

## WINSTON-SALEM/FORSYTH COUNTY CONTINUUM OF CARE GOVERNANCE CHARTER

This Governance Charter (hereinafter “Charter”) establishes the Winston-Salem/Forsyth County Continuum of Care (NC-500) (hereinafter “CoC”) and formalizes its governance structure. The CoC shall be a membership organization. The Charter is effective as of August 30, 2014, and it was last amended on March 16, 2021.

### I. BACKGROUND AND OBJECTIVES

**Section 1:** The McKinney-Vento Homeless Assistance Act formerly provided three separate homeless assistance programs: the Supportive Housing, Shelter Plus Care, and Moderate Rehabilitation/Single Room Occupancy programs. In 2009, Congress amended the McKinney-Vento Homeless Assistance Act with the Homeless Emergency Assistance and Rapid Transition to Housing Act (hereinafter “HEARTH Act”). The HEARTH Act consolidated the three separate homeless assistance programs into a single grant program. This new, consolidated grant program is known as the “Continuum of Care Program.”

**Section 2:** Pursuant to the HEARTH Act, the U.S. Department of Housing and Urban Development (hereinafter “HUD”) promulgated regulations for the Continuum of Care Program. The regulations, known as the “interim rule,” are codified at 24 CFR § 578 *et seq.* The interim rule sets forth a framework for creating a “local” continuum of care.

**Section 3:** HUD defines a local Continuum of Care as a geographically based group of representatives that carries out the planning responsibilities of the Continuum of Care Program and is composed of representatives of organizations, including nonprofit homeless 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, organizations that serve homeless and formerly homeless Veterans, and homeless and formerly homeless persons to the extent these groups are represented within said geographic area.

**Section 4:** As a requirement for receipt of federal funding from HUD under the Continuum of Care Program, and pursuant to the HEARTH Act, this Charter establishes the local continuum of care for Winston-Salem and Forsyth County, North Carolina, and formalizes its operational activities, membership criteria, and governance structure. The local continuum of care shall be known as the “Winston-Salem/Forsyth County Continuum of Care (CoC) (NC-500).”

**Section 5:** The Winston-Salem/Forsyth County CoC shall be a homelessness assistance and planning network that encompasses Winston-Salem (HUD geographic code 373180) and Forsyth County, North Carolina (HUD geographic code 379067). The CoC shall be designed to promote a community-wide commitment to the goal of ending homelessness and to coordinate the implementation of a housing and service system that meets the needs of the homeless individuals and families. This goal will be

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achieved and sustained when data from the Homeless Management Information System (HMIS) confirms that homeless individuals and families are able to reenter a permanent housing situation within 30 days of becoming homeless as defined by HUD.

**Section 6:** Notwithstanding the significant role of providing oversight and management related to Federal Funding received to address homelessness, the purpose of the Winston-Salem/Forsyth County CoC shall be to examine the state of homelessness and to create solutions that prevent and end all types of homelessness. The Winston-Salem/Forsyth County CoC is designed to: (1) evaluate and develop recommendations regarding funding decisions made within the community as they apply to all efforts to serve homeless individuals and families by nonprofit providers, State and local governments, and others; (2) determine service priorities for limited resources; (3) promote access to and help ensure the effective utilization of mainstream programs by homeless individuals and families; and (4) optimize self-sufficiency among individuals and families experiencing homelessness.

### **II. DEFINITIONS**

**Administrator:** The “Administrator” shall be the City of Winston-Salem, North Carolina or its representative.

**Applicant:** An “applicant” shall mean an “eligible applicant” designated by the Winston-Salem/Forsyth County CoC to apply for assistance. Applicants are responsible for carrying out the projects that the Winston-Salem/Forsyth County CoC identifies through its planning responsibilities.

**Collaborative Applicant:** A “collaborative applicant” shall mean a particular “eligible applicant” designated by the Winston-Salem/Forsyth County CoC to coordinate and submit Consolidated Continuum of Care Program funding applications to HUD. The Collaborative Applicant shall apply for any grant for HUD Continuum of Care Program planning funds on behalf of the CoC. The Collaborative Applicant designated by the CoC is the City of Winston-Salem.

**Coordinated Assessment System:** A centralized or “coordinated assessment system” shall mean a coordinated entry process that emphasizes ease of access and inclusivity for all subpopulations. The coordinated entry process is designed to ensure that all people experiencing a housing crisis have fair and equal access and are quickly identified, assessed for, referred, and connected to housing and assistance based on their strengths and needs. The local coordinated assessment system designated by the CoC is the Community Intake Center managed by the United Way of Forsyth County.

**Eligible Applicant:** An “eligible applicant” shall mean a private nonprofit organization, State or local government, or any instrumentality of State and local government.

**Fiscal Agent:** A “fiscal agent” shall mean a tax-exempt organization in the community selected by the Governing Commission to administer charitable and other funds on behalf of the CoC. The Fiscal Agent designated by the CoC is the United Way of Forsyth County.

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**Governing Commission:** The “Governing Commission” shall mean the group of independent commissioners that provide governance over the work of the CoC.

**Member:** A “member” of the CoC shall mean an individual or organization that joins the Winston-Salem/Forsyth County CoC and attends at least one membership meeting or other activity of the CoC within any given year.

**Operating Cabinet:** The “Operating Cabinet” shall be the work group designated by the full membership which performs the work of the CoC and provides advice, recommendations and support to the Governing Commission.

**Program Participant:** A “program participant” shall mean an individual or family who receives assistance from the Winston-Salem/Forsyth County CoC and its grant-funded programs.

**Recipient:** A “recipient” shall mean an applicant that signs a grant agreement with HUD.

**Shelter or Housing Provider:** A “shelter or housing provider” shall mean a provider of shelter or housing as listed in the CoC’s Housing Inventory Chart (HIC).

**Subrecipient:** A “subrecipient” shall mean a private nonprofit organization, State or local government, or an instrumentality of the State or local government that receives a subgrant from a recipient to carry out a project.

### **III. MEMBERS**

**Section 1: Definition.** The Winston-Salem/Forsyth County CoC shall be composed of “Members” as defined below.

**Section 2: Members.** Members may include, but are not limited to individuals or organizations or non-profit agencies, including homeless service 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 agencies, other organizations that serve homeless and formerly homeless Veterans, and persons with lived experience to the extent that these groups are represented from within the CoC’s geographic area.

**Section 3: Charter Members.** Those organizations or individuals who agree to abide by and to sign the Charter shall become members of the Winston-Salem/Forsyth County CoC by virtue of said signing.

**Section 4: New Members.** Additional members may join the Winston-Salem/Forsyth County CoC by attending a meeting of the CoC’s full membership and providing contact information for meeting notices and other communications.

**Section 5: Invitation for New Members.** At least annually, the Operating Cabinet shall publicly invite new members to join the Winston-Salem/Forsyth County CoC. This

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invitation shall be widely distributed within the CoC's geographic area and shall be issued in September of each calendar year.

**Section 6: Resignation and Removal.** Members may resign from the CoC at any time by giving written or oral notice to the Chairperson of the Operating Cabinet. In addition, members may be removed from the CoC by a two-thirds vote of the Operating Cabinet Members for various reasons including but not limited to: repeated absences, misconduct, failure to participate, disruptive or obstructive conduct, or violation of any CoC policies.

**Section 7: Full Membership Definition.** The CoC's full membership or body of Members shall be known as the "Council". As a point of historical record, the Council of members was initially formed in 1986, as the WS/FC Council on Services for the Homeless until August 2014, when the WS/FC CoC established a formal governance structure and adopted this Charter.

**Section 8: Meetings of the Full Membership Council.** Council meetings of the CoC's full membership, with published agendas, shall be held at least four times per year. All meetings of the Council are open meetings.

**Section 9: Council Planning Committee and Chairperson.** The Council shall create a Planning Committee, comprised of three to five volunteers who are CoC Members. Council meetings shall be facilitated by the Operating Cabinet Vice-Chairperson or a Planning Committee member. The Planning Committee shall solicit input from the Members in the planning of Council meeting agendas, shall promote active engagement of all Members, and shall foster an environment of open and effective communication among all Members.

### **IV. GOVERNING COMMISSION ON ENDING HOMELESSNESS**

**Section 1: Definition.** The Winston-Salem/Forsyth County CoC shall be governed by the Winston-Salem/Forsyth County Commission on Ending Homelessness (hereinafter "Governing Commission" or "COEH") to act on behalf of the Winston-Salem/Forsyth County CoC as its decision-making body as authorized herein. The Governing Commission shall be an independent body appointed according to the process described below and shall provide oversight and governance to the CoC.

**Section 2: Commissioners.** The Governing Commission shall be comprised of 16 voting commissioners. Five commissioners shall be appointed by the City Council, upon the recommendation of the Mayor. Five commissioners shall be appointed by the County Commissioners. Five commissioners shall be nominated by the Operating Cabinet and appointed by the City. The Mayor and the Chairperson of the County Commissioners shall appoint the chairperson of the Governing Commission.

- A. **Selection of Commissioners by the City Council.** The City Council shall select representatives from the community. Of the five commissioners appointed by the City Council: (1) one shall have experience in rental real estate or property management; (2) two shall be in business or professional practice; (1) one shall

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have an accounting, financial or CPA background; and (1) one shall be a commissioner at large.

- B. **Selection of Commissioners by Forsyth County Board of Commissioners.** Of the five commissioners appointed by the County, (1) one shall be representative of mental health services, (1) one shall be a representative from the Department of Social Services, (1) one shall be a representative from law enforcement or public safety, (1) one shall be a representative of the educational system, and (1) one shall be a commissioner at large.
- C. **Selection of Commissioners by the Operating Cabinet.** Of the five commissioners nominated by the Operating Cabinet, (1) one shall be an individual who is homeless or formerly homeless, (2) two shall be representatives from organizations representing facilities or programs on the Continuum of Care Housing Inventory Chart (HIC), (1) one shall be the Chairperson of the Operating Cabinet, and (1) one shall be a commissioner at large. The Nominating Committee shall identify potential candidates and shall make recommendations to the Operating Cabinet in order to facilitate the nomination process. The Operating Cabinet's nominations shall be sent to the Office of the Mayor for formal appointment.
- D. **Selection of the Chairperson of the Governing Commission.** The Mayor and the Chairperson of the County Commissioners shall appoint the Chairperson of the Governing Commission.
- E. **Ex Officio Commissioners.** (1) One elected City Official and (1) one elected County Official shall be appointed as *ex officio*, non-voting commissioners.
- F. **Staff to the Governing Commission.** The City of Winston-Salem as the Administrator and Collaborative Applicant, Forsyth County, and the United Way of Forsyth County as the Fiscal Agent shall provide staff members to support the operation of the Governing Commission and the CoC as a whole.

**Section 3: Purpose of the Governing Commission.** The purpose of the Governing Commission is to implement the vision of the Winston-Salem/Forsyth County Continuum of Care by overseeing the implementation of the strategic initiatives and investments of the CoC.

- A. **HMIS Lead – Local CoC Organization.** The Governing Commission shall designate an HMIS Lead – Local CoC organization who shall be the single eligible applicant to manage the HMIS. The HMIS Lead – Local CoC organization may contract with another organization or organizations to administer the HMIS.
- B. **Funding.** The Governing Commission shall provide recommendations to the Collaborative Applicant on the application for and expenditure of HUD CoC and Emergency Solutions Grant funds.

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- C. **Community Vision.** The Governing Commission shall at least once every five years evaluate the system-wide responses to the needs of residents who experience homelessness or housing crises and to develop a vision to address any identified needs or gaps. The Governing Commission shall also engage with the Operating Cabinet in the development and implementation of the CoC's written plan, which includes conducting an annual gaps analysis, and shall use those findings to help guide the community vision.
  
- D. **Advocacy.** The Governing Commission, with the advice and consent of the Operating Cabinet, shall determine an advocacy plan for the CoC. This plan shall encompass the education of all stakeholders as to the issues facing people experiencing homelessness and the recommended solutions to those needs.
  
- E. **Performance Monitoring.** The Governing Commission, in partnership with the Collaborative Applicant, shall also monitor recipient and subrecipient performance using system-level and project-level measures as appropriate, evaluate outcomes, and develop performance improvement plans for those programs that are underperforming on established targets.

**Section 4: Terms of Office.** Commissioners shall serve for three-year terms and shall be limited to two consecutive terms. Initially, eight of the commissioners shall serve two-year terms, and eight of the commissioners shall serve three-year terms. Notwithstanding these term limits, Commissioners shall serve until their replacement has been appointed.

**Section 5: Resignation and Removal.** Commissioners may resign at any time by giving written or oral notice to the Chairperson and to the Government body which appointed them to the Governing Commission.

**Section 6: Vacancies.** When a commissioner resigns or is removed from the Governing Commission or cannot serve his or her full term for any other reason, the position may be filled in the manner in which it was originally appointed.

**Section 7: Quorum.** The commissioners present at any properly announced meeting shall constitute a quorum.

**Section 8: Voting.** Issues presented to the commissioners for a vote shall be decided by a simple majority of votes cast. Commissioners may vote by voice, in-person, or by submitting their vote via email, or in writing to the Chairperson at least 24 hours before a vote is scheduled to be conducted.

**Section 9: Policies and Procedures.** The Governing Commission shall adopt such policies which are necessary to effectuate the governance, operation, and management of the CoC. Such policies shall include, but are not limited to, the Conflict of Interest Policy, coordinated assessment prioritization policies, and HMIS policies and procedures.

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**Section 10: Code of Conduct.** Commissioners must exercise care, diligence, and prudence when acting on behalf of the Winston-Salem/Forsyth County CoC. These individuals must complete the work they have agreed to undertake in a timely manner. Repeated failure to participate thoughtfully and respectfully in meetings or persistent disruptive or obstructive conduct during meetings will be grounds for removal.

**Section 11: Other Administrative Duties.** The Governing Commission may designate a tax-exempt organization in the community to administer charitable and other funds not specifically managed by the Collaborative Applicant on behalf of the CoC. This organization shall be referred to as the Fiscal Agent.

**Section 12: Meetings.** The Governing Commission shall establish and publish a meeting schedule. All meetings of the Governing Commission are open meetings.

### **V. OPERATING CABINET**

**Section 1: Definition.** The Winston-Salem/Forsyth County CoC shall establish an "Operating Cabinet" to manage the work of the CoC on behalf of the Winston-Salem/Forsyth County CoC. The Operating Cabinet's members shall represent the relevant organizations and projects serving homeless subpopulations. The Winston-Salem/Forsyth County CoC shall adopt a written process to select Operating Cabinet Members that shall be reviewed and updated at least once every 5 years, beginning in 2015.

**Section 2: Chairperson.** A Chairperson shall be appointed by the Mayor to preside over the Operating Cabinet. The Chairperson shall be a Winston-Salem/Forsyth County community member and shall serve on a volunteer basis.

- A. **Duties.** The Chairperson shall preside over meetings of the Operating Cabinet. The Chairperson shall advocate for the interests of the CoC and shall be a voting commissioner. The Chairperson of the Operating Cabinet may also chair meetings of the Governing Commission in the absence of the appointed Chair.
- B. **Term.** The Chairperson shall serve a three-year term with the option of a one-term renewal. Terms shall begin on October 1 and end on September 30.

**Section 3: Vice-Chairperson.** The Operating Cabinet Members shall elect a Vice-Chairperson upon recommendations from the Nominating Committee.

- A. **Duties.** The Vice-Chairperson shall perform the duties of the chair, in the absence of the Chairperson. In addition, the Vice-Chairperson shall assist in setting the Operating Cabinet agenda as part of Executive Committee efforts, shall serve as a liaison to strategic planning work spearheaded by the Governing Commission and United Way of Forsyth County, and shall facilitate Council meetings for the full membership.
- B. **Term.** The Vice-Chairperson shall serve a two-year term.

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**Section 4: Historian-Secretary.** The Operating Cabinet Members shall elect a Historian-Secretary.

A. **Duties.** The Historian-Secretary shall ensure that minutes are taken for each meeting, shall review minutes for completeness and accuracy prior to the next meeting, and shall ensure that all CoC documents are maintained and published as needed. In addition, the Historian-Secretary shall support open and transparent communications, assist with advocacy for the CoC, review branding and messaging via the website and other publications, and help chronicle the work and progress of the CoC.

B. **Term.** The Historian-Secretary shall serve a two-year term.

**Section 5: Financial Steward.** The Operating Cabinet Members shall elect a Financial Steward.

A. **Duties.** The Financial Steward shall ensure that adequate, accurate, and up-to-date financial records are kept for any financial business undertaken by the Operating Cabinet, and serve as a liaison to the Administrator, Collaborative Applicant, and Fiscal Agent, and represent the interests of the CoC as a whole and the entirety of its homeless response system.

B. **Term.** The Financial Steward shall serve a two-year term.

**Section 6: Process for Recommending Officers.** The Operating Cabinet will appoint a Nominating Committee to manage the process for recommending Officers to the Operating Cabinet. Officer terms shall be two years and begin on October 1. Elections shall occur at the next Operating Cabinet meeting following the ratification of the at-large Operating Cabinet Member positions

**Section 7: Executive Committee.** The Officers of the Operating Cabinet, and up to three members of the Governing Commission, shall comprise the Executive Committee of the CoC. The Executive Committee shall be responsible for producing agenda items for all CoC meetings, maintaining a calendar of events for the CoC, managing the CoC's planning responsibilities, determining the process for annual review of this Charter, and calling special meetings of the Commission, Operating Cabinet, or Full Membership if necessary. The Administrator and Fiscal Agent shall provide staff support to the Executive Committee.

**Section 8: Number of Operating Cabinet Members.** In addition to a Chairperson and Ex Officio members, there shall be between 20 and 35 Operating Cabinet Members.

**Section 9: Ex Officio Operating Cabinet Members.** The Operating Cabinet shall include the following non-voting Ex Officio Operating Cabinet Members:

- 1) The Administrator or its representative,
- 2) The Fiscal Agent or its representative,

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- 3) Representatives from the Collaborative Applicant,
- 4) The director of the Coordinated Assessment System, and
- 5) The Local System Administrator of the HMIS.

**Section 10: At-Large Operating Cabinet Members.** The Operating Cabinet shall include at-large Operating Cabinet Members. To the extent that representation is available, members shall be selected from the full membership to include:

- 1) One representative from each organization listed in the Housing Inventory Chart,
- 2) One representative from a street outreach program,
- 3) One representative from a diversion and/or prevention program,
- 4) One representative each from the City of Winston-Salem and/or Forsyth County,
- 5) One representative from the U.S. Department of Veterans Affairs (VA),
- 6) One representative from the W. G. (Bill) Hefner Veterans Administration Medical Center in Salisbury, NC,
- 7) Two representatives from providers of services to homeless persons not listed in the Housing Inventory Chart,
- 8) One representative from the Local Education Agency,
- 9) One representative from the Managed Care Organization (for mental health, substance abuse, and developmental disability services),
- 10) One representative from the Housing Authority of Winston-Salem,
- 11) One representative from the Homeless Caucus,
- 12) Two persons with lived experience,
- 13) Two representatives from faith-based organizations,
- 14) Two representatives from health care services,
- 15) One representative from the Forsyth County Department of Public Health,
- 16) One representative from the Forsyth County Department of Social Services,

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- 17) One representative from affordable housing developers,
- 18) One representative from local law enforcement, and
- 19) One to sixteen other at-large Operating Cabinet Members.

**Section 11: Selection of Operating Cabinet Members.**

- A. **Operating Cabinet Member Serving in More Than One Capacity.** Nothing shall preclude an individual from serving in more than one capacity as listed in Section 8. However, if an individual represents more than one category including an Ex Officio member, that individual shall still have only one vote on the Operating Cabinet.
- B. **Population Representation.** To the extent possible, members shall be selected to fill the Operating Cabinet positions that represent the key homeless sub-populations including Veterans; chronically homeless individuals; homeless families with children; unaccompanied homeless youth; persons with serious mental illness; persons with substance abuse disorders; persons with HIV/AIDS; ex-offenders; and victims of domestic violence, dating violence, sexual assault, stalking, and trafficking.
- C. **Nomination.** The at-large Operating Cabinet Members shall be selected by nomination and ratification by the full CoC membership every two years, in odd numbered years. This process shall occur at the second Council (i.e., full membership) meeting of the calendar year.

**Section 12: Regular Meetings.** The Operating Cabinet shall hold at least ten meetings per year and shall meet on the third Tuesday of every month, unless otherwise scheduled with at least two days' notice to Operating Cabinet Members. All meetings of the Operating Cabinet are open meetings.

**Section 13: Code of Conduct.** Operating Cabinet Members must exercise care, diligence, and prudence when acting on behalf of the Winston-Salem/Forsyth County CoC. These individuals must complete any work assigned or agreed to by them in a timely manner. Repeated failure to participate thoughtfully and respectfully in meetings, or persistent disruptive or obstructive conduct during meetings, will be grounds for removal.

**Section 14: Attendance.** Operating Cabinet Members must attend all scheduled Operating Cabinet meetings and be prepared to discuss matters presented for their deliberation. Absence without notice or explanation for three meetings within a calendar year or repeated failure to complete work assignments will be grounds for removal from the Operating Cabinet.

Operating Cabinet Members who are unable to attend a regular or special meeting may designate a proxy to attend in their absence. Such proxies will exercise all the power

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and authority of a regular Operating Cabinet Member and shall be authorized to participate in discussions and may vote for the duration of that meeting with all the power and authority of a regular Operating Cabinet Member. Designation of a proxy must be communicated to the Chair prior to the beginning of the meeting.

**Section 15: Resignation and Removal.** Operating Cabinet Members may resign from the Operating Cabinet at any time by giving written or oral notice to the Chairperson. In addition, Operating Cabinet Members may be removed by a majority vote of remaining Operating Cabinet Members for repeated absence, misconduct, failure to participate, disruptive or obstructive conduct, or violation of any CoC policies.

In the event a representative of an Agency who is designated to be represented on the Operating Cabinet is no longer able to represent that agency, the Agency administration may appoint a successor from the Agency to fulfill the term of said representative. The Agency must provide written notice to the Chairperson of the Operating Cabinet of such replacement.

**Section 16: Vacancies.** When an Operating Cabinet Member resigns, is removed, or is unable to serve his or her full term for any other reason, the Operating Cabinet may appoint another member to fill the unexpired term.

**Section 17: Quorum.** The Operating Cabinet Members present at any properly announced meeting, whether in-person or using an electronic platform, shall constitute a quorum.

**Section 18: Voting.** Issues presented to the Operating Cabinet Members for a vote will be decided by a simple majority of votes cast. Operating Cabinet Members may vote either by voice, in person or by submitting their vote via email, or in writing to the Chairperson at least 24 hours before a vote is scheduled.

**Section 19: Use of Consent Agenda.** In the interest of expediting formal business, the Operating Cabinet shall have the authority to combine procedural, general informational, and other items that do not require discussion into a consolidated consent agenda. Said agenda will be distributed to all members of the Operating Cabinet no later than the Friday before the scheduled meeting, and any member may dispute the inclusion of any item by notifying the Chairperson no later than one day prior to the meeting date.

### VI. RESPONSIBILITIES

**Section 1: Meetings.** The Operating Cabinet shall hold at least four Council meetings annually of the full membership of the Winston-Salem/Forsyth County CoC, with published agendas. The Chairperson may call additional meetings of the Operating Cabinet or full CoC membership by providing notice of such meetings at least ten days in advance, including the time, place, and proposed agenda of the meeting.

**Section 2: Committees.** The Operating Cabinet may appoint committees, subcommittees, or workgroups to assist the CoC in fulfilling its objectives.

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**Section 3: Charter Review.** The Governing Commission shall ensure that the CoC annually review this Charter in following with the process stated herein.

**Section 4: Consultation and Monitoring.** The Operating Cabinet, in partnership with the Administrator and Collaborative Applicant, shall consult with recipients and subrecipients of federal funding for homeless programs to establish performance measures and targets appropriate for the population and program type. The Governing Commission, in partnership with the Collaborative Applicant, shall also monitor recipient and subrecipient performance on these measures, evaluate outcomes, and develop performance improvement plans for those programs that are underperforming relative to the established target measures.

**Section 5: Goal and Outcome Evaluation.** To evaluate the CoC's progress toward its goal of ensuring that homeless individuals and families are able to reenter a permanent housing situation within 30 days of becoming homeless as defined by HUD, the Operating Cabinet with the counsel of the Reports Committee and Local System Administrator, will determine the reporting tools used to assess this measure. The Governing Commission, in partnership with the Administrator and Panel, shall evaluate outcomes of projects funded under the Emergency Solutions Grants Program and the Continuum of Care Program.

**Section 6: Coordinated Assessment System.** The CoC shall, in consultation with recipients of Continuum of Care and Emergency Solutions Grants program funds within Winston-Salem/Forsyth County, establish and operate a centralized or coordinated assessment system that provides an initial, comprehensive assessment of the needs of individuals and families for housing and services. The Governing Commission shall also adopt a specific policy to guide the operation of the centralized or coordinated assessment system on how it will address the needs of individuals and families who are fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, or stalking, and who are seeking shelter or services from non-victim service providers.

**Section 7: Prioritization Standards.** The Operating Cabinet shall develop and follow written standards for system-wide prioritization of supportive housing services. These standards shall include policies and procedures for: (1) evaluating individuals' and families' eligibility for assistance; (2) determining and prioritizing which eligible individuals and families will receive transitional housing assistance; (3) determining and prioritizing which eligible individuals and families will receive rapid re-housing assistance; (4) determining what percentage or amount of rent each program participant shall pay while receiving rapid re-housing assistance; and (5) determining and prioritizing which eligible individuals and families will receive permanent supportive housing assistance. The Prioritization Standards shall be reviewed annually by the Operating Cabinet, and any changes to the Prioritization Standards shall be approved by the Governing Commission.

**Section 8: Written Plan.** The Operating Cabinet, in coordination with the Governing Commission and Council, shall develop a written plan that includes: (1) coordinating the implementation of a housing and service system within Winston-Salem/Forsyth County that meets the needs of the homeless individuals and families; (2) planning for and

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conducting, at least biennially, a point-in-time count of homeless persons within Winston-Salem/Forsyth County; (3) conducting an annual gaps analysis of the homeless needs and services available within Winston-Salem/Forsyth County; (4) providing information required to complete the Winston-Salem/Forsyth County Consolidated Housing and Community Development Plan(s); and (5) consulting with State and local government Emergency Solutions Grants program recipients within Winston-Salem/Forsyth County regarding plans for allocating Emergency Solutions Grants program funds and reporting on and evaluating the performance of Emergency Solutions Grants program recipients and subrecipients.

**Section 9. Funding Decisions.** The Governing Commission shall approve all Continuum of Care and Emergency Solutions Grant funding recommendations made by the Community Ratings Panel prior to such recommendations being submitted to the Collaborative Applicant for consideration of submission to HUD. The Operating Cabinet must approve any proposed grant agreement amendments before any Applicant submits such a request for an amendment to HUD.

**Section 10. Grant Amendments.** Should a subrecipient wish to amend a project budget, the Operating Cabinet must approve any proposed grant agreement amendments before any project applicant submits an amendment request to HUD.

### **VII. HOMELESS MANAGEMENT INFORMATION SYSTEM<sup>[1]</sup><sub>SEP</sub>**

**Section 1: Definition.** The Governing Commission shall be responsible for designating and ensuring the operation of a single Homeless Management Information System (hereinafter “HMIS”) for the geographic area.

**Section 2: HMIS Lead – Multi-CoC Implementation.** The CoC is part of a multi-CoC HMIS implementation in North Carolina, known as the NC HMIS, and the Governing Commission shall designate representatives to serve on the NC HMIS Governance Committee. Current NC HMIS policies and procedures allow the Governing Commission to designate a primary representative, one alternative representative, and an additional representative to represent the CoC on the NC HMIS Governance Committee.

**Section 3: HMIS Lead – Local CoC.** The Governing Commission shall designate an eligible applicant to manage the CoC’s HMIS. This eligible applicant shall be known as the “HMIS Lead – Local CoC.” The City of Winston-Salem currently serves as the HMIS Lead – Local CoC.

**Section 4: HMIS Lead – System Administrator.** The Governing Commission shall designate a single entity to administer and operate the HMIS implementation for the geographic area. This entity shall be known as the “HMIS Lead – System Administrator.” The Michigan Coalition Against Homelessness currently serves as the HMIS Lead – System Administrator, fulfilling a significant portion of the HMIS technical responsibilities that are specific to the software solution that complies with HUD’s data collection, management, and reporting standards.

**Section 5: HMIS Plan Review and Participation.** The Operating Cabinet shall review,

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revise, and approve a privacy plan, security plan, and data quality plan for the HMIS. The Operating Cabinet shall also ensure the consistent participation of CoC and ESG recipients and subrecipients in the HMIS and that the HMIS is administered and utilized in compliance with requirements prescribed by HUD.

**Section 6: Data Monitoring, Performance, and Reporting.** The HMIS Lead – Local CoC shall be responsible for system-level data monitoring, performance monitoring, and report submission requirements. These HMIS activities shall be carried out by the CoC’s HMIS Local System Administrator in coordination with the Reports Committee of the Operating Cabinet. HMIS participating agencies shall designate at least one staff member that supports the Reports Committee and maintains responsibility for agency-level data monitoring, performance monitoring, and report submission requirements.

**Section 7: Comparable Database.** The Operating Cabinet shall, in partnership with local victim service providers, shall follow all HUD, Family Violence Prevention and Services Act (FVPSA), Office for Victims of Crime (OVC), or Office on Violence Against Women (OVW) requirements and regulations, and shall support their participation in a secure database that is separate from the general community HMIS system and that meets the HUD standards for an HMIS system.

### **VIII. COMMUNITY RATINGS PANEL**

**Section 1: Definition.** A “Community Ratings Panel” (hereinafter “Panel”) shall be established to review funding applications and to make funding recommendations for review by the Operating Cabinet and subsequent submission to the Governing Commission for approval.

**Section 2: Composition.** The Panel shall consist of a minimum of five members and a maximum of seven members. Members of the Panel may be members of the CoC but shall not be staff or board members of any of the agencies which receive HUD Continuum of Care (CoC) or Emergency Solutions Grants (ESG) Program funding. The Chairperson of the Operating Cabinet shall be a standing member of the Panel.

**Section 3: Officers.** The officers of the Panel shall include a Chairperson and a Vice-Chairperson. All Officers shall be elected by the Panel and shall serve two-year terms with the option of an additional term. The holders of these positions shall hold office until September 30<sup>th</sup> or until a successor has been elected. Officers may be re-elected to a particular office for a maximum of two consecutive terms. The Chairperson of the Operating Cabinet shall not serve as an Officer of the Panel.

#### **Section 4: Community Ratings Panel Members.**

- A. **Selection of Panel Members.** Community Ratings Panel applications will be reviewed by the Nominating Committee and then submitted to the Operating Cabinet for approval. The initial election action shall result in the election of at least five panel members. At the initial election, the first three panel members shall be elected for a one-year term, and the remaining Panel members shall be elected for a two-year term.

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- B. **Subsequent Community Ratings Panel Elections.** After the initial election, Panel members shall be elected for a three-year term. Elections shall be held in September of each year as needed, and Panel members' expiring terms shall be extended through the end of September. New Panel members shall take office on October 1<sup>st</sup> subject to the provisions of Section I below.
- C. **Specific Member Provisions.** If the Chairperson of the Operating Cabinet is a staff or board member of a CoC or ESG funded agency, the Operating Cabinet shall select another Operating Cabinet Member to serve on the Panel.
- D. **Term Length.** Each Panel member shall be elected or re-elected for a three-year term. A Panel member shall serve no more than two full, consecutive terms. Any Panel member having served six consecutive years shall be ineligible for Panel membership for at least one year.
- E. **Attendance.** When a Panel member is absent from two meetings, the Panel Chairperson or Operating Cabinet Chairperson shall advise the Operating Cabinet, which then may vote to retain or remove the Panel member from the Panel.
- F. **Resignation.** A Panel member may resign at any time by giving written notice to the Panel Chairperson or the Operating Cabinet Chairperson.
- G. **Removal.** Any panel member may be removed by vote of the Operating Cabinet, following a determination that is in the best interests of the CoC.
- H. **Vacancies.** The remaining term of any terminated Panel member may be filled through the election process, or may remain vacant, at the discretion of the Chairperson of the Operating Cabinet, so long as a minimum of five Panel members remain.
- I. **Term Limit Accommodations.** Panel term limits and election schedules described above notwithstanding, the Operating Cabinet may extend Panel member term lengths and may delay elections to accommodate for any Continuum of Care or Emergency Solutions Grants funding cycles.

**Section 5: Funding Recommendation Procedure.** The Panel shall schedule meetings as needed to develop funding recommendations in a timely manner to meet any funding deadlines. Upon development of funding recommendations, the Panel Chairperson or Vice-Chairperson shall provide said recommendations to the Operating Cabinet for review and comment prior to submission to the Governing Commission for approval. Once approved by the Governing Commission, the funding recommendations shall be presented to the Collaborative Applicant. Staff support for the Community Ratings Panel shall be provided by the agency serving as the Collaborative Applicant on behalf of the CoC.

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- A. **Quorum.** A quorum shall be comprised of a majority of the Panel members present.
- B. **Voting.** All Panel actions shall be approved based on a simple majority of votes.
- C. **Minutes.** Minutes and attendance shall be recorded and maintained by the Collaborative Applicant for all Community Ratings Panel meetings.

**IX. AMENDMENTS.**

**Section 1: Charter Amendment Process.**

- A. This Charter shall be reviewed annually by the CoC. A process for this review shall be determined by the Executive Committee. Prior to a vote on any recommended changes, the City of Winston-Salem, Forsyth County, the Council of full membership, and the Operating Cabinet shall be provided at least a 30-day comment period on proposed changes. Any recommended changes shall be approved by the Governing Commission.
- B. At any meeting of the Governing Commission in which amendments to this Charter are to be considered for adoption, there must be at least 50% of eligible voting members of the Governing Commission present. Any changes to this Charter must be approved by at least a two-thirds vote of the members present.

**X. RECORDS AND NOTICES.**

**Section 1: Records.** The Charter, records of membership, meeting minutes, policies, and other records of the CoC shall be maintained by the Collaborative Applicant or other party designated by the Administrator. The records shall be maintained at such party's offices using its resources.

**Section 2: Contacts.** The official contact for any business of the CoC, unless otherwise specified in this charter, shall be the Chairperson of the Operating Cabinet. Notices may be sent to Chairperson, Winston-Salem/Forsyth County Continuum of Care, c/o City of Winston-Salem, Post Office Box 2511, Winston-Salem, North Carolina, 27102.

**Section 3: Notices.** Unless otherwise designated through this Charter, or by CoC actions, official notices required under this Charter shall be sent by the Collaborative Applicant or other party designated by the Administrator.