



# ONAP Training & Technical Assistance *Virtual Sessions*

## Board of Commissioners

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

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This virtual training is sponsored by the  
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# Agenda – Day 2

## Day Two

- Leading, Ethical Issues
- Ethical Issues/Conflict of Interest -Breakout Session
- Housing Board Responsibilities
- Officers and Duties
- Questions

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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

Discuss an ethical or a conflict of interest that you have had to deal with as the Housing Director or a Board Member and how you handled the situation.

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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## 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 procedures)

- 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.