

South Dakota's Housing for the Homeless Consortium  
COC Governance Charter Agreement  
Effective October 17<sup>th</sup> 2017

## Organization

The SDHHC is an unincorporated statewide organization consisting of service providers, individuals, city/county/state representation, domestic violence agencies, veteran programs and faith-based organizations. HUD refers to this CoC as the South Dakota Balance of State Continuum of Care.

## Purpose

The purpose of the SDHHC is to:

- Promote community-wide commitment to the goal of ending homelessness;
- Research and apply for funding opportunities for nonprofit providers and local governments to rapidly re-house homeless individuals and families rapidly while minimizing the trauma and dislocation caused to homeless individuals, families, and communities by homelessness;
- Promote access to and effective utilization of mainstream programs by homeless individuals and families; and
- Optimize self-sufficiency among individuals and families experiencing homelessness.

## Geographic Area

The SDHHC covers all 66 counties in the State of South Dakota.

## Responsibilities

The SDHHC is responsible for fulfilling major duties, as follows:

- Hold meetings of the full membership, with published agendas and meeting minutes, at least quarterly;
- Adopt and follow a written process to select a CoC governing board known as the Policy and Advisory Committee (PAC) and review, update, and approve the process with alternating terms;
- Establish a code of conduct for the PAC and SDHHC members;
- Appoint additional committees, subcommittees, or workgroups;
- Create a separate Governance Charter for the Homeless Management Information System for South Dakota;
- Provide information and training opportunities such as the Annual Statewide Homeless Summit;
- Vote annually to elect officers to the PAC;
- Participation in the Annual Point-in-Time Count and Housing Inventory Chart;
- Assist with public relations such as Legislative Day;
- Actively recruit new members; and make an invitation for new membership to join publicly available within the geographic at least annually

- Assistance to committee to accomplish outlined goals.
- Develop, follow, and update annually a governance charter, which include all procedures and policies needed to comply with HUD, and a code of conduct and recusal process for the board, its chairs, and any person acting on behalf of the board.
- Consult with recipients and subrecipients to establish performance targets appropriate for the population and program type. Monitor recipient and subrecipient performance, evaluate outcomes, and take action against poor performers.
- Evaluate outcomes of projects funded under Emergency Solutions Grants (ESG) program and the Continuum of Care Program, and report to HUD.
- In consultation with recipients of ESG program funds, establish and operate a coordinated entry system (CES) that provides an initial, comprehensive assessment of the needs of individuals and families for housing and services. Continuum will have a specific policy to guide the operation of the CES on how the CES will address the needs of those who are fleeing or attempting to flee domestic violence, dating violence, sexual assault, or stalking, but who are seeking shelter or services from non-victim services providers. The system will comply with HUD requirements and notices.
- In consultation with recipients of ESG program funds, establish and follow written standards for providing assistance. Policies and procedures will be created and followed for providing prioritizing procedures for eligible individuals and families to receive assistance in programs; transitional housing assistance, rapid rehousing assistance, and permanent supportive housing assistance. Consistent standards will be used for determining what percentage or amount of rent each program participant must pay while receiving rapid rehousing.

## CoC Membership

### Open Membership and New Members

Membership in the SDHHC is open to all stakeholders in South Dakota, including nonprofit homeless assistance providers, victim service providers, faith-based organizations, governments, businesses, advocates, public housing agencies, school districts, social service providers, mental health agencies, hospitals, universities, affordable housing developers, law enforcement, and any other organization that serves veterans, homeless, and formerly homeless individuals.

SDHHC has a listserv of over 200 current members and SDHDA attends many town-hall meetings across the state to talk about SDHHC and to obtain new members. Also, the Annual Statewide Homeless Summit brings new members to SDHHC yearly. New members may enroll at any time during the year by providing to SDHHC their names, contact information, and any relevant affiliations.

### Responsibilities of Members

Most of the responsibilities of the SDHHC will be carried out by the Policy and Advisory Committee which is the Governing body for SDHHC, with the following exceptions:

- Unless the Board selection process is changed by a subsequent amendment to the Governance Charter, members will vote annually to elect officers to available PAC positions.

### Membership Meetings

The full membership of the SDHHC shall meet at least quarterly. The meetings shall include a report on the CoC's activities, funding, and progress toward meeting goals. All members of the SDHHC are notified of the date, time and location of these meetings.

South Dakota Housing Development Authority (SDHDA), in partnership with the SDHHC coordinates and holds an Annual Statewide Homeless Summit to bring agencies together to learn innovative ways to work with homeless individuals and families in their communities and to work towards the goals of ending homelessness in South Dakota.

### Notice of Meeting

Notice of the place, date and time of each meeting, including the Statewide Annual Homeless Summit, shall be sent to SDHHC members by email or other reasonable means of communication at least 2 weeks before the meeting date, along with the agenda for the meeting.

## Policy and Advisory Committee - Governing Board

The SDHHC shall be governed by the Policy and Advisory Committee (PAC), which will provide oversight and accountability for all SDHHC responsibilities; fulfilling the regulatory duties of a continuum of care set forth in 24 CFR § 578. The PAC shall be responsible for approval and implementation of all CoC policies and procedures as well as:

### Continuum of Care Planning

- Coordinate implementation of a housing and service system;
- The creation of and the on-going oversight of the Coordinated Entry System for the state;
- Conduct, at least annually, a Point-in-Time Count meeting HUD requirements;
- Conduct annually, the Statewide Housing Inventory Chart per HUD's regulations;
- Provide information required to complete the Consolidated Plan(s);

- Consult with Emergency Solutions Grant (ESG) recipients on the plan for allocating ESG funds and reporting/evaluating performance of ESG programs; and
- Consult with other funding opportunities and services to ensure program barriers do not exist.

#### Preparation of a CoC Application for Funds

- Design, operate, and follow a collaborative process for the development of applications and approve submission of applications in response to a CoC Program Notice of Funding Availability (NOFA);
  - i. SDHHC’s priorities will be reflective of HUD’s priorities outlined in the NOFA;
  - ii. The PAC will rank applications based upon the successfulness of the programs and the needs of the state that coincide with HUD’s priorities:
- Establish priorities for funding projects that best meet the needs of the CoC.
- The PAC has determined that SDHDA will be the Collaborative Applicant for the SDHHC. It is the responsibility of SDHDA to collect and combine the required application information from all applicants within the state and apply for funding for CoC planning activities.
- For CoC grantees, establish performance targets appropriate for population and program type in consultation with grantees and subrecipients, then monitor grantees and subrecipient performance, evaluate outcomes, take actions against poor performers, and report to HUD.
- The continuum (SDHHC) retains all of its responsibilities, even if it designates one or more eligible applicants other than itself to apply for funds on behalf of the Continuum. This includes approving the continuum of care application.

#### Board Membership Composition

The PAC consists of 11 members from the SDHHC, representing the two largest cities as well as rural areas. The PAC members are from government, mental health facility, domestic violence agencies, formerly homeless, community health organizations, community advocates, and homeless non-profit organizations. SDHDA serves as the lead agency for the SDHHC and supplies staff to the PAC for input and assistance with all policies and procedures.

#### Term of Office

PAC members serve staggered terms of four years allowing a gradual change in membership. In the first year, newly-elected PAC members will draw lots to determine the length of their term— one, two, three or four years. PAC members may serve more than two consecutive terms.

#### Nomination and Voting

Each year the PAC members will solicit recommendations from SDHHC members and develop for membership approval a slate of candidates for election to the PAC. The vote for open PAC positions is held yearly at the SDHHC meeting held in conjunction with the Statewide Annual Homeless Summit.

#### Resignation and Removal

PAC members may resign at any time by giving written notice to the PAC co-chairs. In addition, PAC members may be removed from the PAC by a majority vote of remaining members for repeated misconduct, failure to participate, or violation of the code of conduct.

#### Vacancies

When a PAC member resigns, is removed, or cannot serve his/her full term for any reason, the PAC may appoint another SDHHC member to fill the unexpired term.

#### Officers

The officers of the PAC shall be the two Co-Chairs and a Secretary.

#### Election and Term

The officers shall be elected by the PAC annually. Each officer shall hold office for a term of one year or until their successors have been elected and qualified. No person may hold more than one office at one time.

#### Co-Chair Responsibilities

The Co-Chairs are responsible for scheduling meetings of the SDHHC, ensuring that the SDHHC meets quarterly or more as needed, and for setting the agenda for meetings in collaboration with SDHDA, which is the lead agency for the SDHHC.

#### Secretary

The Secretary shall keep accurate records of the acts and proceedings of all meetings of the SDHHC and PAC, or designate another person to do so at each meeting. Such records will include the names of those in attendance. The Secretary shall chair the PAC in the case of the absence of the CO-Chairs.

#### Resignation of Officers

Unless otherwise provided by written agreement, any officer may resign at any time by giving written notice to the Co-Chairs or the Secretary. Any such resignations shall take effect the date of the written notice or the date specified within the notice.

### Officer Vacancies

Vacancies may be filled for the remainder of the term by a vote of the majority of the PAC at any meeting at which a quorum is present.

### Rules of Governance for the PAC (Quorum and Voting)

A number equal to a majority of the PAC shall constitute a quorum for the transaction of business at any meeting.

At all meetings, business items may be decided by arriving at a consensus. If a vote is necessary, all votes shall be by voice or ballot at the will of the majority of those in attendance at a meeting with a quorum represented. Each PAC member shall have one vote. No member may vote on any item which presents a real or perceived conflict of interest.

### Action Without a Meeting

Any action that may be taken at any meeting of the PAC may be taken without a meeting if that action is approved, in writing (e.g. letter, email) by a majority of all the PAC members who would be entitled to vote if a meeting was held for such purpose. Action taken outside of a meeting shall be ratified at the next PAC meeting.

## Appointment of Agents and Designation of HMIS

### Collaborative Applicant

SDHDA will serve as the SDHHC's Collaborative Applicant.

### HMIS Lead

SDHDA will serve as the HMIS lead.

### HMIS Designation

SDHHC designates Client Track as the single Homeless Management Information System for its geographic area.

### HMIS Governance Charter

The duties and responsibilities of the PAC, the HMIS Lead, and Contributing HMIS Organizations are set forth in further detail in a separate HMIS Governance Charter.

## Code of Conduct and Conflicts of Interest

### Conduct and Attendance

Members, officers and staff must exercise care, diligence and prudence when acting on behalf of the SDHHC. These individuals must timely complete work they have agreed to undertake on behalf of the SDHHC. In addition, they must attend SDHHC meeting and committee meetings and be prepared to discuss matters presented for their deliberation. Failure to complete work assignments will be grounds for removal from committee assignments.

### Conflict of Interest

SDHHC and PAC members must abide by the following rules in order to avoid conflicts of interest and promote public confidence in the integrity of the CoC and its processes. Failure to honor these rules will be grounds for removal from the Board and any of its committees.

- SDHHC and PAC members may not participate in or influence discussions or resulting decisions concerning the award of a grant or other financial benefit to:
  - Any organization that they or a member of their immediate family represents; or
  - Any organization from which they or a member of their immediate family derives income or anything of value.
- Whenever SDHHC and PAC members, or any of their immediate family members have a financial interest or any other personal interest in a matter coming before the SDHHC, they must:
  - Fully disclose the nature of the interest; and
  - Withdraw from discussing, lobbying or voting on the matter.

### Disclosure

At the beginning of every meeting of the PAC or a general meeting of the SDHHC (if applicable) members must disclose if they have any conflicts of interest or potential conflicts of interest regarding any business included in the meeting's agenda.

### Approval of Governance Charter and Subsequent Amendments

This Governance Charter and every subsequent amendment to it must be approved by a majority of the PAC members. The PAC will review the Governance Charter annually put out for comment to the SDHHC member's changes to improve the functioning of the SDHHC and maintain compliance with federal and state regulations.