meeting including a meeting agenda may be delivered to each member of the Commissioners or may be mailed to the business or home address of each member of the Commissioners at least three days prior to the date of such special meeting including a meeting agenda. At such special meeting no business shall be considered other than as designated in the call, but if all of the members of the Commissioners are present at a special meeting, any and all business may be transacted at such special meeting.

Section 4. Resolutions. All resolutions of the Commissioners shall be in writing and shall be filed in a Resolutions Book kept for that purpose by the Secretary-Treasurer. Motions dealing with the day-to-day operations of the Authority may be made orally at meetings and shall be sufficiently recorded if reflected on the minutes of the meeting at which made.

Section 5. Voting. The voting on each question coming before the Commissioners shall be by voice vote. A roll call with recorded vote shall be conducted upon the request of any Commissioner. When time does not permit calling a special meeting, matters requiring a vote of the Commissioners may be considered by conducting a phone poll of all Commissioners, except that a two-thirds majority of the current Board of Commissioners shall be required to approve any such action. The results of special meetings conducted by phone poll shall be incorporated in the minutes of the next meeting of the Authority.

Section 6. Attendance. The Secretary/Treasurer shall maintain a record of Commissioner attendance. The Chairperson of the Board may grant an excused absence upon the request of an absent Commissioner. The Commissioner shall make the request directly to the Chairperson of the Board at any time prior to the meeting in question, or at any time prior to the next regularly scheduled meeting after the absence. The Secretary/Treasurer shall notify the Chairperson if any member obtains a third consecutive un-excused absence from regularly scheduled Board meetings. The Chairperson shall contact the non-attending member to encourage the member to resign, since non-attendance interferes with the conduct of business and is a neglect of the Commissioner's duty. The Chairperson shall report the results of this conversation at the next regularly scheduled Board meeting, at which point the Board may entertain a motion

recommending removal of the Commissioner by the Board of County Commissioners.³

ARTICLE III OFFICERS AND EMPLOYEES

Section 1. Officers. The officers of the Authority shall be a Chairperson, a Vice-Chairperson, a Second Vice-Chairperson, a Secretary-Treasurer, an Assistant Secretary-Treasurer, a Grievance Officer and an Assistant Grievance Officer.

Section 2. Chairperson. The Chairperson shall preside at all meetings of the Authority. Except as otherwise authorized by resolution of 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 until such time as the Authority shall select a new Chairperson.

Section 4. Second Vice-Chairperson. The Second Vice-Chairperson shall perform the duties of the Vice-Chairperson in the absence or incapacity of the Vice-Chairperson; and in case of the resignation or death of the Vice-Chairperson, the Second Vice-Chairperson shall perform such duties as are imposed on the Vice-Chairperson until such time as the Authority shall elect a new Vice-Chairperson.

Section 5. Grievance Officer: The Grievance Officer shall preside at all Section 8 Hearings⁴ and at all Grievance Hearings.⁵

Section 6. Assistant Grievance Officer. The Assistant Grievance Officer shall preside at all Grievance Hearings in the absence of the Grievance Officer.

Section 7. Secretary -Treasurer. The Secretary-Treasurer shall be the Executive Director of the Authority and, as such shall have general supervision over the administration of its business and affairs,

³ This new section on attendance was added on 6/26/2003

⁴ The word "Informal" was deleted on 10/16/2008 to maintain consistency with Resolution 2008-10

⁵ Previous to 3/9/2006 the Grievance Officer duties were assigned to the Second Vice Chair.

subject to the direction of the Authority. S/he shall be charged with the management of the housing projects of the Authority.

The Secretary-Treasurer shall keep 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.

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. 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 Chairperson. 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 his transactions and also of the financial condition of the Authority. S/He shall give such bond for the faithful performance of duties as the Authority may determine.

If needed a temporary Secretary-Treasurer appointee selected from among the commissioners of the Authority shall act without compensation (other than the payment of necessary expenses).

Section 8 Assistant Secretary-Treasurer. The position of Assistant Secretary-Treasurer shall be filled by the Commissioners of the Authority. The Assistant Secretary-Treasurer shall perform the duties of the Secretary Treasurer in the absence or incapacity of the Secretary-Treasurer.

Section 9 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 By-Laws or Rules and Regulations of the Authority.

Section 10. Election or Appointment. The Chairperson, Vice-Chairperson , Second Vice-Chairperson, Grievance Officer and Assistant Grievance Officer 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 Chairman, Vice-Chairman or Second Vice-Chairman may be elected to the office of Grievance Officer or Assistant Grievance Officer.⁶

⁶ Previous to 3/9/2006 the Grievance Officer duties were assigned to the Second Vice Chair.

The Secretary-Treasurer shall be appointed by the Authority. Any person appointed to fill the office of Secretary-Treasurer, or any vacancy therein, shall be eligible to this office except as a temporary appointee.

Section 11. Vacancies. Should the office of the Chairperson, Vice-Chairperson or Second 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. When the office of Secretary-Treasurer becomes vacant, the Authority shall appoint a successor, as aforesaid.

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 and all other laws of the State of Maryland applicable thereto. The selection and compensation of such personnel (including the Secretary-Treasurer) shall be determined by the Authority subject to the laws of the State of Maryland.

ARTICLE IV - AMENDMENTS TO BY-LAWS

Amendments to By-Laws. The By-Laws of the Authority shall be amended only by resolution passed by the affirmative vote of at least an extraordinary majority (two-thirds) of the current members of the Commissioners at a regular or a special meeting, but no such amendment shall be adopted unless at least ten days' written notice thereof with a copy of all proposed changes has been previously given to all of the members of the Commissioners.

ARTICLE V - NON DISCRIMINATION

The Housing Authority of Washington County will not discriminate on the basis of (1) political or religious opinion or affiliation, marital status, race, color, creed, or national origin, or (2) sex or age, except when age or sex constitutes a bona fide occupational qualification, or (3) the physical or mental handicap of a qualified handicapped individual.

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Amended:

June 9, 1988

November 9, 2000

June 26, 2003

March 9, 2006

October 16, 2008