

**MINUTES**  
"SPECIAL" Board of Commissioners Meeting  
Taxation Office  
Acomita, NM  
February 17, 1998

**Item I. Call to Order**

Meeting was called to order by Chairman Marvis Aragon, Jr. @ 7:05 p.m.  
"SPECIAL" meeting was called to review MEPA policy before approval.

**Item II. Invocation**

**Item III. Roll Call**

Roll Call was made with the following BOC and staff present:

Chairman, Marvis Aragon, Jr.  
Vice-Chairperson, Jackie Torivio  
Secretary, Harold Felipe  
Commissioner, Carleen Chino  
Executive Director, Raymond J. Concho, Jr.  
Development Specialist, Derek Valdo  
Administrative Assistant, Valerie Lucero

**Item IV. Approve Agenda**

Agenda was amended as follows: Chairman Aragon would like to add sub-topic two (2) under announcements. Sub-topic two (2). Executive Director's Self Appraisal.

Secretary Felipe questioned if agenda was appropriately formatted. Raymond responded since this is a SPECIAL meeting the format is appropriate and should not include other standard agenda items used at regular BOC meetings. This meeting was scheduled at the last BOC meeting to specifically go over MEPA Policy.

Motion to approve amended agenda was made by Secretary Felipe, seconded by Commissioner Chino.

**Item V. Announcements**

1. Regular BOC meeting March 10, 1998
2. Executive Director's Self Appraisal - Self appraisal was just received by Mr. Concho, Chairman Aragon would like to share copies with BOC to review. Chairman Aragon would like to meet with board and Mr. Concho sometime before the end of February. Secretary Felipe suggested that the board meet while in Washington, D.C. on February 22 - 24, 1998. Due to Vice Chairperson Torivio not going to Washington, D.C., a tele-conference could be an option. Secretary Felipe questioned if the Board will be developing their evaluation for the Executive Director. Chairman Aragon responded that he would like to

meet with the Board first before meeting with Mr. Concho. March 2, 1998 Board only meeting. The Board will then go into executive session on March 10, 1998 to go over evaluation with Mr. Concho.

**Item VI. New Business**

1. Resolution Approving MEPA Policy - Chairman Aragon reiterated the purpose of the SPECIAL BOC. The meeting was called to pass and approve MEPA policy presented to the Board at the previous BOC meeting on February 3, 1998.

Mr. Concho informed the Board that PAHA would like to get this policy in place so that we may start to work with our homebuyers to get TAR balances down. The key issue is to use MEPA funds to pay off TAR balances.

Chairman Aragon would like to review the MEPA policy page by page to insert any additions or deletions the Board might have.

Chairman Aragon compared the AIPHA policy with the PAHA policy. His interpretation of the old policy was to provide homebuyers with the opportunity to use MEPA funds under certain circumstances. MEPA funds were to be used as a benefit to Homebuyers in betterments and additions. Homebuyers need to be in compliance, zero TAR balances to use MEPA funds. Most of these items were taken out compared to PAHA's policy. PAHA's policy seems to be taking away that privilege/benefit from homebuyers, that is not being fair to homebuyers who are in good standing.

Derek replied that under the old law that it was upto the Indian Housing Authority to choose to allow homebuyers to use their MEPA funds to pay for 1) administrative fees or 2) betterments or additions. AIPHA was the only housing authority in the nation to allow it's homebuyers to use MEPA for administrative fees. All other housing authorities did not allow homebuyers to use their MEPA in that way. They all considered it as program income.

Vice-Chairperson Torivio questioned when the old AIPHA policy was produced, did it state that the MEPA was the homebuyers equity to use. Derek replied that yes that is the way the policy was written. The homebuyer had every right to use MEPA under certain conditions.

Vice-Chairperson Torivio suggested that a time frame be given to the homebuyers who would like to use their MEPA to pay for Administrative fees and stress **ONE TIME USE ONLY**. PAHA needs to start reporting to credit bureau of homebuyers delinquencies.

Chairman Aragon suggested that 50% of MEPA could be used to pay TARs instead of 100%.

Secretary Felipe stated that there are other alternative out there to help get TAR balances down. PAHA should do a mandatory re-training in the summer to homebuyers.

Chairman Aragon questioned if a program can be set up that involves all options of how to become current on the homebuyer's accounts.

Derek stated that a strategy plan could be put in place. It would list what each homebuyer may do to come current on their accounts. And what the housing authority may do to help the homebuyers. HOC will be responsible to do counseling to the homebuyers.

Vice Chair Torivio questioned if PAHA has looked into homebuyers with TAR accounts, does each homebuyer have enough MEPA to cover total TAR?

Derek replied that there are a few homebuyers who have enough MEPA to cover TARs and a few that would have to sign payback agreements to bring TARs down. About majority of the homebuyers have enough MEPA to cover TAR balances. PAHA has received more positive input than negative input from homebuyers about using MEPA to bring accounts current.

Raymond stated that PAHA would like to recommend to BOC that we do limit use of MEPA for betterments and additions. If we do it now we can consider that we still have CGP to work with to address repairs and improvements. If we can use the concept "we'll give you this, but we're taking this away". Meaning we'll take away the use of MEPA but, we've got CGP so we could still help to replace windows, replace roofs and foundations. If we use that same approach, it's do-able, so that we may change the perception that MEPA is homebuyers money to use whenever they might need it for betterments or additions. We're moving to where we've worked with just about every homebuyer with 1) knowing that staff are on board going out there working with the homebuyers. 2) PAHA had Native American Housing Consultants out there doing a complete housing assessment knowing that PAHA would like to find out what was wrong with units, and to address who should PAHA assist, if we are able to assist those that need emergency repair almost using the same concept as "we'll repair it if they pay their TAR". Give them a full picture of how all resources tie in and not just telling the homebuyers that we're taking away their MEPA.

Chairman Aragon questioned, from a standpoint of management, it seems the preferred way is to get people to own their homes as soon as possible. Is that the best management practice?

Raymond replied yes and no. From the management perspective ideally we want to do that, but when it comes to looking at 5 to 10 years down the road, when we look at our funding formula, and were down from 200 units to 100 units. It would not help us unless we're really innovative to target mortgage programs and other type of programs that we could really focus on. Chairman Aragon stated he feels that, that is one consideration that we need to target. How long do we want people to be involved in our program and what can we do to stride toward that? Sure the limit is at 25 years, but is there an ideal time that people stay in a program for 15 years but shouldn't exceed 20 years from a

management's perspective? It seems from history that homeownership is not a priority to many of the homebuyers right now, so were still having those units under our management. It seems good with in one hand that we have alot of units under management and on the other hand, are we really gaining anything from those units?

Raymond stated that we push the concept of homeownership, because if we are in the process of establishing a housing authority these first several years we are going to incur alot of high expenditures. We <sup>need</sup> got to get programs in place, staff trained, facilities in place, we should probably be able to level off in terms of our program operation costs. On the other hand, there's going to be a time when ideally we would like to see everyone in a home so eventually then we'll phase out this program. We're looking at 50 years plus or more than that.

Derek stated that going back to the funding formula, a mutual help home is only worth \$400. That's \$40,000 of our \$1.8 million of our allocation and the rest is basically need, and census count. Low rent units we get \$2,400 per unit.

Vice Chairperson Torivio asked if CGP was an on going program that we'd receive funds for?

Derek replied that no it is not, we were very fortunate that AIPHA didn't spend all the CGP funds. Each pueblo under AIPHA received CGP funds. Acoma received \$1.9 million in CGP funds.

Chairman Aragon questioned if the policy takes away that benefit from the homebuyers being able to tap into MEPA funds for betterments and additions under certain circumstances, are there other alternatives that we can get monies to do betterments and additions? Like CGP, loans of different types and housing preservation grants? Secretary Felipe asked Chairman Aragon if he was looking at possibly adding including an emergency clause in the policy? No, if BOC stands behind not allowing MEPA funds to be used for betterments and additions, lets provide an alternative for them to get money from somewhere to implement those justified betterments and additions.

Vice Chairperson Torivio asked if a plan could be presented to BOC. Derek replied that yes, that would be ideal to do. Vice Chairperson Torivio stated that before we jump into MEPA are there other ways that we can try first on collecting, based on last BOC meeting when the get well plan was presented, it looks like PAHA was headed in the right direction in reducing TAR balances. Yes it isn't a quick remedy to reduce TARs, but it's good that the homebuyers are finally coming in to make payment. We need to take more aggressive steps with some of the homebuyers who aren't taking this issue seriously. Derek replied that this is a fast track, it'll reduce almost 60% instantly overnight. It's taking a little more time for the others to fall in place. One thing we anticipate is when the other homebuyers start seeing the windows being replaced, they'll start coming in to make payments. Looking back at our previous meeting, MEPA was going to be one of the options to reduce

TAR balances. It is not going to help everyone, but it will help majority of our homebuyers. It will make it more easier for us to work with them.

Vice Chairperson would like to see the homebuyers putting in instead of us taking from one pot to the other which is all under the same roof. Give it time to work. We've only been at this for about a month. Statements have only been going out for about a month or two it's going to take sometime, but we're headed towards trying to remedy the TARs.

Chairman Aragon questioned what the urgency addressing the MEPA issues was. Derek replied that we are trying to coordinate it in time to where we can get more people on to our assistance list so that we can have a broader affect. MEPA would make it alot easier for our homebuyers to pay back their agreement. We need to push our collections and evictions policy through the same time we pass the MEPA policy. We almost secure the dependence of the housing authority.

Vice Chairperson Torivio - Another item that she sees PAHA has added to the get well plan is counseling, talking with the homebuyers as far as the value of their home. Informing them about cracks, how to fix them themselves. The maintenance that needs to be done to the home that is not the responsibility of the housing authority. Another thing is reporting to the credit bureau. It almost like PAHA is staying quiet about their TAR balances meanwhile they're keeping up with their vehicle payments, and all these outside creditors knowing that PAHA will not do anything about their delinquencies. PAHA needs to be aggressive with these homebuyers, they know that we don't report to the credit bureau.

Chairman Aragon stated that this is not a mandatory policy, in that it will be applied to every homebuyer who has a TAR balance, this is just an option, we still need homebuyers request to use MEPA. They must request that MEPA funds be used toward their TAR. It's not a decision that the housing authority is going to make on its own. This is still to the discretion of the homebuyer as a part of their option to get well. This is a nice addition to the list of options available to the homebuyers.

Vice chairperson Torivio asked that a plan be put on paper so that BOC will see what ideas PAHA staff have and that way things will move along quicker. Knowing that Derek has experienced when an individual does not make payment what happens next? List get well plan.

Vice Chairperson Torivio made a motion to get plan in writing, it well be helpful to BOC to make a decision. Would like to make a motion to table BOC's decision on MEPA policy. Seconded by Commissioner Chino. Chairman Aragon stated that from the standpoint of the policy being acceptable the way it is worded, feels that the Board can move forward with approving the policy or changing, editing or modifying whatever if the Board does not like the contents of the policy. From the standpoint when the policy becomes effective, BOC may request that a more thorough plan be developed and presented to the Board at that time the Board may initiate.

Vice Chairperson Torivio has repelled motion to table resolution. Board would like to review policy from a context perspective. Is this an acceptable policy to establish for PAHA customers?

Policy was review and modifications were made to the policy. Chairman Aragon asked PAHA has staff to type in modifications made to MEPA policy and get a clean copy to BOC. BOC will approve when a clean copy is provided.

2. Indian Housing Position Paper (attached) - Paper has been shared with tribal programs. Paper will also be shared with congress on February 23, 1998 on needs for the Pueblo of Acoma.

### 3. Report on PAHA Meeting with Tribal Administration

A meeting was held on February 17, 1998 w/ Governor Pasqual, Secretary Sanchez and Tribal Interpreter Salvador. Six (6) key documents shared with Tribal Administration were: 1. Briefing Paper, 2. Tribal Council resolution - ordinance establishing PAHA, 3. Copy of Ordinance, 4. Historical Profile, 5. Annual Report given to Council on October 15, 1997 and 6. Copy of Executive Director's report given to BOC each month.

Other issue discussed was: Executive Director's travel. Tribal Secretary Sanchez told Raymond that the public and Tribal Council say that he is on travel too much. Would like for Raymond to stay at the office. Would like to compromise with Raymond. Suggested that E/D cut all training, will attend meetings only. Informed PAHA that Tribal Administration would like to be approving officer on all request for payments and travel. Also stated that Tribal Council said that the resolution signed designating the housing authority as the TDHE was not to make it a separate entity, it was only to pull out of ALPHA. Raymond stated that the resolution was read to the Council and the Council stated that they did understand what the resolution read and agreed to it's wording. Tribal Secretary also stated that the Council does not remember passing and signing the resolution.

Chairman Aragon questioned if Tribal Administration pinpointed how or why they say E/D is traveling too often? Until BOC gets clarification, BOC see no problem. The housing authority is headed in a positive direction. PAHA needs to get one (1) and five (5) year plan in place. PAHA needs to communicate with Tribal Council.

Raymond stated that we need to make it clear to Council that PAHA is a sound program.

Vice Chairperson Torivio questioned if PAHA is going to write a report to give to Council on March 11, 1998 to inform them of the progress PAHA has made.

Raymond stated that PAHA will write report of that is what the Board would like. BOC can give oral report at Council meeting. A report will be typed a week before and distribute to BOC.

Chairman Aragon asked that we be pro-active to raise issue of E/D's travel or other issues Tribal Administration may have. Get drafts ahead of time to make addition or deletions of report. Each BOC is to take a certain section of the report. Work as a group.

**Item VII. Adjourn**

Motion to adjourn meeting was made by Commissioner Chino, seconded by Secretary Felipe. All in favor, motion carries. Meeting adjourned at 11:05 p.m.