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"Providing Safe and Affordable Housing Opportunities"

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## **Board of Commissioners Meeting**

September 12, 2012  
5:30 p.m.

### **AGENDA**

1. **Call to Order** – Don Shields, Board Chairman
2. **Invocation**
3. **Roll Call** – Don Shields, Board Chairman
4. **Approval of Agenda**
5. **Approval of Minutes BOC meeting** – August 8, 2012
6. **Opening Remarks** – Floyd Tortalita, Executive Director
7. **New Business**
  - a.) 2013 Indian Housing Plan – *Floyd Tortalita, Executive Director*
  - b.) Phase I – Construction Contract Approval – *Lawrence Ramirez, Development Manager*
  - c.) Donation request – Sky City School Cross Country Team – *Floyd Tortalita, Executive Director*
8. **Department Reports -**
  - a.) Finance – *Owen Ondelacy, Finance Manager*
  - b.) Housing Services – *Jennette Steward, Housing Services Manager*
  - c.) Development – *Lawrence Ramirez, Development Manager*
  - d.) Executive Director's Update – *Floyd Tortalita, Executive Director*
9. **Announcements & Schedule Next BOC Meeting**

September BOC Meeting – October 10, 2012 - 5:30 pm – PAHA Conference Room

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10. **Adjournment**

**PAHA Board of Commissioners Regular Meeting Minutes**

**August 8, 2012 – 5:30 p.m.**

**PAHA Conference Room**

- 1. Meeting called to order @ 5:50 p.m.** by Vice-Chair, Robin Cruz
- 2. Invocation:** Councilman, Ernest Vallo, Sr.
- 3. Roll Call** – Board Members: Robin Cruz, Bernard Lewis, Tim Chavez, April Estevan  
PAHA Staff: Floyd Tortalita, Lawrence Ramirez, Owen Ondelacy, Jennette Steward, Veralyn Farias

ABSENT: Board Member: Don Shields, Jr. Tribal Representative: Daniel Lucario

GUESTS: Mrs. Romalda Allen, Mrs. Armilda Leon, Mrs. Alydia Fredericks and Mr. Greg LeCompte

**4. Approval of Agenda:**

Board Member, Tim Chavez motioned to accept the August 2012 Agenda as presented, seconded by Board Member Bernard Lewis, Agenda approved.

**5. Approval of Minutes:**

Board Member, Tim Chavez motioned to accept the June 13, 2012 Minutes as presented, seconded by Board Member, Bernard Lewis, Minutes approved.

**6. Opening Remarks – Floyd Tortalita**

Mr. Tortalita advised there were a couple of issues up for discussion this evening: 1) New Business, community member concerns, (Romalda Allen). No action nor protest is in order. Also, under New Business the 2011 Financial Audit presented by Craig LeCompte, (Auditor). And the usual Dept Reports covering the projects with MFA, new Construction and CDEC (Continental Divide Electric Co-op).

**Old Business: NO REPORTS FOR THIS ITEM**

**7. New Business**

**a) Community Member Concern/Complaint – Ms. Romalda Allen**

In a letter to PAHA, Mrs. Allen requested an audience with PAHA'S BOC to address her concerns/complaints regarding her housing application and to ask why she continues to be over-looked in the selection process. The following is a brief outline of Mrs. Allen's contacts with PAHA regarding her housing application dating back to 2007:

- 2007 the Allen's were selected for a unit. Mrs. Allen refused the unit and her application was placed back at the bottom of the list using the date of transfer as the new date of application per PAHA policy. In 2009 Ms. Steward was approached by Mrs. Allen inquiring about her housing application/waiting list. Ms. Steward informed Mrs. Allen she was not on the waiting list. The reason being her refusal of a unit back in 05/2007 which was documented in her record. At the time, the Allen's were living in a mobile home unit. Ms. Steward is not sure as to why or how the Allen's were selected for a unit when they had a home. Records indicate Mrs. Allen returned her mobile home back to the company stating it was too costly to heat the home. Mrs. Allen disputes the fact she refused the home and instead states she needed additional time to end her contract with company through the court process. In 2010, a credit check revealed the Allen's had an outstanding debt to the mobile home company. PAHA's policy states an applicant cannot have any delinquencies within the last three (3) years. Only if it exceeds the 3-yr. limitation, PAHA can work with the applicant to become eligible. The Allen's were previously at the top of the waiting. Using the point system they are currently at #2 with 6 points. There is another individual who has 8 points. This system varies from day to day.

➤ **Mrs. Allen addressed the Board and gave the following account with PAHA.**

Mrs. Allen first applied back in 1997. She did not apply for a couple of years because she had bought a home in the meantime. She disputes the record that states she refused a unit back in 2007. She claims she needed additional time to settle affairs with the mobile home company and could not make her move when PAHA required her to. This unit was in need of repairs as well. She wonders why she no longer is at the top of the list. She feels discriminated against. Mrs. Allen was informed of the point system PAHA uses which gives applicants points for minors, elderly, disabled, handicapped, homeless & veteran status. Records indicate no applications were submitted for 2008 or 2009. She indicated both she & her husband are elderly; Mr. Allen is in ill health and also a veteran. They currently reside in an apartment in Grants, however, would like to move back to Acoma. Mrs. Allen asked why the public is not made aware when a new tenant moves into a unit. Ms. Steward replied a *Conflict of Interest* notice is posted publicly informing residents when a selection is made to which anyone can appeal or dispute a selection.



Mrs. Allen asked what happens to the funding PAHA receives as reported in the newspaper, (i.e., 1M.) Mr. Tortalita explained how funds are applied to the program and any unspent dollars might be enough to build one home.

In conclusion, Mrs. Allen thanked the Board for listening to her concerns. She was advised to continue updating her application. Ms. Steward informed her she will be receiving a letter from PAHA in September to update her application.

Board members had several questions: Was Mrs. Allen sent a reminder to renew her application? Response, yes. Was it sent to her current address? Answer, yes. Was it sent “certified”? No, however, incoming applications are recorded into the HDS database. Upon receipt of applications, they are stamped-dated only. Did Mrs. Allen state in her last application there was a disabled veteran within her household? Answer, no. Mrs. Allen will be receiving a letter informing her to update her application and at this time she will be able to include her current status. Once she updates her application, where does she place stand on the waiting list? Ms. Steward replied, the Allen’s will still be considered ineligible due to her outstanding debt. PAHA will run a credit check to find out their current status. Executive Director stated, PAHA adheres to the Admissions & Occupancy Policy.

b) 2011 PAHA Audit Report – Mr. Craig Le Compte, CPA

Mr. Le Compte of Le Compte, P.C. presented a “Draft” report on the results of PAHA’S 2011 Financial and Independent Auditor’s Report. Mr. Le Compte was pleased to announce PAHA had no findings for a second year in a row. The 2011 audit has received an “*UNQUALIFIED*” Report, which characterizes a good audit. Mr. Le Compte pointed out one particular area which PAHA must strive to attain and that is to become a low-risk auditee. Reference: Page 21, *Summary of Auditor’s Results* at the bottom of the page, question reads: “Auditee a low-risk auditee”? Currently, answer is No. This is due to the 2009 audit which found numerous oversights. However, Mr. Le Compte stated by next audit year, (2012), if PAHA’s has no findings that answer will change to a yes. In order to obtain this classification, an entity must have had no audit findings and an Unqualified report for three (3) straight years in a row. Mr. Le Compte states this will be monumental for PAHA when seeking funding sources. Normally, funding agencies look to see if an entity is a low-risk auditee. Mr. Ondelacy asked Mr. Le Compte to provide a few details concerning page 14, “Note 7. Due to General Fund” pertaining to the unresolved issue of the C.D. between PAHA and the Tribe, Mr. Le Compte recommended that PAHA involve their attorney in the event a liability occurs and also because this issue is in dispute. Any changes in the wording with assistance from PAHA’s attorney must take place prior to the audit being submitted to the Clearinghouse on 9/30/12. With no questions or comments, Executive Director thanked Mr. Le Compte and his firm for their service. This is the firm’s final year to perform the audit per the three (3) year contract agreement.

**9. Department Reports**

**Finance – Owen Ondelacy**

Finance report covers the months of June and July with no major changes occurring. PAHA continues to stay within budget limitations.

Mr. Ondelacy will be preparing an RFP for future auditing services. He is targeting October/November timeframe to accomplish this task and hopefully to select a firm by January/February.

Question: Vice-Chair – asked how auditors determined what is to be audited. Answer, Computer selects files.

**Housing Services - Jennette Steward**

Vice Chair asked when conveying information to potential clients and or PAHA clients that perhaps explaining in terms they can or will understand may be helpful such as in the case that came before the Board this evening. Mrs. Allen wasn’t aware or did not understand the information provided to her by PAHA staff. Other suggestions from Member April Estevan to hold meetings for those still on the waiting list to explain in detail anything they might not understand or to provide follow-up information concerning their housing application. Member Bernard Lewis suggested using the keres language particularly to those applicants who are elderly.

**Development/Maint. –Lawrence Ramirez:**

The 2012 MFA Performance Agreement had been signed at MFA and PAHA was in receipt of that agreement last week. This agreement allows PAHA to rehab three (3) homes, two (2) within the boundaries of Acoma Pueblo, and one (1) outside the Pueblo’s boundaries. Mr. Tortalita and Mr. Ramirez met with Governor Luarkie of Laguna Pueblo to inquire if Laguna would be interested in the program. Laguna was in agreement with the idea. Total funding for each home is estimated at 80K. Currently, each home will cost approximately \$65K. PAHA will in turn get \$15K for each home that is rehabbed including the one that is done outside Acoma.

The other projects are moving along. The Lucero project however continues to be at a standstill due to the on-going CDEC issue.

**Executive Director – Floyd Tortalita:**

Residential Leasehold – On-going, however Tribal Council recently requested four (4) members from PAHA to be delegated to work on this issue as a work group. At the moment, there are two individuals and Mr. Tortalita is seeking volunteers from the Board to fill the other two (2) spots. Mr. Chavez was nominated by the Director and accepted the nomination. Mr. Lewis who volunteered his time also recommended Vice-Chair, Robin Cruz to sit in the group. Ms. Cruz stated she is willing to participate. This list must be submitted to Tribal Administration by August 13, 2012.

Mr. Tortalita continued with highlights of his report and explained Fiscal Year 2013 Appropriations and how it is to be distributed.

The other report was the passage of the HEARTH Act which decreases dependency on BIA and supports self-determination over the long-term leasing process on tribal land.

PAHA's Board members commended PAHA on a job well done and state will continue to support the efforts of PAHA.

**9. Announcements & Schedule next Board Meeting –**

Vice-Chair corrected Executive Director's report regarding the Residential Lease Hold documents to Tribal Council from May 10, 2013 to 2012.

Next meeting is scheduled for September 12, 2012 @ 5:30 pm, PAHA Conference Room.

**10. Adjournment:**

With no further discussion, Member Bernard Lewis motioned to adjourn the meeting, seconded by Member April Estevan. Meeting adjourned.

Respectfully submitted,



Veralyn Farias  
Recording Secretary