



ONAP Training & Technical Assistance *Virtual Sessions*

Board of Commissioners Training

Sept. 9-10, 2020 | 11:00 AM — 5:00 PM / EST

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This virtual training is sponsored by the
U.S. Department of Housing & Urban Development's Office of Native American Programs and the
National American Indian Housing Council



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Agenda – Day 2

Day Two

- 11:00– 11:30
- 11:30 – 11:40
- 11:40 – 12:00
- 12:00 -12:30
- 12:30 – 1:30pm
- 1:30 – 2:15
- 2:15– 2:50
- 2:50 – 3:00
- 3:00 – 4:15
- 4:15 – 4:50
- 4:50 - 5:00pm
- 5:00pm

Planning & Controlling IHP and APR

First Break

Controlling continued

SWOT Analysis – Break Out Session- Answers in Chat

Lunch

Leading, Ethical Issues

Ethical Issues/Conflict of Interest -Breakout Session

Second Break

Housing Board Responsibilities

Officers and Duties

Questions & Answers

End of Course

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Planning

Second function of the board is Planning.

Planning involves setting goals and objectives and deciding how they will be achieved.

- **Standing plans**
 - Policies used over and over again
- **Short-range plans**
 - Covers a period of one year
- **Long-range plans**
 - Covers three, five or ten years

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Indian Housing Plan (IHP)

- Recipient must prepare and submit to HUD:
 - Indian Housing Plan/Annual Performance Report
 - Within 75 days of program year beginning
 - HUD has a 60 day review period to determine compliance

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Indian Housing Plan (IHP)

- IHP on template for each grant year
- Housing Director and staff prepare plan
- Board may be involved, will approve
 - Focus on 1-year goals & objectives
- Plan can be amended

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IHP - Planning Considerations - One-Year Plan

- Housing Needs -Who are we serving (needs assessment)
- Program Descriptions – What they need now and in the future
- Maintaining the 1937 Act Units
- Budgets - How much is our budget - IHBG \$ and other funds, program income
- Certifications
- Self Monitoring
- Inspections
- Audits
- Public Accountability – IHP, Policies and APR – Available to general public
- Job Created by NAHASDA – Jobs created by projects and programs
- Waiver Request

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Tribal Certifications

- Tribal Certification – when recipient is a TDHE:
 - Must accompany IHP and any amendments
 - Tribal government certifies that:
 - It has reviewed the IHP and authorizes TDHE to submit, or
 - The TDHE has been delegated the authority to prepare and submit IHP and amendments without prior review by the tribe

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Standard Certifications

- Certification of Compliance
- Civil Rights Act of 1968
- Insurance is maintained for units owned, operated, or assisted with grant funds
- Required policies are in effect and available for review

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Environmental Review Certification

- Tribe to assume responsibility to complete environmental reviews
- Request HUD to be responsible for review
- Work in conjunction with HUD to complete review

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Planning & Evaluating Use of IHBG Funds

- Indian Housing Plan (IHP)
 - Identifies activities that IHBG funds will be spent on in a given year
- Annual Performance Report (APR)
 - Method for reporting accomplishments

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What are the eligible affordable housing activities?

- 1. **Indian Housing Assistance** - Modernization and Operating Assistance for 1937 Act (Low Rent and Mutual-Help) units. Operating assistance includes maintenance and rent or utility subsidies.
- 2. **Development** - Acquisition, new construction, reconstruction, or rehabilitation for affordable housing.
- 3. **Housing Services** - Housing related services such as: counseling, resident organizations, self-sufficiency programs, homeless prevention, and youth activities.
- 4. **Housing Management Services** - Preparing work specifications, processing loans, inspections, tenant selection, managing tenant-based rental assistance, and management of other housing projects.
- 5. **Crime Prevention & Safety Activities** - Security enhancements, such as fencing, speed bumps, monitors, locks, lighting, security personnel, and security equipment.
- 6. **Model Activities** - These are activities that require HUD approval and include: construction of an office, warehouse, day care center, community facility, or college housing.
- 7. Housing programs can also use IHBG funds for Administrative & Planning Expenses. The regulations state that no more than 20% of the grant amount can be used for these expenses. If a higher percentage is requested, HUD approval is required.

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Question

Before we take a break

- What are a few projects or programs that you have in your IHP for this year. Put them in the Chat box

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First Break

- 10 minute break

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Controlling

- Controlling = Monitoring
- Measuring Performance
- Tools:
 - Annual Performance Report
 - Annual Compliance Assessment
 - Audit

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Annual Performance Report

- Report progress for the year
- New revised standard form combined with IHP
- Due within 90 days of program year end
- Make available to public for comment
- Submit to HUD
- If prepared by TDHE, submit to Tribe
- HUD has 60 days to review

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Annual Compliance Assessment

- At least annually
- To determine compliance with the law and regulations
- Must include inspection of assisted units

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Audit

- Required when recipient spends \$500,000 or more in federal funds for the year
- Complete within 9 mo. of program year end
- Submit to federal audit clearinghouse and to HUD
- TDHE must submit copy to Tribe

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Recipient Responsibilities

The Recipient is responsible for:

- Monitoring grant activities to ensure compliance with Federal requirements
- Monitoring performance goals in the IHP
- Preparing an Annual Compliance Assessment
- Preparing an Annual Performance Report
- Undergoing an audit

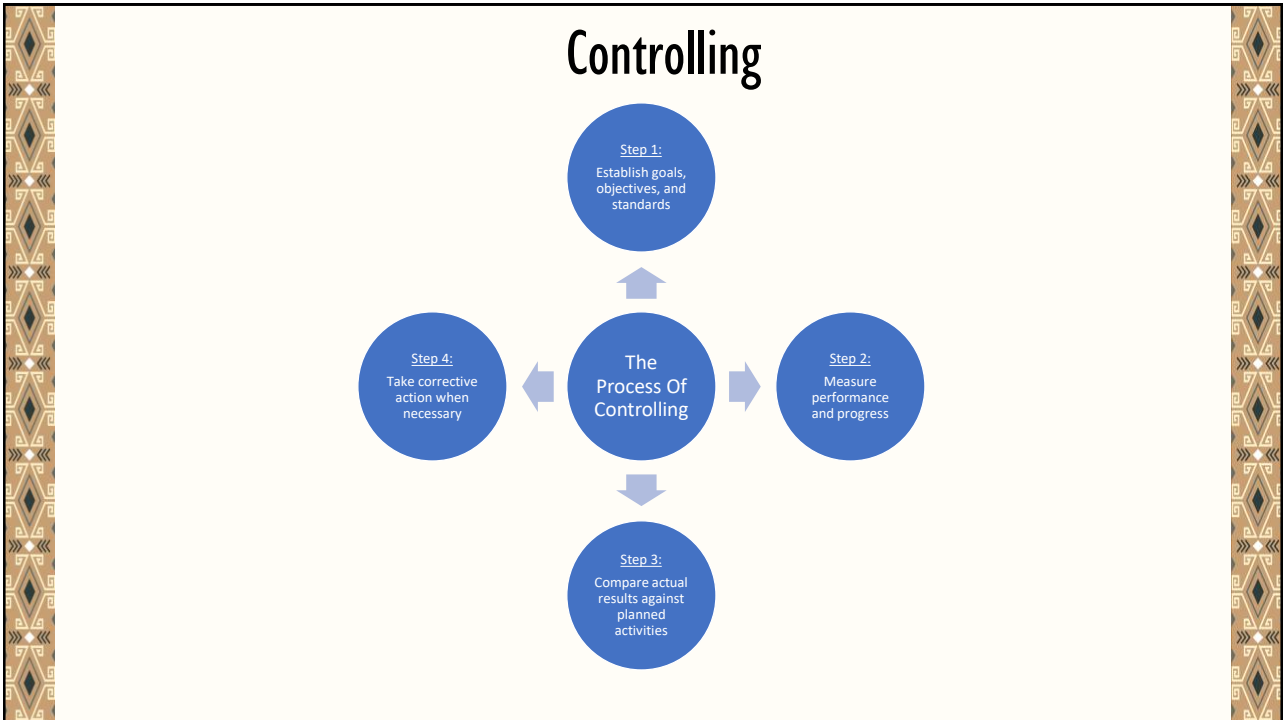
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HUD Responsibilities

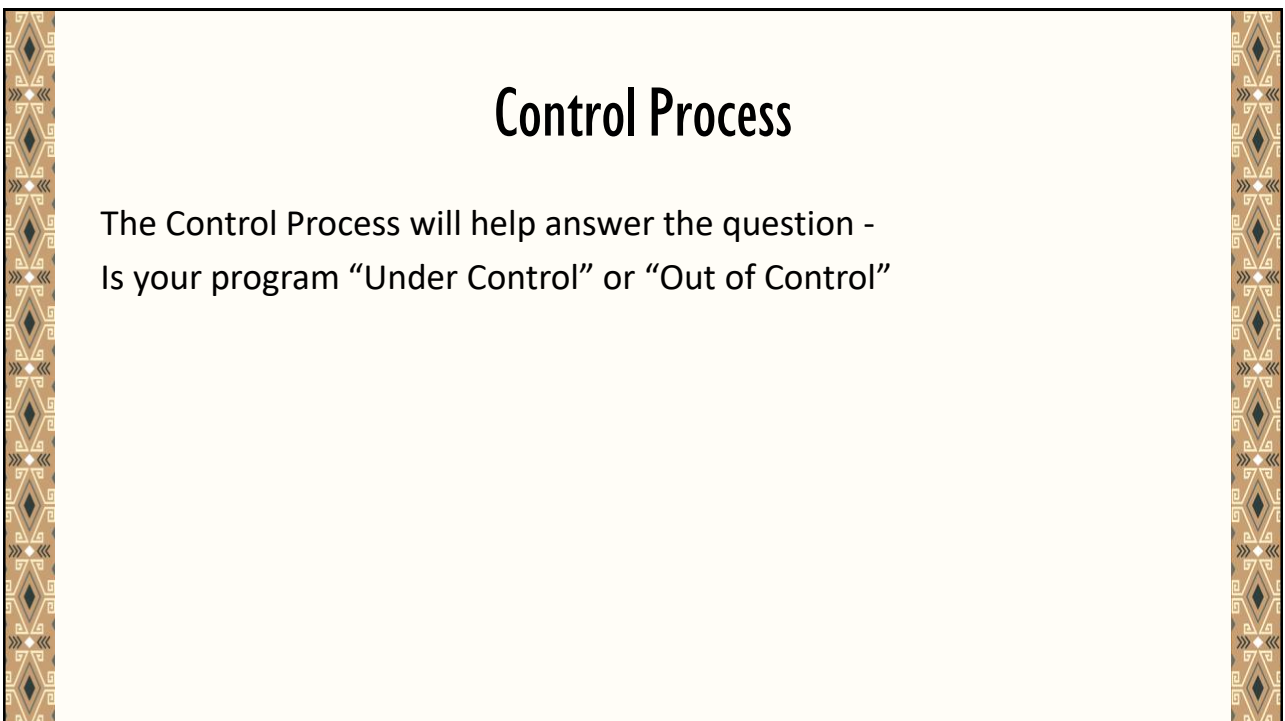
HUD is responsible for:

- On-site and off-site review of records, reports, and audits
- Providing technical assistance and training
- Determining if recipients have carried out activities in a timely manner
- Determining if recipients have complied with the IHP
- Determining if APRs are accurate

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Undertaking a SWOT analysis

SWOT Analysis –
Strengths, Weaknesses, Opportunities, Threats

- How can we use our strengths to take advantage of the opportunities?
- How can we use our strengths to overcome the threats?
- What do we need to do to overcome the weaknesses before we can take advantage of the opportunities?
- How should we minimize our weaknesses to ward off the threats?

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SWOT ANALYSIS



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SWOT ANALYSIS

- BREAKOUT SESSION
- You are on the Board for your Housing Program.
- As Board Members, you are at your Board retreat and asked to do a SWOT Analysis on your Housing Program.
- One person will write 2 answers for each section and will put in the chat box after the break out session is over.

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STRENGTHS

- people
- mission/vision
- outside perception, recognized brand, market leader
- organization
- cultural
- content
- technology
- financial - donations easy and reliable
- less reflection as an organization
- less communication

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WEAKNESSES

- lack of structure (management not adapted)
- poor processes/delegation/decision making
- communication
- lack of trust
- unfocused direction, lack of planning or strategic vision
- finances, donor relationships
- divided opinions on board members
- lack of responsibility
- volunteers
- reflection of organization
- turnover

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OPPORTUNITIES

- money
- Internet
- good will
- free culture movement success
- educational penetration
- support of free culture movement
- media and political interest
- technology
- hiring pool

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THREATS

- legal
- unmanaged growth
- fragmentation of the general organization
- financial stability
- competition
- internal communication

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Lunch

- One hour for lunch

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Leading

- Provide opportunities to ensuring housing staff have access to personal development training
- Support and enforce approved policies
- Board to provide guidance and to be available for training and meetings
- Plan for the future of community/tribe in providing affordable housing projects and programs

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Ethical Issues

- Board members have a position of power
- Board as a whole takes action
- Decisions should be based on ethical standards
- Housing programs must follow laws, regulations and board policies

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Ethical Dilemmas

- Requires a choice to be made
- Sometimes no clear “right” or “wrong” answer
- Use moral principles

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Unethical Behavior

You convince yourself that:

1. The behavior is not illegal
2. You are doing what is in everyone’s best interest
3. No one will ever know what you’ve done
4. You are protected by your position or the organization itself

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Ethical Decision Making

Here are a few tips for making ethical decisions:

- Recognize the dilemma
- Gather all the facts
- Establish your options
- Test the option
 - Is it right? Is it Legal? Is it Ethical?
- Choose your option
- Ask: “How would I feel if my family finds out? What if this is in the paper?”
- Take appropriate action

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Conflict of Interest

Here are some examples:

- When someone in a position of trust has competing professional and personal interests, or
- When someone makes a decision in an official capacity and they stand to personally profit from it, or
- When your interests have the potential to conflict with the best interests of the organization or those you represent

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Conflict of Interest (cont'd)

Prohibitions in the regulations

- “no person who participates in the decision-making process or who gains inside information with regard to NAHASDA assisted activities may obtain a personal or financial interest or benefit from such activities.”
- “grantees and subgrantees will maintain a written code of standards of conduct governing the performance of their employees engaged in the award and administration of contracts. No employee, officer or agent of the grantee or subgrantee shall participate in selection, or in the award or administration of a contract supported by Federal funds if a conflict of interest, real or apparent, would be involved.”

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Conflict of Interest Example

Here is another example:

- The Housing Director tells the Board that the program needs to hire a consultant to facilitate scheduled management trainings.
- You (a board member) have an immediate family member who has a consulting firm who provides various management trainings.
 - Professional interest – housing program would benefit from this procurement.
 - Personal interest – you have inside information on the budget for this training and may also benefit from this agreement.
- Is this a conflict?

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Ethical Issues/Conflict of Interest —Breakout session

Give an example of:

1. An ethical issue
2. A conflict of interest

Assign one person to write them now and then enter them in the chat room

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Mitigation Measures

- Recusal – declare yourself disqualified to participate
- Code of Ethics – policies that prohibit certain activities or conduct
- Third-parties – independent, well-qualified individual outside the organization
- Disclosure – sharing information not previously known

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Second Break

- 10 minute break

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Conducting Business

By-laws outline your own basic rules and include details on:

- Name of the organization
- Purpose
- Members of the board
- Officers of the board
- Meetings
- Committees
- Parliamentary authority
- Amendments

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Officers and Duties

Chairperson – chosen based on qualifications to lead (should be familiar with by-laws, rules and parliamentary precedures)

- Presides at meeting
- Opens meeting on time
- Announces business
- Recognizes speakers
- Maintains quorum
- States motions and puts to vote
- Maintains order and enforces rules
- Expedites business
- Adjourns the meeting
- Signs documents

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Officers and Duties

Vice-Chair –chosen based on capabilities to perform duties of the Chair

- In the absence of the Chair, assumes their responsibilities
- By-laws may include further responsibilities

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Officers and Duties

Secretary – chosen based on recordkeeping ability

- Duties usually assigned to staff
- Records minutes
- Presents minutes for approval
- Custodian of records
- Prepares notice for meeting
- Prepares agenda
- Signs documents

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Officers and Duties

Treasurer – chosen based on knowledge of financial management

- Some duties assigned to staff
- Presents financial reports
- Responsible for all financial assets
- May be co-signer of checks

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Grievances

- Any dispute that a tenant or homebuyer may have with respect to their lease, their homebuyer agreement, or the housing program policies
- Relating to actions, failure to act, or interpretation or implementation of policies

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Meetings

Regular meeting – monthly

- Provide 24 hour public notice
- Special meeting – between regular mtgs.
- Provide 48 hour public notice
- Emergency meeting – as needed
 - Provide notice ASAP
- Adjourned meeting – to resume business not completed at previous meeting

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Executive Sessions

Entire meetings or portions of meetings held in private

- Convene in public
- Majority vote to enter executive session
- Only board, invitees, necessary staff attend
- Only for hiring or dismissing employees, disciplinary action, or purchase or appraisal of property
- Records and discussions are confidential
- Board may be required to resume open meeting and conduct any required votes

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Agendas

- Pre-scheduled “Order of Business”
- Usually prepared by director or staff
- Identify all items to be considered
 - Must include any proposed executive sessions

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Order of Business

Most Boards open with a prayer, which is held either immediately before or after the call to order

- Call to order
- Roll call
- Approval of agenda
- Approval of minutes
- Reports
- Old business
- New business
- Announcements
- Executive Session
- Adjournment

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Resolutions

- A formal expression of opinion, will or intent voted by an official body or assembled group
- The official record of decisions made by the board
- Usually attached to proposed policies, budgets, or other items of business
- Typically prepared by director or staff
- Sequentially numbered
- Approved by board
 - Signed
 - Dated
 - Indexed
 - Kept in safe place

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Minutes

- Record of proceedings of the board
- Prepared for each meeting
- Copies provided to director and board
- Approved by board
- Bound
- Indexed
- Stored in safe place
- Limited access

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Minutes

- Unless they are to be published, reflect only what was done, not what was said
- Separate paragraph for each item of business
- When voting by roll call, include names of those voting on each side of issue

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Help for the Board

- Request that documents to be presented at the upcoming meeting be provided one week in advance
- Obtain copies of all policies, the budget, IHPs,
- APRs, audits, law, and regulations
- Request list of projects – number of units and location
- Request copy of organizational chart
- Request information on upcoming meetings or training opportunities

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Board of Commissioners Training

Remember:

- Board Members are policy makers and participate in planning and controlling.
- The Housing Director is responsible for day-to-day business.
- The Housing Board and the Director must work together.
- The Board guides the overall direction of the Housing Program.
- No business may be conducted outside of a properly called meeting of the Board.
- Decisions should be based on factual information.
- Avoid conflicts of interest.
- Always choose what is right or good, versus what is wrong or bad.
- Be prepared to support your positions, but compromise whenever necessary.
- Board members have no individual power; the power lies with the body as a whole.
- No single board member has more power than another - - not even the Chair.

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