



Council of the Cherokee Nation

Meeting Minutes Community Services

Thursday, February 7, 2008

9:00 AM

Legislative Conference Room

Rescheduled Special Meeting

CALL TO ORDER

Chair Buzzard called the meeting to order.

INVOCATION

Councilor Bill John Baker gave the invocation.

ROLL CALL

Present 10 - Bill John Baker; Don Garvin; Buel Anglen; Jack D. Baker; Tina Glory Jordan; Jodie Fishinghawk; Harley Buzzard; Curtis Snell; Chris Soap and Julia Coates

Late Arrival 6 - S. Joe Crittenden; David Thornton Sr. ; Meredith Frailey; Cara Cowan Watts; Janelle Fullbright and Bradley Cobb

1. A RESOLUTION APPROVING AND AUTHORIZING THE SUBMISSION OF THE FISCAL YEAR 2008 INDIAN HOUSING PLAN TO THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Sponsors: Councilor Buzzard

Councilor Bill John Baker requested a few moments to voice some concerns before he had to leave for a doctor's appointment. He voiced concern on page 9 that the 215 90 day vouchers needed to be increased. He stated when the Chief met with the previous Council it was determined it was the needest of the needy, the elderly and the handicapped who needed the most assistance. He stated this plan changes the wording to the needy elderly and handicapped. He stated this cuts out a class of people who probably need the help the most. He stated the needest of the needy just can't be left out they have no other option. He requested clarification on page 22 in regard to the temporary modular units as to what they are. He stated page 32 on the table of needs of all income levels there are 1634 families living in over crowded conditions and an additional 1634 families living in sub standard housing. He stated ignoring them in this plan is unconscionable. Mr. Marvin Jones gave a brief overview of the housing plan. He stated for the IHP it would be best if it could be approved as soon as possible. He stated new money is needed by June first. He stated the IHP can be changed as many times as wanted or needed. He stated this plan is based on an estimated amount from HUD and will have to be changed once the actual numbers are determined. He stated the program income and the investment income are also estimates. He brought it to the attention of the committee that the actual resolution form on the be it further resolved states that if HUD requests relatively minor changes they need not be brought to the committee for approval. Mr. Jones stated during the last meeting there was discussion regarding a memo from Callie Catcher about changing the way things were going to be done. He stated he has read the memo referred to and they are going to continue to do things as they always have in the past. He stated this means once the IHP is submitted individual budgets

will be submitted to implement the plan. He stated this plan includes less money with a projected amount of approximately \$800,000 less than the 2007 IHP. He provided handouts giving some basic information regarding the IHP, information regarding what the Cherokee Nation plan consists of, and a comparison between the 2007 and 2008 IHP's. Councilor Fishinghawk inquired as to why we receive the IHP late then have to rush to review and make a decision. Mr. Jones stated you have had them for approximately 3 weeks is there more time needed? He stated they generally get a draft form in December then schedule a special meeting in January. This time they wanted to make sure the plan fully funded the housing transition and all the activities therefore it is a month later than usual. Mr. Jones stated if the Council gives a time line he will abide by it. Councilor Glory-Jordan suggested presenting it to the Council by November first. Mr. Jones stated he didn't have a problem with presenting it then. Councilor Hoskin inquired about the issues raised by Councilor Bill John Baker specifically the categorizations of needy. Mr. Jones stated with the previous Council they went through extensive discussions in regard to the overall housing program policy and determined some general principals. He stated each IHP should be in conformance with those overall principals that were agreed to by the Executive branch and the Council at that time. Mr. Jones stated he has gone back to this document and has used the wording in this plan. He stated it does say needy elderly and people with disabilities are given a preference not that services are exclusive to them. Councilor Hoskin asked if there was ever an agreement between the Chief and the former Council for the simply needy to be one of the categories as a priority. Mr. Jones stated needest of the needy was discussed and actually comes from the HIP program. He stated the concept was discussed extensively but in the written document presented it is narrowed down to giving preference to the needy elderly and the needy people with disabilities. Councilor Hoskin inquired as to how it would impact this plan if we disregard what was written and did as Councilor Baker suggested. Mr. Jones stated it would give preference to a larger number of people but as for the mechanics it would be irrelevant. What is in the plan is what the Executive branch wants in the plan. Councilor Hoskin inquired if the criteria Councilor Baker gave could be given in numbers. Mr. Jones stated it could be done but felt the administration would want the same dollar amounts used. Councilor Hoskin further asked as a courtesy to Councilor Baker about the modular's. Mr. Jones stated this has been in each housing plan but has never been implemented. The idea is for the modular units to be used for elderly and to be placed next to their children. Councilor Glory-Jordan requested clarification that we aren't doing as the resolution states and all the changes have been brought to the Council. Mr. Jones agreed. Councilor Glory-Jordan stated the statement in the resolution gives up the Council's right of review. She requested this committee to consider revising the resolution by deleting the last paragraph so that we continue to use our review process. Councilor Glory-Jordan made a motion to delete this paragraph. Councilor Hoskin Jr. seconded the motion. Mr. Jones clarified the committee doesn't give the right to review the committee determines if the change is substantial or material and if it is then it does come through the entire committee and Council process. Councilor Glory-Jordan stated it seems the process is working now and this paragraph has never been exercised therefore there isn't a need for it to be in the resolution. Councilor Hoskin Jr. inquired if the language is stricken the process would continue to be the same. Mr. Jones stated the practical effect if it is not in the resolution and there is any sort of minor change the IHP will not be sent without the Council approval it can't move forward with just the committee's approval. Councilor Cowan Watts inquired if this is the same language used in the past IHP's. Mr. Jones stated it is the same language. Councilor Frailey requested clarification as to if it would be the Community Service committee to determine what is material and substantial and if it is determined to be then it would go through the entire committee process. Mr. Jones stated this is correct. Councilor Glory-Jordan stated if you leave without further Council action in the wording they don't have to come back to this committee. She wanted to change

the wording so that something doesn't slip through that we would consider material and that they would not consider material. There isn't a definition of what substantial and material is. At the very least it needs to be considered to strike without further council action. She stated she doesn't think Mr. Jones would abuse this but we must look further down the road. Mr. Jones stated the "They" Councilor Jordan is referring to is the committee. He stated any change in the plan that needs to take place will come before the committee and the committee makes the determination if this is a substantial or material change if it is then it goes through the full process and if it is not then the committee itself says without further action the changes can be made. Councilor Glory-Jordan stated then the wording seems somewhat ambiguous so lets make it specific so there isn't question. Councilor Jack Baker requested clarification as to when it says it goes to committee this is the committee. Mr. Jones agreed. Councilor Glory-Jordan stated the simple way to resolve would be to strike without further council action. Mr. Todd Hembree requested clarification of the motion. Councilor Glory-Jordan re stated her concerns and her request. Mr. Hembree stated all changes have to come before this committee. Councilor Glory Jordan stated the intent of the motion is to keep from bypassing the Council with changes. Councilor Jack Baker suggested adding of the Council after community service committee. Mr. Hembree suggested the wording "that should HUD require changes upon its review of the submitted plan those changes are to be submitted to the community service committee of the Cherokee Nation Tribal Council for determination of whether those changes are substantial or material. Councilor Hoskin Jr. called point of order stating he seconded a motion and is not a member of this committee. Councilor Cobb stated he agrees with what is being requested. Councilor Glory-Jordan stated she like Mr. Hembree's suggested wording. She modified her motion to include the wording of Mr. Hembree and requested a second from a committee member. Councilor Bill John Baker seconded the motion. Motion carried. Councilor Thornton inquired if the building packages were the SIP homes. Mr. Jones stated they are one in the same. Councilor Thornton inquired if there is a substantial amount of carry over in mortgage assistance. Mr. Jones agreed. Councilor Thornton requested a \$1ml be taken from mortgage assistance and be placed in the building packages. He inquired how much is in the mortgage assistance plan at this time. Mr. Jones stated with the revisions of the IHP last month there is a total of \$6.2ml out of the 2006 plan and there is \$1.8ml in the 2007 plan. He stated some of the 2006 funds were spent in the last fiscal year. Councilor Thornton made a motion to take \$2ml from the mortgage assistance program and put it into the building package program. Councilor Glory-Jordan second the motion. Councilor Fullbright voiced concern that as the mortgage assistance interest increases more funds would be needed. She suggested raising the \$15,000 to \$25,000. Chair Buzzard requested a modification to Councilor Thornton's motion to move \$1ml instead of \$2ml. Councilor Thornton stated 3 or 4 years ago he was a big supporter of the mortgage assistance plan and there is no way to spend \$8ml in this plan this is taking away homes from people who can't afford the mortgage assistance program. He stated he wanted to leave his motion at \$2ml. Mr. Jones stated when the Housing Authority was doing the mortgage assistance program they estimated they could spend the 06 and 07 MAP dollars by December 31st then begin to utilize the 2008 funds. The Commerce group is now handling the MAP dollars and may have different estimates. Councilor Crittenden inquired if the funds set aside in the 2008 IHP for the building packages included sufficient funds for a warehouse. Mr. Jones stated this plan contains a lesser amount by approximately \$800,000 if it was equal to last year it would have been placed in the building packages. Councilor Cobb inquired how much is spent per year in mortgage assistance. Mr. Jones stated for fiscal year ending September 30th it was 300 in the amount of \$4.5ml. Councilor Cobb inquired if there is \$8ml in mortgage assistance at this time. Mr. Jones stated no. Councilor Cobb inquired as to why both requests couldn't be met. Mr. Doug Evans stated the numbers that we are working with that are already approved by the council are being requested to be modified this afternoon again. Right now in the

2006 IHP \$1.3ml authorized for this year. The request for this afternoon is to up that to \$3.6ml. The 2007 plan is \$3.9ml as is the 2008 plan. All three years total \$11.5ml. Mr. Jones provided an update by stating there will be a budget revision for the 2007 plan to reduce the mortgage assistance to \$1.8ml. Councilor Cobb inquired as to what would have to happen to allow us to raise the mortgage assistance to \$25,000 and build more homes. Mr. Jones stated you would have to reduce other activities to make those funds available. Mr. Evans stated it would depend on the number of awards given in mortgage assistance per year will determine how long the funds will last. He stated the balance hasn't been depleted in two years. Councilor Cobb stated he isn't opposed but would like additional time for consideration. Councilor Thornton stated he would withdraw his motion and bring it back up at the next meeting. Councilor Glory-Jordan inquired how many loans were closed by the commerce department last year. Ms. Anna Knight responded 51 in assistance with self sufficiency counseling. She stated there are 24 other families who are qualified and are looking for homes at this time. Councilor Glory-Jordan stated at this rate it would take 10 years to spend the \$11.5ml. She requested Councilor Thornton revisit his motion. She stated there is money here to do both. Ms. Knight clarified last year was the full first year of the self sufficiency counseling. She stated there are 250 people actively participating in the program at this time that should complete the program in the next 12 to 18 months. Mr. David Southerland commented last year they did approximately 310 mortgage assistances at \$15,000 and since October 1 they have completed 124. He stated they are averaging 20 a month now. He stated at the current rate they will complete 300 in this fiscal year. He stated the idea is we can serve more families with \$15,000 than we can \$80,000. Councilor Fishinghawk stated she has asked in the past and is yet to receive an answer as to how much these SIP homes are costing us in regard to materials an administrative costs. Mr. Jones stated on page 3 of the handout the asterisk for building packages show \$72,000 per package. Councilor Fishinghawk requested the numbers for the homes already on the ground. Councilor Thornton inquired if this included the building of the panels. Mr. Jones stated the research and development part of the building packages is to pay for the staff at the Cherry Tree plant to make the panels. Councilor Bill John Baker inquired if the needest of the needy had been discussed in his absence. A statement was made it had been discussed but no changes were made.

A motion was made by Councilor Bill John Baker and seconded by Councilor Tina Glory Jordan, that this matter be Change. The motion carried by the following vote:

Yea: 14 - Bill John Baker; S. Joe Crittenden; David Thornton Sr. ; Don Garvin; Meredith Frailey; Buel Anglen; Jack D. Baker; Tina Glory Jordan; Jodie Fishinghawk; Janelle Fullbright; Harley Buzzard; Curtis Snell; Bradley Cobb and Julia Coates

Nay: 2 - Cara Cowan Watts and Chris Soap

Councilor Cowan Watts made a motion for the approval of this IHP. Councilor Garvin seconded the motion. Motion carried.

ADJOURNMENT

Motion made by Councilor Garvin to adjourn the meeting. Councilor Cowan Watts seconded the motion. Motion carried at 10:20 a.m.

STAFF PRESENT:

Jerry Snell	Marvin Jones	David Southerland
Anna Knight	Norma Merriman	Callie Catcher
Charlie Soap	Shay Smith	Doug Evans
Ginger Brown	Brian Cooper	

VISITORS PRESENT:

Todd Hembree

Raymond Vann

Jackie Bob Martin

APPROVAL / DISTRIBUTION

Minutes submitted by: Shelli Brittain, Legal & Legislative Coordinator

Motion to approve minutes made by: _____

Minutes attested and concurred by: _____

Date: _____