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Little River Band of Ottawa Indians



**Housing Commission Meeting
Aki maadiziwin Conference Room**

Agenda
December 3, 2020

1. Prayer
2. Roll Call
3. Approval of Agenda
4. Approval of Minutes
 - a.
 - b.
5. Department Update:
6. Unified Legal Update
7. Closed Session:
 - a.
 - b.
8. General Business:
9. Open Session
10. Policies and Procedures
11. Public Comment
12. Next Meeting Date-
- 13.
14. Adjournment



Little River Band of Ottawa Indians
Stipend Payment Request
Housing Commission

Meeting Held on: December 3, 2020

Members Present at Meeting:

1. Julia Chapman Julia Chapman Attended? Yes ☒ No ☐
3. Teresa Callis Teresa Callis Attended? Yes ☒ No ☐
4. Marcella Leusby Marcella Leusby Attended? Yes ☐ No ☒
5. Margaret Kowalkowski Margaret Kowalkowski Attended? Yes ☒ No ☐

Sandra Lewis (no stipend) _____ Attended? Yes ☐ No ☐

Shannon Crampton (no stipend) _____ Attended? Yes ☐ No ☐

Ron Wittenberg (no stipend) _____ Attended? Yes ☐ No ☐

Meeting start time: 10:10

Meeting end time: 12:00

The stipend for this Commission is \$125.00 for attendance in person.

Is paid from budget/line # 1000-100-5206-528

Certification

By the officer's signatures below, this commission certifies that the meeting identified above took place and the members listed were present and that the stipend should be paid to the members present.

Teresa Callis
Chairperson Signature

12/3/2020
Date

Margaret Kowalkowski
Commissioner Signature

12/3/2020
Date

Housing Mtg 12-3-2020

1. Prayer
2. roll call = Margaret, Teresa, Julia - Marcella - absent
Covid Quarantine
3. approval of agenda W/A
4. " " mins W/A

5. Dept. update = Tara gave us the Housing Dept.
for Nov. She did not want to give a report
face to face.

6. unified legal update
by-laws

no phone - Marcella & Julia voted NO to have
phone attended but Elise said Marcella could have
attended by phone

~~no other changes ordinance~~

update - any time but resolution still rules

we passed resolution 20-1203-3

Julia - yes Margaret - yes Teresa - yes 3-1-0-0
Marcella - absent

Margaret adjourns mtg - Teresa - second at hour

next mtg 12-17-2020



Little River Band of Ottawa Indians

~~Binojeeuk Commission~~

2608 Government Center Dr.

Manistee, MI 49660

Housing Comm.

Resolution 20-1203-3

Resolution Approving Changes to the Housing Commission Bylaws

WHEREAS, the status of the *Gaá Čhíng Ziibi Daáwaa Anishinaábek* (Little River Band of Ottawa Indians) as a sovereign and a treaty-making power is confirmed in numerous treaties, from agreements with the initial colonial powers on this land, to various treaties with the United States; and

WHEREAS, the Little River Band of Ottawa Indians (Tribe) is descended from, and is the political successor to, the Grand River Ottawa Bands, signatories of the 1836 Treaty of Washington (7 Stat. 491) with the United States, as reaffirmed by federal law in P.L. 103-324, enacted in 1994; and

WHEREAS, the Tribe adopted a new Constitution, pursuant to a vote of the membership on May 27, 1998, which Constitution became effective upon its approval by the Assistant Secretary-Indian Affairs on July 10, 1998; and

WHEREAS, the Tribe adopted amendments to the Constitution on April 26, 2004, which became effective upon approval by the Assistant Secretary-Indian Affairs on May 13, 2004; and

WHEREAS, the Tribe adopted amendments to the Constitution on July 11, 2016, which became effective upon approval by the Assistant Secretary-Indian Affairs on August 24, 2016; and

WHEREAS, the legislative powers of the Little River Band are vested in the Tribal Council at Article IV, Section 7 of the Constitution; and

WHEREAS, the Tribal Council is authorized under Article IV, Section 7(a) of the Constitution to provide for the public health, peace, morals, education and general welfare of the Little River Band and its members; and

WHEREAS, the Tribal Council is authorized under Article IV, Section 7(f) of the Constitution to create by ordinance regulatory commissions and to delegate to those commission the power to manage the affairs of the Little River Band; and

WHEREAS, the Tribal Council did by Ordinance #04-700-01 created the Housing Commission Ordinance to govern the Housing Commission; and

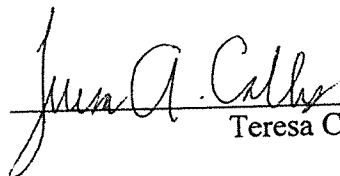
WHEREAS, the Tribal Council did by Ordinance #04-150-01 created the Commission Ordinance to govern commissions including creation and authorization Commission By-Laws in Section 6.02; and

NOW THEREFORE IT IS RESOLVED, the Housing Commission adopts the attached amendments to the Housing Commission By-Laws.

IT IS FURTHER RESOLVED, that the Housing Commission shall forward these By-Laws to the Tribal Council with a recommendation for Adoption.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Housing Commission with 3 FOR, 0 AGAINST, ABSTAINING, and 1 ABSENT, at a Regular Session of the Little River Band of Ottawa Indians Housing Commission held on December 3, 2020, at the Aki Community Center in Manistee, Michigan, with a quorum being present for such vote.


Teresa Callis, Chairperson

Distribution: Tribal Council
Housing Commission
ULD



Little River Band of Ottawa Indians

Housing Department

Mailing Address: 2608 Government Center Drive

Physical Address: 2953 Shaw Be Quo ung

Manistee, Michigan 49660

231-723-8288

HOUSING DEPARTMENT Report to Housing Commission For December 2020

Department Overview

Goals: To promote affordable housing opportunities for all Little River Band Tribal Members.

Objectives: To provide our goals in a fair and equitable way to all members.

I. Housing Activities.

A. During the month, the Department performed the following activities.

Lease renewals due during the month: 7

Leases renewed: 5

New leases: 1

Annual Inspections: 0 (Annual inspections on hold still due to COVID-19)

Move-out Inspections: 2

Move outs: 2

Transfers: 1

B. Down Payment and Closing Cost assistance grant (HI 100).

Applications received this month: 0

Total Number of Awards made during the Year: 15

Total Amount of Awards for the Year: \$73,778

The Housing Department has assisted with \$3,173,756 in home loans for tribal members through the Down Payment and Closing Cost assistance Grant for FY 2020!

C. Started preliminary planning for a ICDBG project for additional homes in the lower circle area. Met w/Pat McKay from GTEC. We are working on a plan for the additional housing area and will present when done. Then start to apply for funding in FY2021.

D. Housing received their own electrostatic disinfectant spray machine and used to clean 2 units during the month and the elder's complex community area and hallways.

E. We have unfortunately, lost 3 residents out of the elders complex this past month bringing the total Unoccupied units to 4; whereas we had just gotten the complex fully occupied.

II. Rental Payment Information for the Month.

A. Notice of Delinquency issued: 0

B. Termination Notice(s) issued: 0

C. Notice(s) to Vacate or Renew: 0

D. Court Filing(s): 0

E. Due to the Executive Order regarding COVID-19 and the hold on lease terminations for non-payment of rent, we currently have \$17,752 in arrearages from 10 residents. 1 resident has not paid since April and two others since July. We have contacted, sent letters and no response.

III. Condition of Properties.

A. Nothing major has occurred this month regarding our units.

- B. All work orders completed and up to date, nothing outstanding at this time.
- C. Maintenance currently has 7 units to complete for a move in at this time, this allows maintenance staff to work independently from each other.
- D. All plow equipment has been checked and is ready for winter and received our supply of salt. First snowplowing took place on 12/24/20.
- E. All maintenance on HVAC systems has been completed and there is a few follow up items that need to be completed by Housing maintenance. Also found that two inducer motors need to be replaced and that was completed during the week of December 28th by outside vendor.

IV. Number of Units and Vacancies.

LRBOI Housing Department has 81 rental units in total of which 74 were rented giving us an occupancy rating of 91%.

A. Aki has 55 income based rental units of which 50 were rented during the month as follows:

1. Aki has 9 low income elder designated rental units and 8 units are rented.
 2. Aki has 2 low income elder ADA designated rental units and 2 are rented.
 3. Aki has 28 low-income family rental units and 27 are rented.
 4. Aki has 6 low income family ADA rental units and 6 are rented.
 5. Aki has 10 low income elder designated apartment rental units and 7 units are rented.
- B. Aki has 26 Fair Market rentals and 24 are rented.**

V. Significant Problems and Accomplishments.

- A. The contracts for Little Valley Homes for the purchase of 5 homes has been cancelled. A letter to HUD has been sent out, requesting a time extension on the project, the return on this request is expected in January and in the meantime, Housing has begun working on a RFP for the 5 new homes project.
- B. The elder's complex new laundry area is near completion, the electrical and plumbing has been completed. The new commercial washer and dryer and laundry carts have been purchased and are waiting to be installed.

VI. Plans for the Future.

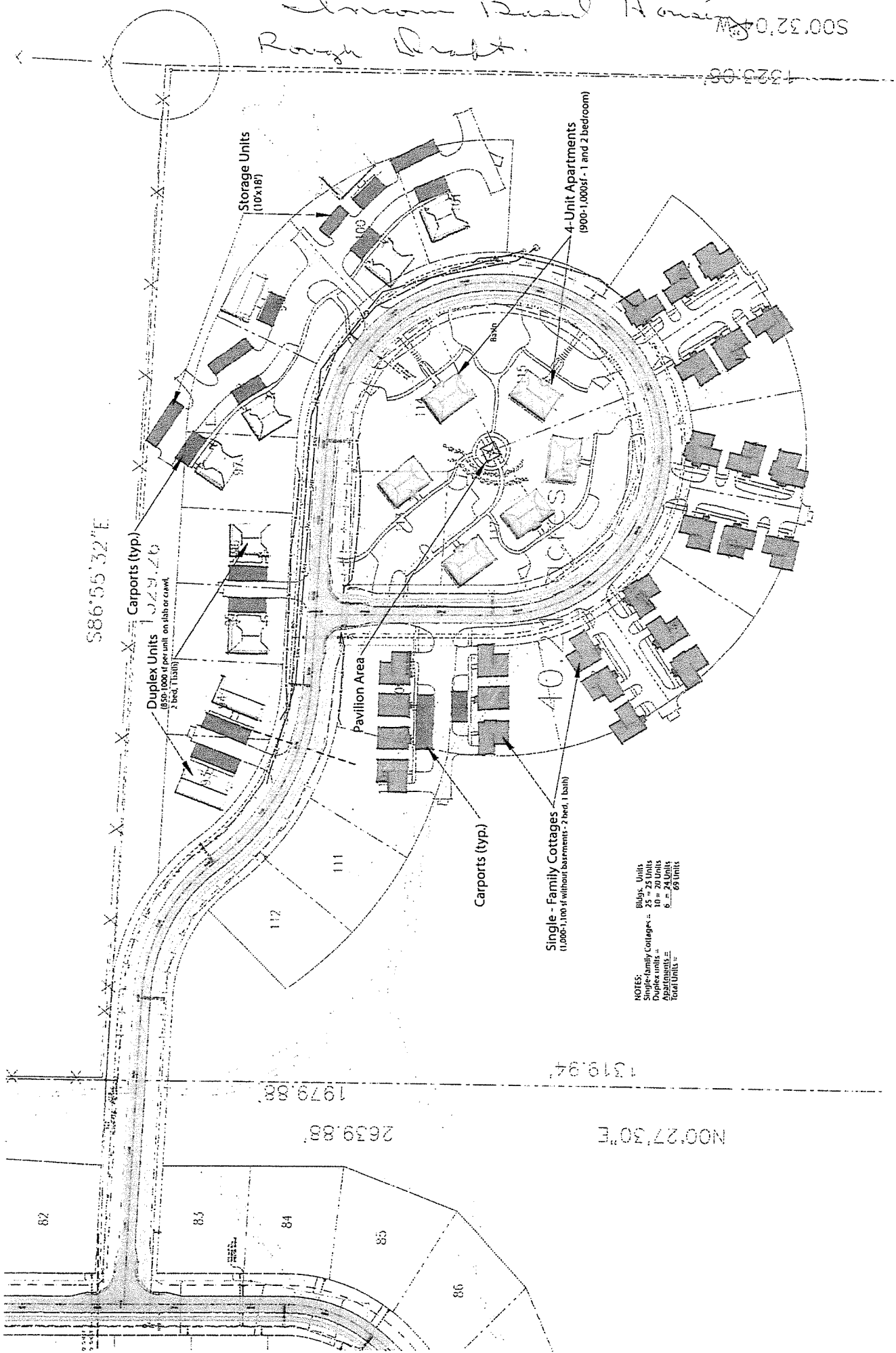
- A. Starting preliminary plans for a new project for low-income housing in the bottom circle area as the upper portion only has about 5 lots left to build on.

VII. Other Information

End of Report
Tara Bailey, Housing Director
 January 8, 2021

Cc: File

Stream Based Housing
 Rough Draft.



NOTES:

Building Units	Units
Single-Family Cottages	25
Duplex units	10
Apartment units	20
Total Units	65

Housing Commission By-Laws

Article I. Title; Authority; Purpose.

- 1.01. This entity shall be known as the "Little River Band of Ottawa Indians Housing Commission," and may be referred to as the "Housing Commission." The official address is 2608 Government Center Drive, Manistee, MI 49660.
- 1.02. *Authority.* The Housing Commission was created by Article IV of the Housing Commission Ordinance, Ordinance #04-700-01, and by-laws as adopted by Tribal Council Resolution #15-0909-266.
- 1.03. *Purpose.* As identified in the Housing Commission Ordinance, the purposes of the Housing Commission are to:
- a. Develop regulations to implement activities to provide housing services for Tribal members;
 - b. Coordinate with Federal, State, local, and private entities to further housing opportunities for Tribal members; and
 - c. Provide housing programs and services for Tribal members.

Article II. Commissioners.

- 2.01. *Members.* The Commission shall consist of five (5) commissioners appointed to four (4) year terms of office according to the Constitution and the Commissions Ordinance, Ordinance #04-150-01. ~~A Tribal Member person eightyeenty-one (218) years of age or older may be appointed to serve as a commissioner, provided that no more than one (1) non-Tribal member may be seated on the Commission at any time.~~
- a. *Appointment of Tenants.* A person's status as a tenant of the Tribe shall not prohibit them from serving on the Housing Commission. A tenant commissioner shall be entitled to fully participate in all meetings concerning matters that affect all tenants, even though such matters have a personal effect. However, a tenant commissioner shall not participate in an official capacity in any matter involving his or her individual rights, obligations or status as a tenant.
 - b. *Employees Prohibited from Appointment.* A person shall not be eligible to be appointed as a commissioner if he or she is employed by the Housing Department.

2.02. *Appointment to Vacancy.* In the event of a vacancy before the expiration of a term, an individual appointed to the Commission shall fill the remainder of the term of the vacant office. If less than six (6) months remain of the vacant term, the individual shall be appointed for the remainder of the term and a full term thereafter.

2.03. *Officers.* The Housing Commission shall have the following officers elected by its members for a one (1) year term of office. Officer elections shall be held annually in December. No member may serve in two officer positions simultaneously. If an officer's seat becomes vacant, the members shall elect a new officer for the remainder of the vacant term and for one full term thereafter.

a. *Chairperson.* This officer shall be responsible for:

1. Calling all meetings.
2. Presiding at all meetings.
3. Managing and reporting on all finances of the entity, including review of budget of Commission.
4. Reporting to the Tribal Council and other entities or persons as directed.
5. Signing all correspondence and representing the Commission at all meetings with outside entities unless the Housing Commission designates another member to act as a representative at such a meeting by motion.
6. Appoint Secretary in the event of a vacancy in that office before elections.

b. *Secretary.* This officer shall be responsible for:

1. Maintaining all minutes, agendas, reports, and correspondence of the Housing Commission at a secure location at the office of the Housing Department or as directed by Tribal Council.
2. Presiding at duly called meetings in the absence of the Chairperson.
3. Provide agenda to Commission members and for public posting prior to meetings.

2.04. *Resignations.* Resignation of a commissioner is effective upon submission of a written resignation to the Chairperson or Secretary.

Housing Commission

By-Laws

Adopted by Housing Commission Resolution #HC ~~18-1148-07~~

Adopted by Tribal Council Resolution # ~~18-1120-251~~

Article III. Duties and Responsibilities.

3.01. The Housing Commission has the following responsibilities and is delegated all necessary power by the Tribal Council to carry out these responsibilities:

- a. To implement the provisions of the Housing Commission Ordinance, Ordinance #04-700-01, and any other ordinance adopted by Tribal Council governing housing activities on Tribal lands;
- b. To create, adopt and amend regulations, subject to Tribal Council adoption, on the following subject matters:
 1. Tribal housing on Tribal trust or fee lands;
 2. The implementation of federally-funded projects regarding housing, including but not limited to, the development, construction, maintenance and repairs of housing projects;
 3. The implementation of market-based rental housing, low-income tenancy or home ownership, federal tax credit rentals or home ownership and private mortgage financing for home ownership on Tribal trust or fee lands;
 4. Further regulations as the Commission may deem necessary and desirable to effectuate the powers granted by the Housing Commissions Ordinance, Ordinance #04-700-01;
- c. To adopt regulations on the foregoing subject matters for emergency implementation without Tribal Council adoption, provided that adoption of emergency regulations satisfies the procedures for the adoption of emergency amendments as provided in the Administrative Procedures Act, Ordinance #04-100-07, and that emergency regulations not exceed ninety (90) calendar days in duration without formal adoption by the Commission and approval by Tribal Council;
- d. To develop and complete an annual survey and assessment of housing needs of the Tribal membership, and to determine and implement appropriate housing programs to meet the identified needs, subject to the approval of the Tribal Council and to design and carry out studies and analyses of housing needs, as may be necessary from time to time, to ensure the accuracy of housing information for planning purposes, for the information of Tribal Council and the Ogema;
- e. To issue orders and directives not inconsistent with regulations adopted by the Commission, the Housing Commission Ordinance, or ordinances regulating the housing activities of the Tribe;

Housing Commission

By-Laws

Adopted by Housing Commission Resolution #HC ~~18-1408-07~~

Adopted by Tribal Council Resolution # ~~18-1420-051~~

- f. To develop and foster cooperative and constructive working relationships with governments, organizations, and agencies to benefit the housing needs of the Tribal membership;
- g. To set forth the criteria for the selection of tenancy, including the establishment of priorities for assignment of housing, occupancy, rental, care and management of housing units, to identify income requirements for tenancy and to set occupancy rates for regulated housing units;
- h. To plan for the development of land set aside for the use of low-income and other housing projects consistent with the Tribe's land use and/or acquisition plans(s) and in collaboration with other departments as directed, and subject to the approval of Tribal Council;
- i. To ensure the development of private housing finance mechanisms for members seeking to build on trust and fee lands or purchase housing on fee lands;
- j. To prepare and present to the Tribal Council a proposed budget requesting an appropriation of funds to permit the Commission to carry out the responsibilities of the Housing Commission Ordinance and other ordinances governing Tribal housing activities; and
- k. The Commission shall act as the hearing body according to this subsection and any regulations adopted by the Commission governing the conduct of administrative hearings.
 - 1. The Commission shall have original jurisdiction to hear:
 - A. All appeals of denials, suspensions, revocations or other Departmental actions involving Tribal Members or lessees;
 - B. All cases where a lease or rental agreement allegedly breached by a tenant have resulted in notice of termination or eviction issued by the Housing Department;
 - C. All cases in which a tenant disputes a withholding by the Housing Department of all or any part of the person's security deposit;
 - D. All cases in which the Housing Department requests a variance from Tribal building, housing, or zoning codes. The standard in any such case shall be whether the requested variance is necessary and reasonable. The Tribal Building Official shall be a necessary party to any such action.

Housing Commission
By-Laws

Adopted by Housing Commission Resolution #HC ~~18-1140-97~~
Adopted by Tribal Council Resolution # ~~18-1118-354~~

4.03. *Quorum.* Quorum for the Housing Commission's meetings shall consist of at least one officer and at least one (1) other member. A Tribal Council liaison may act as a commissioner for a meeting to satisfy quorum.

4.04. *Agenda.*

- a. Every meeting of the Housing Commission shall be conducted in accordance with an agenda delivered before the meeting by hand, mail, ~~fax~~, e-mail or other transmission method to each commissioner and posted for the public.
- b. At the time of the meeting, the Commission may, by majority vote, accept additional items for the agenda which were not give prior notice, with the exception of the election of officers.
- c. Each agenda shall be drafted to clearly identify the following:
 1. Opening Prayer
 2. General Business
 - A. Call to order and time of call
 - B. Roll call of ~~commissioners~~commissioners present
 - C. Approval of agenda
 - D. Approval of available open session minutes
 3. Hearings, if any
 4. Housing Department update – no more than thirty minutes
 5. Unified Legal Department update – no more than thirty minutes
 6. Regulatory drafting
 7. Public Comment
 8. Closed Session – for items pertaining to contracts, litigation, personnel or hearings on request of the Tribal Member subject to the hearing
 - A. Approval of available closed session minutes
 - B. Closed hearings, if any

Housing Commission

By-Laws

Adopted by Housing Commission Resolution #HC ~~18-1108-07~~

Adopted by Tribal Council Resolution # ~~18-1120-054~~

C. Litigation update, if any

9. Return to open session

10. Agenda items and date for next meeting

11. Adjournment

4.05. *Open and closed meeting sessions.*

- a. Commission business shall be conducted in open session; however, the Commission, by proper motion, may move that a topic under discussion be discussed in closed session.
- b. Records of the Commission shall be considered public documents; however confidential records pertaining to contracts, litigation, personnel or hearings on the request of the Tribal Member subject to the hearing shall remain confidential and non-public documents, and shall be discussed in closed session.
- c. No persons, other than commissioners, shall attend closed sessions of the Commission, except upon proper motion of the Commission. Legal counsel may be permitted to remain in closed session unless excused by motion of the Commission.

4.06. *Minutes.* Commission minutes shall be drafted to clearly identify

- a. The date, time and place the Commission meeting or hearing was called to order;
- b. The names of commissioners and guests present, and whether a commissioner is not present;
- c. Adoption of the agenda, and any amendments;
- d. Any action taken regarding each agenda item;
- e. The date and time the meeting was concluded, and the manner in which it was concluded (i.e., loss of quorum, completed, etc.);
- f. The date(s) of any minutes approved;
- g. The times a ~~commissioner~~ commissioner arrives or departs the meeting if the commissioner arrives late or leaves early; and

Housing Commission

By-Laws

Adopted by Housing Commission Resolution #HC ~~18-1108-07~~

Adopted by Tribal Council Resolution # ~~18-1120-054~~

h. The date, time and place of the next regular meeting.

4.07. *Compensation; Attendance.* Commissioners may attend by telephone, ~~or by real-time electronic remote access with audio and visual technology.~~ A commissioner shall be entitled to compensation only if the commissioner is in attendance for at least half of a Commission meeting, unless otherwise determined by motion of the remaining commissioners present. Tribal Council may overrule the Commission's motion to grant a stipend to a commissioner under this subsection.

Article V. Liaisons; Employees.

5.01. Liaisons.

- a. The Housing Department shall identify a liaison to whom the Commission shall forward correspondence, requests and other like material. The liaison shall be responsible for ensuring the delivery of Department reports or other information to the Commission.
- b. The Tribal Council shall assign as a liaison a Council Member to provide communication between the Council and the Commission.
- c. The Commission Chairperson shall act as a liaison to Tribal Council to provide communication to the Department and Tribal Council at work sessions, public meetings or otherwise. The Commission may select a commissioner other than the Chairperson to act as liaison by majority vote.

5.02. *Employees of the Commission.* The Commission does not have the power to employ individuals.

Article VI. Amendment; Repeal.

6.01. Amendment.

- a. The Commission shall review its bylaws by the end of each year for amendments and re-authorization.
- b. Amendments must be presented at least one (1) meeting before scheduled action by the ~~Commission and~~ Commission and must be adopted by a majority vote of the commissioners present.
- c. Amendments shall be final after presentation to and approval by Tribal Council resolution.

Housing Commission

By-Laws

Adopted by Housing Commission Resolution #HC ~~18-108-07~~

Adopted by Tribal Council Resolution #__~~18-108-051~~

6.02. *Repeal.*

- a. These bylaws may be repealed by the presentation of a resolution to the Tribal Council by the Commission containing the reasons why a repeal of these bylaws is necessary.
- b. The Commission must approve the resolution requesting repeal by a majority vote of the ~~commissioners~~ commissioner's present.
- c. The Tribal Council may unilaterally repeal these bylaws by amendment to the creating ordinance, or by adoption of a resolution repealing these bylaws.

CERTIFICATION

I, ~~Teresa Collis-Judy Hardenbergh~~, as Chairperson of the Housing Commission, do hereby certify that the Housing Commission adopted these bylaws at a regular meeting with Housing Commission Resolution #HC ~~2018-11124014-026~~.

Date

I, ~~Gary DiPiazza-Sandra Lewis~~, Tribal Council Recorder, do hereby certify that the Tribal Council, approved these bylaws by the adoption of Tribal Council Resolution # ~~__-____-__~~.

~~Gary DiPiazza-Sandra Lewis~~
Tribal Council Recorder

Date

Housing Commission
By-Laws

Adopted by Housing Commission Resolution #HC ~~18-1148-07~~
Adopted by Tribal Council Resolution # ~~18-1128-351~~

Little River Band of Ottawa Indians



*Housing Commission Meeting
Aki maadiziwin Conference Room
2953 Shaw Be Quo-Ung
Manistee, Michigan 49660*

Agenda
December 17, 2020

1. Prayer
2. Call to order/Roll Call:
3. Approval of Agenda:
4. Approval of Minutes:
 - A.
 - B.
5. Housing Department Update:
6. Unified Legal Update: None
7. General Business: Old/New
 - A.
 - B.
8. Public Comment:
9. Hearing/Closed Session:
10. Next Meeting Date: *January 7, 2021*
11. Adjournment:



Little River Band of Ottawa Indians
Stipend Payment Request
Housing Commission

Meeting Held on: December 17, 2020

Members Present at Meeting:

1. Julia Chapman Julia Chapman Attended? Yes ☒ No ☐
3. Teresa Callis Teresa Callis Attended? Yes ☒ No ☐
4. Marcella Leusby Marcella Leusby Attended? Yes ☒ No ☐
5. Margaret Kowalkowski Margaret Kowalkowski Attended? Yes ☐ No ☐

Sandra Lewis (no stipend) _____ Attended? Yes ☐ No ☒

Shannon Crampton (no stipend) _____ Attended? Yes ☐ No ☒

Ron Wittenberg (no stipend) _____ Attended? Yes ☐ No ☒

Meeting start time: 10:05 am

Meeting end time: 12:30 pm

The stipend for this Commission is \$125.00 for attendance in person.

Is paid from budget/line # 1000-100-5206-528

Certification

By the officer's signatures below, this commission certifies that the meeting identified above took place and the members listed were present and that the stipend should be paid to the members present.

Teresa Callis
Chairperson Signature

Julia Chapman
Commissioner Signature

12/17/2020
Date

12/17/2020
Date

Little River Band of Ottawa Indians



Housing Commission Meeting-Aki Maadiziwin Conference Room

MEETING MINUTES

December 17, 2020

1-3. Opening Prayer, Roll Call and Stipend

Commissioner Teresa Callis called meeting to order at 10:00 AM.

Roll Call:

Margaret Kowalkowski- Here	Marcella Leusby- Here	
Julia Chapman- Here	Teresa Callis- Here	

Quorum: 4-0-0-0

Others Present: Elise Cuellar-McGovern, Tara Bailey

4. Approval of Agenda-

Motion to approve the Agenda for

Commissioner Marcella Leusby made a motion to approve the agenda, Commissioner Julia Chapman seconded. Motion carries.

Margaret Kowalkowski- yes	Marcella Leusby-yes	
Teresa Callis- yes	Julia Chapman- yes	

Quorum: 4-0-0-0

5. Approval on Minutes-

Motion to approve minutes for:

Commissioner Julia Chapman made motion to approve minutes Commission Margaret Kowalkowski seconds motion. Motion carries.

Margaret Kowalkowski- yes	Marcella Leusby- yes	-
Teresa Callis- yes	Julia Chapman- yes	

Quorum: 4-0-0-0

6. Closed Session: 11:00 AM

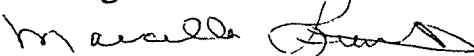
7. Business: We went over By-laws.

8. Public Comment: None

9. Next Meeting: January 7, 2019

10. Adjournment: 12:15 pm

Housing Commission Secretary


Marcella Leusby