



Council of the Cherokee Nation

Meeting Minutes

Community Services

Monday, January 14, 2008

2:00 PM

Legislative Conference Room

Special Session

CALL TO ORDER

Chair Buzzard called the meeting to order.

INVOCATION

Councilor Crittenden gave the invocation.

ROLL CALL

Present 15 - Bill John Baker; S. Joe Crittenden; David Thornton Sr. ; Don Garvin; Meredith Frailey; Cara Cowan Watts; Buel Anglen; Jack D. Baker; Tina Glory Jordan; Jodie Fishinghawk; Janelle Fullbright; Harley Buzzard; Curtis Snell; Chris Soap and Bradley Cobb

Late Arrival 1 - Julia Coates

A RESOLUTION APPROVING AND AUTHORIZING THE SUBMISSION OF AMENDMENT NUMBER FIVE TO THE FISCAL YEAR 2006 INDIAN HOUSING PLAN TO THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Sponsors: Councilor Buzzard

Mr. Marvin Jones gave a brief explanation that even though an Indian Housing Plan is passed we can't spend any of the funds until it is in the budget. We have to pass the plan then pass the individual budgets of everything that is included. For this reason when an IHP is passed it doesn't go to Executive and Finance committee. Usually the IHP is amended by just submitting the changes. He included the entire plan for review for the new Council members. Councilor Bill John Baker stated we have passed the budget for basically all of the housing dollars to go from the Housing Authority back to the Cherokee Nation. He stated under Callie Catcher's interpretation as long as the entire budget authority of the Cherokee Nation is not expended she can transfer from line item to line item. Mr. Todd Hembree stated that memorandum was in response to letter he had wrote. He stated he is not an accountant but he does disagree with that interpretation. Mr. Hembree reminded everyone these are federal funds. Mr. Jones stated he was unaware of the memorandum. He stated the NAHASDA is a grant and due to the complexity it is sometimes treated as numerous mini grants. Up to this point there isn't a dollar of NAHASDA funds spent without an individual budget and individual accounting units. Mr. Doug Evans stated historically the IHP dictates what the budget looks like. He stated he didn't interpret Ms. Catcher's memo to have anything to do with federal funds. Mr. Jones stated these individual IHP's result from a series of discussion with the prior Council. All of these changes are within this particular umbrella formed during those discussions. They believe the IHP's are working as intended. Due to the initial 2006 and 2007 amendments failing to pass this committee changes had to be made to enable them to be submitted for consideration again. Mr. Jones stated they need the IHP's revised and added to the agenda tonight if possible. The revision from

the 2006 IHP from what was voted down is an increase of \$500,000. to the mortgage assistance program. There is a reduction of \$500,000. in the land acquisition portion. Councilor Glory-Jordan inquired how much this would leave in the land acquisition account. Mr. Jones directed everyone to page 15 for an explanation of the changes. Councilor Glory-Jordan inquired as to how many sites were now being considered. Mr. Jones stated page 9 shows 50. This number is based on a configuration of 5 acre sites. The idea of having 5 acre sites is to allow family members to build if needed. Councilor Thornton stated to do this the family would have to be give control of the land. . He voiced concern that not all families can take care of 5 acres. Mr. Jones stated the initial belief is this will be tribal land to increase the tribal land base. Councilor Hoskin Jr. inquired as to the plan not stating the land purchase being next to rural schools. Mr. Jones stated it would be in the policy that the IHP needs to be sent to the federal government for approval as simple and basic as possible. Mr. Hembree inquired if the idea is to give a family a 5 acre tract so they can invite in family members is they choose. Mr. Jones stated the general idea is for a family to have a home site where they can have their children or aging parents live next to them. Councilor Fishinghawk questioned the income guidelines. Mr. Jones stated these are NAHASDA funds which are income restricted. The maximum income for a family of 4 is \$47,700.00. Councilor Fishinghawk inquired if the subsequent family members moving on the 5 acre tracts would also have to qualify for NAHASDA funds. Mr. Jones agreed they would. Councilor Bill John Baker questioned placing the land in the Cherokee Nation's name and who would hold title. Mr. Jones stated this is something yet to be decided. There has been discussion to hold title and it being tribal land. Councilor Bill John Baker stated we are not giving Cherokee's the opportunity to pass wealth on but to give them an opportunity to have a place to live for the tribes benefit by paying for the home and giving back to the Cherokee Nation when they pass on. Mr. Jones stated it is hoped the home would be passed on to other family members. Councilor Bill John Baker inquired as to how many lots are going to be purchased. Mr. Jones stated in the 2006 there are 50 lots and the 2007 there are 160. Councilor Bill John Baker inquired as to how many homes would be built each year. Mr. Jones stated under the mortgage assistance program there are 233 grants available in each IHP. He stated the administration would like to see at least half of them as new construction. Councilor Bill John Baker inquired about the purchase of these lots in certain areas and people not wanting to move from their familiar areas. Mr. Jones stated the purchase of land is supposed to follow the community land planning process in which specific Cherokee communities identify land, development of rural schools and housing as a priority through a process where the people themselves are involved. The purchase of land should be in those areas identified by specific Cherokee Communities. Councilor Bill John Baker inquired if mortgage assistance would work if the participants don't own the land. Would the bank give a mortgage to a family that doesn't own the land. Mr. Southerland stated they would. He didn't feel the intent was for every mortgage assistance family to go on one of these lots. Mr. Southerland stated the idea around the rural schools is to keep the families in these communities. The lots could be in the tribe's name or the participants. Mr. Jones stated when section 184 NAHASDA was passed one of the objectives was to develop private resources with mortgages on Indian land. Councilor Crittenden stated he was lead to believe that the intent was to target at risk schools and now it has changed to the high performing schools and areas with lots of jobs. Mr. Jones stated his last discussion with the Chief was to target the high performing schools. Councilor Crittenden stated he views this as a glorified cluster site.

Councilor Cowan Watts made a motion for approval. Council Anglen seconded motion. Motion passed with division.

A RESOLUTION APPROVING AND AUTHORIZIING THE SUBMISSION OF AMENDMENT #2 TO THE FISCAL YEAR 2007 INDIAN HOUSING PLAN TO THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Sponsors: Councilor Buzzard

Councilor Cobb inquired about the funding going to the Delaware's. Mr. Jones stated we submit a budget through the Cherokee Nation tribal system for the amount going to the Delaware tribe. The Delaware's then send us an invoice for the amount and we pay. This is the same process used with the HACN. Councilor Hoskin inquired if at some point the administration would come to the Council vote on the policy to determine where the land locations are. Mr. Jones stated he isn't aware of any discussion to bring it to the Council. Councilor Hoskin Jr. requested the administration consider bringing before the Council to help determine the locations.

Councilor Glory-Jordan stated it looks as though 35 homes will be built and 160 homes sites purchased. She inquired if the administration could change the 5 acre sites to 1 acre sites. Mr. Jones stated it is possible but unlikely. Councilor Glory-Jordan stated if only 35 homes are built a year were are determining where people are going to live for the next 5 to 10 years. Mr. Jones stated from the 2004 plan forward there are 82 self help packages available as well as approximately 300 mortgage assistance grants available. Councilor Glory-Jordan stated in the past we have purchased land with the intent to build homes and can't find people who want to live there. Mr. Jones stated the decision making should go through the community planning process and have input. Councilor Fishinghawk requested a break down by county of people who have received the mortgage assistance funds and the number that have been in foreclosure. She inquired about the self sufficiency counseling program. Mr. Jones stated the self sufficiency planning program is meant to be long term. Councilor Soap inquired if the mortgage assistance program is first come first serve. Mr. Jones stated it is right now there isn't a waiting list. Councilor Soap inquired if the MAP funds are distributed by district. Mr. Jones stated all NAHASDA funds are intended to be allocated by area. Councilor Soap inquired if the 2005 mortgage assistance budget has been fully expended. Mr. Jones stated the 2005 funds have been expended. There are MAP funds available in the 2006 and 2007 plans. Mr. Doug Evans inquired about the MAP as related to land acquisition and if the land remains in the Cherokee Nation's name if we would be required to hold a lien. Mr. Jones stated Section 184 the individual tribe sets the law on how a foreclosure happens. This would not require the tribe to co-sign on a loan. This may require long term leases.

A motion was made by Councilor Cara Cowan Watts and seconded by Councilor Jack D. Baker, that this matter be Approved and Forwarded to Council. The motion carried by the following vote:

Yea: 12 - David Thornton Sr. ; Don Garvin; Meredith Frailey; Cara Cowan Watts; Buel Anglen; Jack D. Baker; Janelle Fullbright; Harley Buzzard; Curtis Snell; Chris Soap; Bradley Cobb and Julia Coates

Nay: 4 - Bill John Baker; S. Joe Crittenden; Tina Glory Jordan and Jodie Fishinghawk

ADJOURNMENT

Motion made by Councilman Anglen to adjourn the meeting. Councilman Garvin seconded the motion. Motion carried at 3:07 p.m.

STAFF PRESENT:

Marvin Jones
Todd Enlow

Charlie Soap
Nason Morton

Ginger Brown

VISITORS PRESENT:

David Southerland
Raymond Vann

Todd Hembree

Jim Ketcher

Chuck Hoskin Jr.

APPROVAL / DISTRIBUTION

Minutes submitted by: Shelli Brittain, Recording Secretary

Motion to approve minutes made by: _____

Minutes attested and concurred by: _____

Date: _____