

Northern Ponca Housing Authority  
Board of Commissioners Quarterly Meeting  
January 12, 2024 – Lifesize

**CALL TO ORDER**

Minutes of the Northern Ponca Housing Authority (NPHA) Board of Commissioners (BOC) quarterly meeting held January 12, 2024 via Lifesize. The meeting was called to order at 5:02 p.m. by Chairwoman Pam Noyes. Roll Call: Pam Noyes, Chairwoman, Christopher Keifer, Vice-Chairman, Alexcia Boggs, Treasurer, Christine Legband, Secretary and Bill Wright, Commissioner. Absent: None. Also, present: Joey Nathan, Executive Director, Don Magnuson, Director of Finance, Alex Villalpando, Director of Maintenance, Justine Knapp, Director of Development, and Angelica De Anda, Executive Assistant. Public Attendees: None.

The invocation was given by Christine Legband.

*Alexcia Boggs present at 5:03 p.m.*

**APPROVAL OF AGENDA**

Motion by Christine Legband to approve the agenda for the January 12, 2024 BOC Quarterly Meeting. Seconded by Christopher Keifer. On roll call vote: Ayes – Alexcia Boggs, Christine Legband, Bill Wright and Christopher Keifer. Nays – None. Abstain – None. Absent – None. Chair not voting. Motion carried.

**APPROVAL OF MINUTES**

Motion by Christopher Keifer to approve the minutes from the December 8, 2023 Regular Meeting. Seconded by Christine Legband. On roll call vote: Ayes – Christopher Keifer, Christine Legband, Bill Wright and Alexcia Boggs. Nays – None. Abstain – None. Absent – None. Chair not voting. Motion carried.

Motion by Alexcia Boggs to approve the minutes from the December 18, 2023 Special Meeting. Seconded by Christopher Keifer. On roll call vote: Ayes – Christine Legband, Alexcia Boggs, Christopher Keifer and Bill Wright. Nays – None. Abstain – None. Absent – None. Chair not voting. Motion carried.

**PUBLIC COMMENTS**

None.

**REPORTS/UPDATES**

The Executive Director report was presented by Joey Nathan, Executive Director and discussed by the BOC.

- a) An update was given on meetings and trainings attended in December.
- b) An update was given on the IHP.
- c) An update was given on the PTN Winter Count.
- d) An update was given on upcoming events.

- e) An update was given on elder complex projects.

The Finance report was presented by Don Magnuson, Director of Finance and discussed by the BOC.

- a) An update was given on meetings and trainings attended in December.
- b) An update was given on NPHA Current Grant Awards.
- c) Discussed the December revenues and expenditures.

The Maintenance report was presented by Alex Villalpando, Director of Maintenance and discussed by the BOC.

- a) An update was given on all emergency calls, move ins, move outs and unit testing.
- b) An update was given on meetings and trainings attended in December.
- c) An update was given on all construction projects.
- d) An update was given on the ICDBG/IHBG/HOHIA projects.
- e) An update was given on the vacant units and released units.
- f) An update was given on monthly work orders.

The Development report was presented by Justine Knapp, Director of Development and discussed by the BOC.

- a) An update was given on staffing and open positions.
- b) An update was given on upcoming plans for 2024.
- c) An update was given on professional development and future trainings.
- d) An update was given on succession planning.
- e) An update was given on ROSS Annual Reporting.
- f) An update was given on HOHIA.
- g) An update was given on Employee Handbook Revisions.
- h) An update was given on the Homeowner's Assistance Fund (HAF).

The Admissions & Occupancy report was presented by Joey Nathan, Executive Director and discussed by the BOC.

- a) An update was given on occupied units.
- b) An update was given on rental income, as well as breakdown for rent charges.
- c) An update was given on NPHA waiting list by service area.

The ROSS report was presented by Justine Knapp, Director of Development and discussed by the BOC.

- a) An update was given on all meetings/trainings/events attended.
- b) An update was given on resource referrals, programs applied for, and additional services provided to tenants and tribal members.

The Homeownership report was presented by Justine Knapp, Director of Development and discussed by the BOC.

- a) An update was given on meetings and trainings attended.
- b) An update was given on Tenant-Based Rental Assistance Program (TBRAP) Participants.
- c) An update was given on Down Payment Assistance (DPA).
- d) An update was given on Tenant Homeownership Program (THOP).
- e) An update was given on the BIA-ARP participants.
- f) An update was given on the IHBG-ARP participants.
- g) An update was given on the application for the NIFA Native American Community Impact Grant.

h) An update was given on the HOHIA Program.

## **UNFINISHED BUSINESS**

The HOHIA Policy was presented to the BOC with the following revisions:

### **Section A: Qualifications**

Applicants requesting assistance shall meet the following criteria:

1. Applicants requesting assistance for weatherization/energy efficiency are required to apply to the State Weatherization Assistance through the county they reside in. A copy of the acceptance/declination letter is required to be handed into NPHA. The Housing Authority will provide the contact information.
2. Applicants requesting assistance for handicap related upgrades for the home are required to apply to the Assistive Technology Partnership (ATP). A copy of the acceptance/declination letter is required to be handed into NPHA. The Housing Authority will provide the contact information.
3. It is required that a Subordinate Mortgage is filed with the County Registrar of Deeds, after project is completed and funding has been distributed.
4. The following homes shall be eligible for assistance:
  - a) Homes purchased with Down Payment Assistance provided by NPHA will be eligible for HOHIA, a separate lien shall be placed on the property once the work is completed and funding has been distributed.
  - b) Mutual Help Homeownership will be eligible after conveyance.

### **Section B: General Restrictions**

This policy is adopted as guidance for the Northern Ponca Housing Authority (NPHA) to implement objective and firm processing procedures for applicants requesting home improvement assistance.

This policy is subject to limitations and/or restrictions based on the available budget of NPHA. It is also subject to regulatory requirements that may be required by 3<sup>rd</sup> party funding agencies.

Restrictions include:

1. Awards for assistance are based on need, up to a maximum of \$12,000.00, assistance amount to be determined each fiscal year in NPHA's Indian Housing Plan.
2. The homeowner may not receive more than \$12,000.00 of assistance from HOHIA more

- than once in a five (5) year period.
3. All applicants will be placed on the HOHIA waiting list by date of completed application. NPHA will rate and rank the application. Once funding is available NPHA will contact the homeowner according to the waiting list/preference points and required documentation supporting the application will need to be handed in to NPHA by the documents dead line.
  4. A home that does not have a permanent foundation will not qualify. **Trailer homes are not eligible.**
  5. **LEAD BASED PAINT**

The following applies only to applicant's homes constructed prior to 1978. Lead based Paint testing will be contracted and paid for by NPHA from HOHIA funds. Homeowners will be notified of the results of the test. **Any decisions regarding the lead-based paint abatement will be conducted by the NPHA Executive Director based on NAHASDA regulation 1000.40.**

If the applicant's property is found to have Lead Based paint and the HOHIA project is of a nature that would disturb the painted surfaces (i.e. Sheet rock replacement, window replacement) **the project may be disqualified for HOHIA funds until the Lead based paint is abated at the home-owner's expense.**

When the Lead Based paint has been abated by the home owner, the project must be re-tested. This inspection will be paid for by the home owner.

If the project can be completed without disturbing existing painted surfaces, the project can move forward to the next step of the application process.

### Section C: List of documentation required

1. Recertification of income will be done at the time of service—Prior year tax return and 3 months of household income at the time of the rehab project on the home. Provide proof of income of all household members, 18 years or older (one month of current pay stubs, benefit letter, etc.), NPHA will not accept bank statements.
2. Pictures of items requested on application to be rehabilitated.
3. Provide a Lead Base Paint and Asbestos testing report if this has been done prior.
4. If claiming handicap/disability, proof through a third party verification.

5. ~~If claiming veteran, submit DD Form 214.~~
6. ~~Documentation of weatherization program application, if applicable.~~
7. ~~Documentation of disability accommodation program application, if applicable.~~

### **Section E: Preferences/Rating**

In addition to the Preference Points, NPHA will rank applications based on the following preference points:

- Ponca preference 100 points
- Elder / near elder 62/55 15 points
- ~~Date of Application 1-15 points (2 points per year)~~
- ~~Length of Homeownership 60 points (2 points per yr. 30 year max)~~
- ~~Below 50% median income eligibility 30 points~~
- ~~No liens 25 points~~
- ~~Handicap/disabled 30 points~~
- ~~Veteran 10 points~~

~~The Housing Authority will maintain a waiting list on file. Applicants will be allowed to acquire information as to their status on this list.~~

### **Section F: Procedure**

The Housing Authority will implement the following procedure in ~~a the~~ Homeownership Improvement Assistance Program:

- a) ~~Upon funding availability, NPHA will provide a notification of “project notice and solicitation” for applications. Application deadline for the fiscal year will be set by NPHA.~~
- b) ~~Upon receipt of applications, the applicant will receive a letter confirming the application was received. The application will be put on a waiting list. When notification of funds are available, the applicant will receive a letter requesting updated information needed to move forward with the screening process of the application. Electronic application submission is required. Applicant will be notified the application was received and complete. Any additional information needed will be requested.~~
- c) ~~Housing Authority will verify qualification criteria.~~
- d) ~~Housing Authority will score applications and prioritize the home improvement projects.~~

- e) The Housing Authority completes an Environmental and Land Status review, ~~income qualifications~~ and a lien search ~~of top applicants to verify property eligibility.~~
- f) Applicant will be sent an award letter with approved projects to be completed. ~~with an inspection date and/or denial letter explaining why the application was denied.~~
- ~~g) The Housing Authority completes Lead Base Paint and Asbestos testing (if the unit was constructed prior to 1978, see sec. F).~~
- ~~h) An inspection will be conducted of the proposed project to verify the need of repairs.~~
- ~~i) A Scope of Work will be completed.~~
- j) The Housing Authority will work with the homeowner on contractor requirements. ~~send the Scope of Work and contractor's requirement to the homeowner.~~ The homeowner is responsible to contact contractors to obtain a minimum of two (2) ~~three (3) sealed~~ bids.
- k) Contractors submit ~~sealed~~ bids to NPHA.
- l) The Housing Authority schedules a pre-construction meeting with the Contractor, NPHA, and the homeowner. An agreement form ~~and notice to proceed~~ will be signed at this time.
- ~~m) The Housing Authority executes a Conditional Grant Agreement~~
- ~~n) The Housing Authority issues a Notice to proceed to the Contractor and schedules completion of construction inspections as necessary.~~
- ~~o) The Housing Authority completes the final inspection of the project. Once project is completed, contractor will be required to submit photos of finished work for final invoice and payment.~~
- ~~p) At the completion of the project, NPHA will schedule a meeting with the homeowner to sign a final inspection form.~~

**Section G: ~~If House was to be Sold During the Five (5) Years~~ ~~Repayment of the Award~~**

NPHA will be reimbursed for all funds on a pro-rated basis if the home is sold or not used as a primary residence by the original applicant within the five year period.

- a) Up to 1st year anniversary— 100% of funds will be reimbursed
  - b) Between 1st and 2nd year anniversary— 80% of funds will be reimbursed
  - c) Between 2nd and 3rd year anniversary— 60% of funds will be reimbursed
  - d) Between 3rd and 4th year anniversary— 40% of funds will be reimbursed
  - e) Between 4th and 5th year anniversary— 20% of funds will be reimbursed
  - f) After 5th year anniversary— 100% of funds will be forgiven
- a) There are no monthly payments or interest associated with NPHA's HOHIA Program award.
  - b) A binding commitment will be placed on the unit upon completion of the project. If the homebuyer defaults on the loan or sells the property, the un-forgiven portion will be re-paid based on a prorated rate of the initial assistance award.
  - c) The useful life binding commitment shall be based on the following assistance award tiers: \$5,001-\$30,000 = 5 years

#### **Section I: Emergency HOHIA Funding**

Subject to funding availability, additional emergency funding is available on a first come, first serve, once per year basis; these awards shall not exceed \$4,800.00. Repairs that would be otherwise covered by homeowner's insurance shall not be eligible for this funding. An emergency situation may include, but is not limited to:

- a) No heat/A/C after diagnosed by a certified technician
- b) Water heater after diagnosed by a certified technician
- c) Busted water line leaking inside house
- d) No electricity in entire house due to mechanical electrical failure
- e) Appliance(s) Stove or Fridge (Must be unrepairable, as determined by NPHA)

#### **A: Qualifications**

Applicants requesting assistance shall meet the following criteria:

- 1. The homeowner, whose name appears on the contract, title or Purchase Agreement, must be a member of a Federally Recognized Tribe. Copies of enrollment certification and or Tribal ID shall be attached as part of the completed application.

2. Applicants' whose primary residence and home is located on a Native American Reservation within the Ponca Tribe of Nebraska service area will not qualify. The residence shall qualify for assistance if the reservation's tribe provides a letter of declination for home improvement assistance.
3. Applicant's home/primary residence shall be the home listed on the application and located within the Ponca Tribe of Nebraska's (PTON) established service areas at the time of project funding allocation.
4. Applicants' must own the house in order to qualify.
5. The total income of the family composition including, all family members over the age of eighteen (that are not full-time students) shall not exceed 80% of the national median income as established by HUD on an annual basis.
6. Homeowner agrees to conditional grant agreement to live in the unit for 6 months after assistance is provided.

**B: General Restrictions**

Restrictions include:

A home that does not have a permanent foundation. **Trailer homes are not eligible.**

**C: List of documentation required**

1. Application and Release of Information and Privacy Act Notice form.
2. Verification of Tribal enrollment – Copy of Tribal ID and or enrollment certificate.
3. Recertification of income will be done at the time of service – Prior year tax return and 3 months of household income at the time of the rehab project on the home.
4. Copies of the Warranty Deed and/or Deed of Trust.
5. A letter of declination for home improvement assistance from reservation tribe.

Motion by Christopher Keifer to approve the HOHIA Policy Amendments as presented. Seconded by Christine Legband. On roll call vote: Ayes – Bill Wright, Christopher Keifer, Alexcia Boggs and Christine Legband. Nays – None. Abstain – None. Absent – None. Chair not voting. Motion carried.



**NEW BUSINESS**

The NPHA Tribal Council Quarterly Report was presented to the BOC for review and discussion.

Discussed the upcoming UNAHA meeting with the BOC. Longtime UNAHA Administrator, Bob Gauthier will be retiring and NPHA would like for Staff, BOC members and Tribal Council members to attend if possible.

**EXECUTIVE SESSION**

Motion by Bill Wright to go into executive session at 7:07 p.m. Seconded by Christine Legband. On roll call vote: Ayes – Alexcia Boggs, Christine Legband, Bill Wright and Christopher Keifer. Nays – None. Abstain – None. Absent – None. Chair not voting. Motion carried.

Discussion for the Composition Addition and BOC Comments.

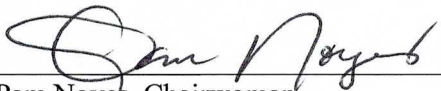
Motion by Bill Wright to come out of Executive Session at 7:16 p.m. Seconded by Christopher Keifer. On roll call vote: Ayes – Alexcia Boggs, Christine Legband, Christopher Keifer and Bill Wright. Nays – None. Abstain – None. Absent – None. Chair voting. Motion carried.

**ADJOURN**

There being no further business, the meeting was adjourned at 7:17 p.m. by Chairwoman Pam Noyes.

The next BOC meeting will be held on February 9, 2024 at the Holiday Inn Lincoln I-80 in Lincoln, NE at 5:00 p.m.

**APPROVED**

  
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Pam Noyes, Chairwoman

Feb 9, 2024  
Date

  
\_\_\_\_\_  
Angelica De Anda, Executive Assistant

February 9, 2024  
Date