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"Providing Safe and Affordable Housing Opportunities"

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Board of Commissioners Meeting

December 16, 2011
5:00 p.m.

REVISED - 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** – November 9, 2011
6. **Opening Remarks** – *Floyd Tortalita, Executive Director*
7. **New Business**
 - a.) 2012 PAHA Operations Budget – *Owen Ondelacy, Finance Manager*
 - b.) 2012 Indian Community Development Block Grant Application
– *Floyd Tortalita, Executive Director*
 - c.) Election of BOC Officers -PAHA Board of Commissioners
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**

January BOC Meeting – Jan 11, 2012 - 5:30 pm – PAHA Board Room

10. **Adjournment**

PAHA Board of Commissioners Regular Meeting
MINUTES of November 9, 2011
PAHA Conference Room -- 5:30 p.m.

1. **Meeting called to order:** by Chairman, Don Shields, Jr. @ 6:00 p.m.
2. **Invocation:** Member, Tim Chavez
3. **Roll call:** Present: Chairman, D. Shields, Jr.; Vice-Chair, Robin Cruz; Members: April Estevan and Tim Chavez
PAHA staff: E.D. Floyd Tortalita, Finance Mgr. Owen Ondelacy; Housing Serv. Mgr. Jennette Steward; Development Mgr. Lawrence Ramirez and Recording Sec'y, Veralyn Farias.
4. **Approval of Agenda:**
Executive Director, F. Tortalita requested additions/changes be made to the Agenda as follows:
c) will be changed to item d) and c) will now be: Approval of Sky Line Fencing. With no other changes, Member, Tim Chavez motioned to approve the revised Agenda seconded by Member, April Estevan.
5. **Approval of Minutes:**
Member, Tim Chavez had a number of questions/comments from last month's meeting.
 - 1) Where is the Deposit Sweep Account interest being applied ? (Finance) Response: Into the Non-Program Income.
 - 2) Re: Overages, no mention of a budget revision. Mr. Ondelacy replied, that is being presented this evening.
 - 3) Comment: Re: PAHA involvement with situations such as the Barbara Garcia case. Mr. Chavez suggested PAHA refrain from involving itself in family situations such as with this case. His recommendation is to place that responsibility on the male head of household within that family as per Acoma's customs and traditions. Member, April Estevan commented, it is a good idea to have Fiscales involved whenever there are no male family members to take on this responsibility. Executive Director replied this suggestion will be taken into consideration.
 - 4) Inquired about the Relocation Policy – Response, this will be addressed in tonight's meeting.With no further questions or comments, Tim Chavez motioned to accept the Minutes of 10/19/11, seconded by April Estevan.
6. **Opening Remarks** – Floyd Tortalita, Executive Director
This evening, several issues are being presented either for approval or to seek direction from the Board.

➤ No Old Business to report
7. **New Business:**
 - a) Relocation Policy/Resolution – L. Ramirez
Mr. Ramirez presented the Board with a "Draft" Relocation policy. This policy is intended for rehab. project clients who *may* be required to temporarily vacate their homes while work is being done on their homes. PAHA's attorney has also reviewed the policy. PAHA set a twelve (12) month time limit to allow for temporary housing. (L. Ramirez) stated a rehab project normally three (3) months to complete. This language will be included into the contract. Clients can be offered other rental properties or hotel accommodations for their temporary stay. Monies to pay for this service will be added into the Contract. After a lengthy discussion, Chairman asked the Board to review, make comments and provide recommendations by next month's Board (December) meeting with January 2012 as the deadline to finalize this policy. A comment from Member T. Chavez in reference assisting families with this type of assistance
 - b) 2011 PAHA Operations Budget Revision – Owen Ondelacy
PAHA's revised budget was presented to the Board. Under the Wage column for the Operating budget the amount of \$252,901 will remain. Mr. Ondelacy feels there is no need to do a budget revision until February to cover the accounts payables for January. Board members questioned the high amounts for telephone/cell phones charges. Mr. Tortalita explained those charges cover land lines and other communication expenses not only cell phones. Vice-Chair asked if PAHA has looked into changing plans and or carrier. Mr. Tortalita stated PAHA continues to stay with Verizon, because he feels it meets the needs of those who have cell phones. Currently, PAHA is on a family plan, the business plan was quite costly. Chair asked how many cell phones were currently in use. (F.Tortalita) response: 9. Vice Chair suggested listing cell phones, telephones and other communication charges under a separate line item so as not to confuse them or anyone else. Mr. Tortalita pointed out the dollar amount/numbers for this year has not changed and PAHA has managed to stay within the approved budget. With no other questions/comments, Vice-Chair R. Cruz made a Motion to accept the revised budget, seconded by Member T. Chavez.
 - c) Approval of Construction Contract with Joe Padilla for Sky Line II Fencing Project via Resolution – L. Ramirez
Joe Padilla was the successful bidder @\$106,212K. Three (3) companies submitted bids, and although Padilla was not the lowest bid, he met the requirements listed under bonding and Indian preference. Monies from the Crime Prevention budget will be utilized with an amount of \$996K left over. The entire perimeter of sub-division II will be fenced with 5ft. fencing material. Board approved the fencing contract and passed Resolution #PAHA-1109-2011-01 in a vote of 2 for and 1 against.

d) Pueblo of Acoma Tribal Council Resolution No. TC-OCT- 27-11VIIb – F. Tortalita, E.D.

In a meeting Executive Director Tortalita had with POA Governor, R. Vicenti on 11/08/11, Governor handed Mr. Tortalita a resolution. In that resolution it mandates PAHA to remit to the tribe the total of \$619,413K by close of business, Friday, November 18, 2011. The CD, (Certificate of Deposit) #7120019065 has been an on-going issue/debate since 2008 when it was first discovered during PAHA's Financial audit. A synopsis of what transpired from that time to the present was explained by Mr. Tortalita. Neither entity can actually demonstrate who has ownership of the C.D. however the proof of burden falls on the tribe's accounting department. During PAHA's recent audit those funds show as a payable to the tribe and the tribe is showing it as a receivable. Mr. Ondelacy added he would like to set this account up as a contingency. Mr. Tortalita asked Vice-Chair R. Cruz who is an auditor by profession if the purchase of the C.D. would have appeared in a 2006 or 2007 audit of the books. She replied yes. After a much lengthy discussion, a motion from Vice-Chair, R. Cruz was made, to continue the stance PAHA is taking in the letter addressed to Mr. David Garcia, (Lt. Gov.) dated March 4, 2010, seconded by Member, April Estevan. With all in favor, Motion carried. Mr. Tortalita added, a letter is being sent to the Pueblo of Acoma refuting their claim and is requesting an audience with Tribal Council to discuss this issue.

Finance – Owen Ondelacy, Finance Manager (refer to report in packet)

Vice-Chair asked how Mr. Ondelacy keeps track of the draw downs made for each fiscal year and how much to apply to certain areas. He explained he uses a schedule and running balance that helps him keep track of all transactions.

Housing Services- Jennette Steward, HS Manager (refer to report in packet)

In reference to the Barbara Garcia case, Social Services can provide housekeeping services to her, however, she must make that request, PAHA cannot make it for her. Mr. Tortalita suggested due to Ms. Garcia's circumstances with housekeeping issues and other family members living in the home, perhaps it would be a good idea to place her on a one-year probation period. Also, to place an emphasis during counseling on her roles and responsibilities as a homebuyer referring to keeping the home in a safe, sanitary, descent condition which is also included in PAHA's Mission Statement. Member T. Chavez commented on Ms. Jaramillo's trip report concerning the Disaster Plan she learned of during her Hawaii trip. Mr. Chavez states IHS (Indian Health Service) already has a comprehensive Disaster Plan in place that is available to all tribes.

Development/Maint. Report – Lawrence Ramirez, Development Manager (refer to report in packet)

Using monies from the 2011 budget, seven families were selected off the Rehab. waiting list. Environmentals have been completed.

Executive Director's Report – Floyd Tortalita (refer to report in packet)

Letter is being prepared by PAHA and will be addressed to Head Councilman, Charles Riley in response to Tribal Council's Resolution #TC-Oct-27-11-VIIb, (discussed earlier ref. C.D.) PAHA Executive Director and Chairman, Don Shields, Jr. to sign off on letter.

Other: Mr. Tortalita continues to work on the following issues as presented in previous Director's Reports: 1) FY 2012 THUD Appropriations; 2) Unspent IHBG Pipeline Funds; 3) Hearth Act (H.R. 205).

PAHA is applying for the tribe's invitation to apply for the 2012 Pueblo of Acoma Tribal Appropriations funding.

PAHA will submit an application with a Program Description for the Emergency Home Repair Program (EHRP) addressing repairs for tribal *Homeowners* who are unable or can't afford to repair damages caused by "uncontrollable" events. Repairs will address: roofing, plumbing, electrical and furnace work. Damages as a result of neglect will *NOT* be eligible. Grant monies are not loans and will NOT require to be re-paid. There are no federal or environmental requirements needed for this program. PAHA will apply for \$100,000, any unspent monies will be returned to the tribe. Trip reports to Honolulu, Hawaii and Phoenix, AZ regarding the above issues were handed out.

9. Announcements & Schedule next Board Meeting –

Next BOC Meeting: December 16, 2011 – 5:00 p.m. Dancing Eagle Conference Center, coincides with BOC/Staff Christmas Dinner.

Member, T. Chavez suggested Chairman D. Shields begin signing off on LOCCs paperwork. Chairman is in agreement.

10. Adjournment:

Member T. Chavez motioned to adjourn the meeting @8:40 pm seconded by April Estevan. Motion carried.

Respectfully submitted,



Veralyn Pallas

Recording Secretary