

UNAHA QUARTERLY BUSINESS MEETING

LAS VEGAS, NV

DECEMBER 8, 2013

Meeting called to order at 1:30 pm by Chairman Jason Adams. It was determined that a quorum was expected for the meeting but was not yet present:

Patrick Goggles from N. Arapaho provided a prayer.

Agenda approval and minutes of summer meeting in Billings were tabled.

Jason Adams provided an update on activities regarding negotiated rule making, federal budget and reauthorization. He also explained how sequestration might affect the IHBG.

The next UNAHA meeting will be held in Denver following the All-West Native American Basketball Classic to be held again at the Golden West facility Friday, March 28 through Sunday March 30. UNAHA activities will kick off Sunday evening with the Annual awards banquet. The official annual meeting will be held on Monday, March 31, followed by two days of training. Information will be sent out after the first of the year regarding hotel and meeting times.

The Treasure's report was presented in printed form.

Robin Thorn, and her Company Vital Spirit was introduced as a new associate member. Vital Spirit is a new Tax Credit Consulting Business.

Jason Adams then provided an update on the progress of Navaho. He also led a discussion regarding the continued issues surrounding the award of training funds to HUD as opposed to NAIHC and work that was taking place to revisit.

The NAIHC report was tabled until Monday morning.

Thane Crosier was present to represent AMERIND. He reported on recent activities and apologized for CEO Derek Valdo not being able to attend. Derek Valdo has promised to make annual meeting in Denver in January. Thane also announced the new AMERIND Officers; Phil Bush reelected chairman, Gary Joiner was elected vice-chairman, Susan Wicker was elected secretary and Olin Harris was elected Treasure.

David Sanborn, Executive Director of the NAIHC provided an update of the week's activities, pending legislation including NAHASDA reauthorization and budget matters. The Senate is fighting to hold the line on all Indian funding.

Mr. Sanborn also reported on a proposal by Representative Pierce that adds a Part B to NAHASDA reauthorization. It proposes to stimulate private investors to come to Indian Country and develop housing as an investment. Tribes are rightfully leery of this once.

Roll call taken by. Quorum established at 2:30 p.m.

Approval of Agenda – Fort Peck Housing Authority made a motion to approve the agenda and add HUD Report after NAIHC Report. 2nd by Northern Arapahoe. Discussion. All in favor.

Approval of Minutes of Regular Meeting in Billings– August 14, 2013 –Billings, MT - Northern Arapahoe made a motion to approve minutes of August 14, 2013. 2nd by Salish Kootenai. Discussion. All in favor.

Patrick Goggles- Northern Arapaho moved to accept Treasurer's Report. 2nd by Flandreau. All in favor.

David Sanborn - NAIHC

Charlie Galbreath will be leaving the Office of Public Engagement in the White House. White House Counsel on Native Americans will be looking at process for environmental review process. OMB, new person understood constraints of program. Will meet with you any time you are in town. Discussion on webinar series. Jason – David, NAIHC needs to work with USDA on tribal issues. USDA staff and White House forum need to create a new program or change program to work with Tribes. Nothing has come to fruition. David – Leslie Wheelock has been in there for 6 months.

Farm Bill same access to same programs. Bob Gauthier – Programs are not Tribal friendly, they need to give us the money. There is assumptions about environmental assessments are different on reservation.

Give money directly to the Tribes. Bob G. – We need to find out how we can get on this gravy train so we can get money. Somebody is reporting somewhere that there is money going to Indians.

Jim W. – You mentioned a deadline of mid-January. What is your or NAIHC expectations. David – We are advocating 675 million. Rep. Pierce is on Financial Services Committee. We thought it was going to pass. Even though these programs are not authorized, the program is still there as long as there is a CR signed, then the program is authorized. David – Before or the beginning of January, everybody will have time to comment.

Markup – Bill # and Senators are able to add or delete anything from their bill.

It will never be argued on House floor. When it is going through markup is the time to get a hold of your representative. David – We are looking at April to get a signed bill if there will be one.

Jim W. – I am a little concerned about the pipe line issues. Legislative committee has been working to get a full report. You talked about weather delays. David – There were far more reasons than weather. David – There were 6 or 7 reasons. Jim W. – Can you provide us with the 6 or 7 reasons? People on the Board are having lunch meetings with NAIHC. David – I take my marching orders from the Board of Directors. It did not just say it was weather related. We come to a compromise.

Jim – No consensus.

David – T/TA or increase capacity.

Federal or legislation.

Jim – The list that was given to OMB.

Tom – It was real summarized.

675 – Senate

600 – House

David – AHA data collection method.

Kevin – OMB asked why don't you change that definition.

David – We are going to have a HUD person.

Asst. Secretary Henriquez will be here for plenary, we gave her a heads up on this – 2:30 – 3:15- Palazzo I,

Stuart – During the holidays it is hard to get to these things.

Chairman Adams – We did have 2 more members. Standing Rock and Spirit Lake. We now have a quorum.

HUD Report – Randy – I am glad to be here. 6 things. My boss and my boss's boss will be here tomorrow.

Training – 2014 - The trainings are listed on CODETALK

1 in Denver – January 7-9

Occupancy over in Pine Ridge

BOC - February 4 and 5 in Albuquerque

Procurement – February 4 & 5 in Albuquerque

Tom Y. – Were the HUD training sessions contracted out?

T/TA – Billings in August. Trying to be as helpful to the requestors

6 requests, were able to complete 4 of them.

3 Regional trainings – Title VI, IHP/APR, Financial Mgmt.

Procurement and construction training in Rapid City,

Bob G, - When HUD decides the training, what is the basis of it? Randy – It is tribally driven. Regional instead of one Tribe. Bob – What I am talking about is the broadcast training. Randy – It is the Tribes in ONAP. Katie S. gets the data as far as national.

Mike Andrews – GTR or GTM. Bob – It would be great. This is more of a reference to the way the national office is handling the training.

Randy – There is always a better way of doing this. It is very important to continue to ask our staff. Help use better resources. Help us gather data.

We are always interested in getting feedback. Even if HUD contracts out training, we try to have someone there. Randy – If UNAHA, if there are broad based things from Tribes in a given area, we will look at that.

Staffing – Our office is going through a change – Mike Boyd, Debra Keil and Carol Quinlan retired. Grants Mgmt position – Vic Szymailis retired.

Bad news is we spend our money so fast we run out of it. We need an advanced funding notice. It is still in clearance, hoping it will be out in 4 – 6 weeks.

2014 ICDBG notice – no news, don't have a date for that.

ELOCC's is on the web.

EPIC – Energy Performance and Information Center – to do them electronically.

FEMA apparently it has ended. The mobile home distribution has ended. HUD was distributing some and BIA was distributing. MH contributions in LOCC's. HQ informed NPONAP these have to be released manually, not electronically.

All grantee should now be using same forms. Last couple of things. On site monitoring, getting out to HA's, this year.

184 Loan guarantee program continues.

210 Loan guarantees for 39 million dollars. 2014 – 27 loans – 5 in private sector.

2013-8 – FBI Criminal activity

2013-9 –

Administrator's Report

Bob G. – Charles Bennett & Associates – an Associate member in March

Annual meeting in March. Training is very personal. 4401B – one day Admissions & Occupancy

4402 – Construction Management

We had a little bit of glitch on the UNAHA.org website, we put up a new website UNAHA.net,

Rule Making

Model Ordinances

8 Essentials

Non Program Income Policy – Fill it out

All West Classic – March 28 – 30, 2014

Meeting recessed at 4:00 p.m.

December 9, 2013 – meeting reconvened at 9:09.

Chairman Adams – Roger Boyd, trying to fill in. He's flying in and plane lands at 11:30.

Attorneys have report – Jim Wagenlander

Legislative update

We heard yesterday from David Sanborn. Biggest issue is reauthorization of NAHASDA. Congressman Pierce is waiting on Section B.

Senate version – veterans section – VASH vouchers. Senate has vouchers, Tribes would have access as I understand it. Not sure if it will be allowed with blended projects.

Stuart – In SD, we can still get Section VIII vouchers. Jason – It is going to be administered through the state or will the Tribes have access?

Jim – You should be able to access the program.

Jason – Appropriations bills –

675 – Senate

600 – House

Section 703 is in the Senate version.

January 15th is the end of the CR, they are looking at trying to do an individual funding bills.

Stuart – Heard they are close on issue.

Jason – Issue will be sequestration process. Will take effect – 5% every year for 9 years. 45% cut. That is setting out there. Roger has agreed to come and address some issues. Secretary Henriquez will be here tomorrow afternoon. We can bring our questions to her then.

Chairman Adams – Randy, do you have any updates on Navajo thru your office?

Chairman Adams – Your office has some oversight. Is there a date for that to end?

Randy – It is a temporary thing. We did it for a year, Secretary Henriquez said we will do it for another year. Another year or until I hear from HQ, we will continue to work with them. At the right time they will be transferred back.

Chairman Adams – A letter was issued, what has come of it?

Randy – We have enforcement procedures.

Our office told the Navajo they had not complied with what they said they were going to do with the IHBG. A LOW was issued. It is a 3 step process. Navajo responded in July. A notice of intent was sent – Secretary Henriquez sign the letter.

2nd stage kicked in. It allows for an informal meeting. On November 21st, we had a meeting in Denver. That is the most recent process. The enforcement that has been imposed is on 2012.

Chairman Adams – The last thing is on the negotiated rulemaking. On October 1, they didn't have money to continue on. They probably won't know until after January 15th.

Sharon Vogel – As Jason said, we had 2 meetings, one in August and one in September. The SD Tribes tried to push to find a different way of arriving at a census.

Came back again in September, unfortunately, we were not successful. Unfortunately decision making is back to consensus. UNAHA is very fortunate, Jason is chairing FCAS. Sharon – I am going to be member of committee on needs. HUD is going to use 2010 census data. You need to attend negotiated rulemaking committee. I can't emphasize enough American Community Service Survey. Discussion. As far as negotiated rulemaking, we broke into work groups and started preliminary discussions. Where we have hare values and concerns, it is not to embellish things. It is to help the poorest of the poor.

Jack Sawyer – Sharon did a great job for you. I want to acknowledge Sharon's efforts and I think that you and Jason's efforts are appreciated. I think that this is going to be a good session. Starting of some changes. There has to be a better way to count your members. With your help there could be more than a rubber stamp. I don't know where we will go from here. They promised we will have 6 sessions.

Jason – Sharon made a valiant effort to make some changes. Trying to get people to open their minds. This is supposed to serve the poorest to the poor. UNAHA is always the Region that reminds everyone.

2010 negotiated rulemaking, 2nd meeting we finished that work. Protocol – Decision making process, once we got passed that we took a break. Everybody had issues in NAHASDA. Issues relevant to formula.

Jason – I got 13 issues. We had three groups. Needs, FCAS and Other group. We broke into groups and decided who was going to get what. 1/3 went into needs. There were 55 items, we picked them apart. Are items were they belong, it was an interesting process. So many people in needs. Elected Co-chairs. Annette Bryan – Co Chair from NW. Jason Dollar Hide – Co Chair from Oklahoma.

We will have 6 more sessions contingent on funds. All committee meetings are open to the public. In regards to issues, get a hold of one of us. Lafe Haugen is the other person. 30% rule – we are trying to get rid of it.

Attorney's Report

Jim W. – I would like to touch on some reauthorization, pipeline, lawsuit, legislative committee and DAKOTA pilot project.

Since Billings, we have not been asked to do anything for UNAHA.

I am giving one of the breakout session from 1:30 – 2:00 tomorrow. Timelines with further assistance housing since 1910. Temporary housing, particularly Indian country. Figure out future, by looking at the past. It was quite a task to go

back through it. In 1961, public housing opened up for Indian housing. In 1976 HUD began to create Indian housing regulations. 1996 – NAHASDA, figured out it wasn't doing what it should do.

Jim – Identifying common issues, list of items.

FCAS

Lawsuit

Reauthorization, most recent NAHASDA, law expires every 5 years, NAHASDA has gone past deadline several times.

Statute

Appropriations, you can have a program authorized, but not funded.

Program not authorized, but funded.

Chairman Adams- Is it possible that Senate can say we are authorizing money for a program that is not authorized? Jim – yes

Ideal time to make changes. Any year someone can amend the law or make changes.

OKLA – Provision – Section III units will be counted forever. It wasn't done through appropriations, but by amendments.

Reauthorization – Changes made to NAHASDA law. Appropriations can make amendments to NAHASDA law.

Statute and some set out in history. Multi race compromise census changed rule. Multi race complicated process. Compromise added every year to appropriations.

Can not rely on census for need.

2 other ways to impact. One is through litigation. Some (40) forty Tribes have sued HUD to recover FCAS money.

Suit began with Fort Peck. It was sent back to lower court. Other cases were informally consolidated. They may win the battle, but lose the war. That money was redistributed.

1. Legislation
2. Litigation
3. Regulations
- 4.

With that being said, this organization can explore in more detail. Congress wanted to make sure units were being maintained by FCAS. NAHASDA CAS units. Why can't we get money for units built with NAHASDA funds? I think it was very evident when Sharon led the charge on defining need. The money not being used for low income people. Some Tribes said this money shouldn't be used. Most of you are in terrible economic straights. Money should go where the need is the greatest.

Some representatives from this region that are not poor, advocate for you.

Chairman Adams – One of the issues, same \$ amount for all Tribes.

Jim – Times change, if you go to those groups. Diversity exists within Indian country. Overall theme, resolved at neg reg. Lots of groups trying to impact reauthorization bill. They try to get certain changes. NAIHC can no longer advocate for all Tribes. Five years ago, by-laws were changed to 2/3.

David said Part B plan. Different groups are lobbying separately. Is NAHASDA going to low income members? 30% rule – Brooke amendment costs lots of money to administer. This region is the strongest advocate to do away with 30% rule.

Stuart – Is NAIHC really advocating to do away with 30% rule?

Sharon – Can we get an update on DAKOTA PILOT project?

Chairman Adams – I was contacted on GAO study. Study is going on and they are looking at barriers in the program.

Jim W. – Unexpended funds – Torturing this issue. Have elephant in the room identified. HUD hasn't identified the amount of unexpended funds. Unexpended funds are impacting appropriations.

Some people have been invited to the lunch that the Navajo Tribe is having. Navajo Tribe passed law to take back housing.

Next thing – National Housing trust – provides housing for low income.

Tribes don't get set aside.

Stuart – We were discussing, Rodger stepping down and who is NAIHC going to be endorsing. The person should be Native. When I brought it up to Cheryl, I am throwing it out there. Who should we endorse?

Chairman Adams – We can as to be consulted. Chancey – NevCal is advocating a political appointment instead of a long term appointment.

Jim – Randy this is news to me. That position was created in 1998 and it was a career position.

Jim – Can you explain the delay on getting the money distributed?

Randy – Because of the time lag, we are trying to get HQ to get money out. We use money quickly and efficiently.

We came up with an advanced funding notice, we are working with HQ.

Jim – Somebody in Washington wasn't distributing money. When will the money be available to them?

Randy – 25% of FY14 money by October.

Jim – Region has been very supportive, people are desperately trying to figure out when they will get their money.

Randy – If you are running out of money, you can get a loan. Discussion on interest on a loan.

Chairman Adams – How is this impacting October fiscal year?

Kevin Klingbeil – DAKOTA project. Kevin will be talking on Wednesday 10:45. Summarize DAKOTA. Formula is so distorted. AIAN

Done with 1st stage of developing model. Training sessions for different regions.

Moved from DAKOTA PILOT PROJECT to Tribal Data Initiative. Discussion.

We found that 80% was at median income or below. We found vast number were under 30%.

Tribal Data Initiative Case studies on Wednesday.

In Closing

Randy – Rodger stuck on plane this morning. Sandra and Rodger will be here all day tomorrow. Sandra will speak at plenary session tomorrow morning.

Chairman Adams – We are appreciative of NAIHC for allowing us this time. In closing, our next meeting is our annual meeting in Denver. Basketball tournament is March 28 - 30th. We have a banquet Sunday evening. March 31st is the business meeting. April 1 & 2 is training. Discussion on Moda Begay foundation. Chancy – Stuart and I are your representatives on NAIHC board.

Meeting adjourned at 11:47 a.m.

Sharon made a motion to delegate Bob to work with hotels to set up meeting rooms and banquet for annual meeting. 2nd by Iva. Bob stated that he would be willing to take on more of a financial role and will keep the membership updated.

We approved a budget in Billings. Planned and actual. Budget Report.

Bob – I will update the Salary Survey. Portal on website for staff to answer, training needed.

Bob – HUD is supposed to market their training. We will go with for or 5 general topics.

Sharon – UNAHA doesn't do anything of value for a lot of Housing Authorities. Welcome new Executive Directors. We could do a round table.

Collections – Both had projected rents under \$200.00 per month. Bob – At 50 to 60% of median income, you cannot serve poverty level.

Bob – 1986 AEL take the # of LR units, Divide the # of units by the AEL. Tribes have to be better stewards to their money. 90,000 units conveyed nationwide.

Needs portion and do a program, have an Executive Director round table. Pitch training idea to Directors.

Discussion on attorney. Bob – Have him submit an attorney's corner. When is an environmental assessment needed on rehab?

Sharon – What did we use the attorney's for? We used him before we had administrative staff.

Bob – I would never initiate anything unless the Board asked me to.

Bob – If you want me to I can sit down with Jim and Dave.

Training – 2 years ago, we missed the training NOFA. Chairman Adams – Let's do some research on how much administrative time will be involved.

Let's ask Rodger to send Mike out and we will meet with him.