

JANUARY 2010 SESSION OF THE CROW TRIBAL LEGISLATIVE BRANCH

JOINT ACTION RESOLUTION NO. JAR10-02

INTRODUCED BY SENATOR CONRAD J. STEWART
AND CHAIRMAN CEDRIC BLACK EAGLE

JOINT ACTION RESOLUTION OF THE CROW TRIBAL LEGISLATURE AND
CROW TRIBAL EXECUTIVE BRANCH ENTITLED:

**“FINANCIAL MANAGEMENT POLICIES AND PROCEDURES FOR THE
BLACK LODGE DISTRICT”**

WHEREAS, under Article V, Section 2(a) of the Constitution, the Legislative Branch has the power and the duty to promulgate and adopt laws, resolutions, Ordinances, codes, regulations and guidelines in accordance with the Constitution and federal laws for the governance of the Crow Tribe, providing for the licensing of members and non-members for various purposes; and

WHEREAS, under Article V, Section 2(c) of the Constitution, the Legislative Branch has the power and the duty to adopt legislation chartering instrumentalities of the Crow Tribe for the purposes of economic development, housing, education or other purposes not inconsistent with the Constitution; and

WHEREAS, the Black Lodge District elected Legislative members have authority to manage the money allocated to the District in reference to Section 8 of the Crow Tribal Fiscal Management Act, CLB 07-08; and

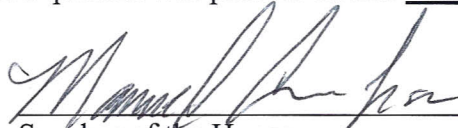
WHEREAS, the Legislative members of the Black Lodge District have established a financial management policy and procedure for the District and, its committees.

AS TO THE BLACK LODGE DISTRICT, NOW THEREFORE, BE IT RESOLVED
BY THE LEGISLATURE AND EXECUTIVE BRANCH OF THE CROW TRIBE

- 1. AS TO THE BLACK LODGE DISTRICT, PRIOR TO SUBMITTAL TO THE EXECUTIVE BRANCH CPA FOR PAYMENT OF ALL PURCHASE ORDERS, AND REQUISITIONS, THE VOUCHERS MUST HAVE TWO SIGNATURES OF THE ELECTED BLACK LODGE DISTRICT LEGISLATORS, ALONG WITH THE SIGNATURE OF THE EXECUTIVE BRANCH CHAIRMAN, BUT SUCH SIGNATURE IS NOT ADEQUATE WITHOUT DISTRICT LEGISLATURE EXECUTION.**
- 2. THE BLACK LODGE DISTRICT HEREBY OFFICIALLY ADOPTS A FINANCIAL MANAGEMENT POLICY AND PROCEDURE AS ATTACHED INCORPORATED HERETO AS EXHIBIT A.**

CERTIFICATION

I hereby certify that this Joint Action Resolution entitled "FINANCIAL MANAGEMENT AND POLICY PROCEDURE SYSTEM FOR THE BLACK LODGE DISTRICT" was duly approved by the Crow Tribal Legislature with a vote of 8 in favor, 0 opposed, and 10 abstained and that a quorum was present on this 19TH day of January, 2010.



Speaker of the House
Crow Tribal Legislature

ATTEST:

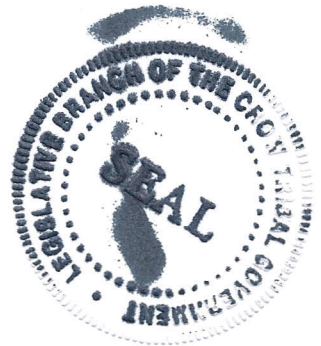


Secretary of the House
Crow Tribal Legislature


EXECUTIVE ACTION

I hereby

X approve,
____ veto



This Joint Action Resolution entitled "FINANCIAL MANAGEMENT AND POLICY PROCEDURE SYSTEM FOR THE BLACK LODGE DISTRICT" pursuant to the authority vested in the Chairman of the Crow Tribe Article V, Section 8 and Article IV, Section 3 (k) of the Constitution and Bylaws of the Crow Tribe of Indians on this 17 day of Feb, 2010.



Chairman of the Executive Branch
Crow Tribe of Indians

BLACK LODGE DISTRICT FINANCIAL MANAGEMENT POLICY PROCEDURE SYSTEM.

POLICY AND OBJECTIVES

1. A District Committee shall be established according to the procedures, qualifications, nomination and selection process determined by the District Legislators, and shall include the District Legislators as well as other members chosen at a community-wide District meeting. The District Committee is responsible for all functions related to the acquisition of supplies and services, including overall administration. In performing the functions, the acquisitions will adhere to the following objectives:
 - a. Obtain quality supplies/services needed for delivery at the time and place required.
 - b. Buy from responsible sources of supply
 - c. Obtain maximum value for all expenditures.
 - d. Deal fairly and impartially with all vendors.
 - e. Document each transaction as required by the Internal Revenue Service.
 - f. Avoid any conflict of interest.

2. Purchase Orders must be issued prior to any District purchases. The Purchase Order signifies authorization to make a purchase. This allows for pre-approval for budget and compliance.

STANDARDS OF CONDUCT

1. Business will be conducted ethically, in a manner above reproach and, except as authorized by statute or regulation, with total impartiality and preferential treatment for none.

2. District Committee members will not solicit or accept, directly or indirectly, any gift, favor, entertainment, loan or anything of monetary value, from anyone maintaining a business connection with District. Any exceptions whatsoever shall be clearly set out in District Committee by-laws consistent with applicable law. Violations of the aforementioned will be grounds for removal and prosecution under applicable law. Nothing in these policies limits such prosecution.

3. Maintaining the integrity of the process is of paramount importance; therefore, any person disseminating procurement information to persons who do not have a

bona fide need to know, within or outside of the District, are in violation of the trust and subject to removal.

4. Vendor preference (final vendor selection will be made by Legislative Representatives).
5. Purchase Requisitions will not be processed if attachments are missing. The Legislators may return the requisition and provide comments in writing or may telephone or email requesting the needed information.

INITIATION OF PURCHASE ORDER

1. Upon receipt of a valid and completed Purchase Requisition, the Committee will submit the information to the Legislative Representatives. Once the Purchase Order is approved, the Legislative Representative will print and forward the Purchase Order to the Executive Branch Finance Department for execution and processing.
2. The Purchase Order should contain all the same information as required on the Purchase Requisition with the selected Vendors name and address. Some additional information may be added to the Purchase Order as determined by the Legislative Representatives or Finance Department.

VENDOR PURCHASE AGREEMENTS (VPA)

1. Vendor Purchase Agreements (VPA) may be utilized for repetitive purchases to a particular vendor from a particular program/fund. These eliminate the need to submit repeat Purchase Requisitions by the District Committees and corresponding issuance of Purchase Orders. The Legislative Representatives may at their discretion deny the use of VPA's. VPA's are issued at the discretion of the Legislative Representatives. A copy of the current VPA for that vendor must be attached to the Accounts payable Voucher, in order to initiate the payment. VPA's must be renewed annually through written documentation. Items to be completed on the VPA forms:
 - a. Vendor Name, ID and Address
 - b. VPA number (the fiscal year, unless multiple agreements with Vendor)
 - c. Fund, Department and General Ledger account coding
 - d. Description of the products or services to be provided.
 - e. Purpose of the purchases
 - f. Quantity, Dollar and Frequency Limits
 - g. Expiration Date (usually the end of fiscal or program year)
 - h. Program/Individuals Authorized to place orders on behalf of the District members under the VPA.
 - i. Signed and dated by the District Committee, Legislative Representative, and Vendor Representative.

OPEN PURCHASE ORDERS

1. Purchase Orders are open for 30 days only from the date issued unless specifically stated on the purchase order upon approval of the Legislative Representatives.

SIGNATURE AND REVIEW REQUIREMENTS

1. Each Committee member for the District should be familiar with the District's signature requirements for the Purchase Order and Accounts Payable process.
 - a. Two Legislative Representatives must approve all Purchase Orders. The Crow Tribal Executive Branch Chairman's approval signature is not adequate without District Legislature approval.
 - b. The Legislative Representatives shall have sole authority to sign and approve purchase orders submitted from the District Committee.
 - c. Contracts and miscellaneous service agreements should be signed by the Legislative Representatives after review by the District Committee members. After careful review and approval of the contracts and miscellaneous service agreements, the Committee shall forward all documents attached to the Legislative Representatives for approval with majority consensus from the District Committee.

SELECTION OF SUPPLIERS

1. The selection of competent suppliers is a basic responsibility of the District Committee. There are, however, several major considerations and sources of information that may be used to locate sources and guidance in the selection of suppliers:
 - a. Master vendor's mailing list/procurement history file
 - b. Technical and business reputation of a company
 - c. Past performance of a company, if previously used by the District
 - d. Recommended sources (input from the requesting organizational element).
 - e. Recommendations from other sources.
 - f. Information obtained from trade companies, catalogs, trade, journals, sales literature and other publication.
 - g. Published registers, such as the "Thomas Register"
 - h. Purchasing source lists.
 - i. Classified sections of the telephone directories.
 - j. Buyer's knowledge and experience
 - k. Professional associations
 - l. Contracts with salespersons and Vendor representatives.

2. Every supplier requesting an opportunity to render an offer will be given the opportunity to do so, unless there is supportable evidence that he or she cannot realistically be expected to provide the required item(s).
3. If bids are requested and submitted, the selected supplier should be the lowest bidder. If the lowest bidder is not accepted, then it should be documented why the particular supplier was selected. A valid reason should be determined.
4. If a supplier is an individual rather than an established business the following steps, must be taken to determine that a fair and competitive price is being charged by the individual and price may be reviewed and approved by the committee and forwarded to the legislative Representatives. The District Committee may require a bid from an established business to verify the reasonableness. If a Supplier is an individual rather than established business, the following steps must be taken to determine that fair and competitive price is being charged by the individual:
 - a. The price may be reviewed and approved by the committee and forwarded to the Legislative Representatives.
 - b. The District Committee may require a bid from an established business to verify reasonableness.
5. For all contracts over \$500 and any construction contracts, a competitive bidding process must be conducted consistent with the Crow Tribal Workforce Protection Act. It shall be a violation of this system to structure transactions so as to avoid the \$500 limit. In circumstances other than noncompetitive awards, the District Committee will abide by the following:

Competitive Procurement

- a. At least three sources must be fairly solicited.
- b. The bids must be submitted in writing.
- c. Public notice requirements will be detailed in District Committee by-laws and strictly adhered to.

PREPARING A SOLICITATION OR BID

1. Solicitations/bids normally will be completed using the instructions in this part since there is really no such thing as a "standard" procurement action, this part will address the items required to be completed.
2. Phone solicitations should be documented with the vendor name, date prepared, description of goods or services requested and the price.

3. If phone or written solicitations are difficult to obtain, then other sources may be used as solicitations to confirm the reasonableness of the price. Advertisements for similar products may be used for a price comparison, as well as, Blue Book on vehicles or equipment.
4. If the solicitations or bids are difficult to obtain a public notice may be required. This may be requested at the discretion of the District Committee with notification to the Legislative Representatives.

THE BLACK LODGE DISTRICT SHALL MAINTAIN A RECORD KEEPING SYSTEM THAT SHALL BE MAINTAINED AT ALL TIMES FOR AUDITING AND OTHER RELATED PURPOSES.

THE BLACK LODGE DISTRICT COMMITTEE SHALL DEVELOP THE DISTRICT COMMITTEE'S BYLAWS. THE PROPOSED BYLAWS MUST BE SUBMITTED TO THE BLACK LODGE DISTRICT LEGISLATORS FOR APPROVAL AND WHEN APPROVED, MUST BE FOLLOWED AT ALL TIMES.

Bill or Resolution

Number: JAR10-02 Introduced by: Executive & Conrad Stewart Date of Vote: 1/19/2010

<u>Representative:</u>	Yes	No	Abstained
H. Two Leggins	<u> X </u>	<u> </u>	<u> </u>
V. Pretty Paint	<u> X </u>	<u> </u>	<u> </u>
C. J. Stewart	<u> X </u>	<u> </u>	<u> </u>
K. Shane	<u> </u>	<u> </u>	<u> X </u>
S. Backbone, Sr.	<u> </u>	<u> </u>	<u> X </u>
O. Half, Jr.	<u> </u>	<u> </u>	<u> X </u>
W. Plainfeather	<u> </u>	<u> </u>	<u> X </u>
R. Old Crow, Sr.	<u> </u>	<u> </u>	<u> X </u>
M. Not Afraid	<u> X </u>	<u> </u>	<u> </u>
V. Crooked Arm	<u> X </u>	<u> </u>	<u> </u>
L. De Crane	<u> </u>	<u> </u>	<u> X </u>
C. Goes Ahead	<u> </u>	<u> </u>	<u> X </u>
B. Hugs	<u> X </u>	<u> </u>	<u> </u>
G. Real Bird, Jr.	<u> </u>	<u> </u>	<u> X </u>
M. Backbone	<u> X </u>	<u> </u>	<u> </u>
D. Wilson	<u> </u>	<u> </u>	<u> X </u>
P. Alden, Jr. <i>Secretary of the House</i>	<u> X </u>	<u> </u>	<u> </u>
M. Covers Up, Sr. <i>Speaker of the House</i>	<u> </u>	<u> </u>	<u> X </u>
Totals:	<u> 8 </u>	<u> 0 </u>	<u> 10 </u>


Result of Vote:

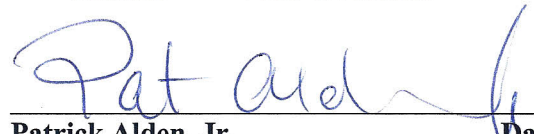
Passed

Not Passed

Tabled

Veto-Override


 Manuel Covers Up, Sr. _____ Date
 Speaker of the House

 1-25-10
 Patrick Alden, Jr. _____ Date
 Secretary of the House



Crow Country

Legislative Branch

**Prvor:
Arrow Creek**

Carlson Goes Ahead
Bryce Hugs
Lawrence DeCrane

**Big Horn:
Valley of the Give
Away**

Vincent Crooked Arm
Marlin D. Not Afraid
Pat Alden, Jr.
Secretary of the House

**Dunmore:
Black Lodge**

Conrad J. Stewart
V. Jeannie Pretty Paint
H.Noel Two Leggins

**Reno:
Center Lodge**

Oliver Half, Jr.
Shawn E. Backbone, Sr.
Kenneth G. Shane

**Lodge Grass:
Valley of the Chief**

Manuel Covers Up, Sr.
Speaker of the House
R. Knute Old Crow, Sr.
Woodrow Plainfeather

**Wyola:
Mighty Few**

Dana Wilson
M. Tye Backbone
Gordon Real Bird, Jr.

Staff

Attorney Ron Arneson, Esq.
Attorney at Law

Gerald Jay Harris
Legal Clerk

Jackie Blacksmith,
Administrative Officer

William Old Crow
Finance Officer/Admin.
Assist.

Sheri Chandler
Office Assist./Receptionist
/Editor

Kenny Pretty On Top
Maintenance/Custodian
Sergeant at Arms

LEGISLATIVE BRANCH OF THE CROW TRIBAL GOVERNMENT

P.O. Box 309 – MAKAWASHA Avenue

Crow Agency, Montana 59022

Phone: (406) 638-2023/2025/2238

Fax: (406) 638-2030

OFFICIAL CERTIFICATE OF DELIVERY

I, Patrick Alden, Jr., Secretary of the Legislative Branch of the Crow Tribal Government hereby this Transitional Action do deliver a True and Correct Official copy Of the Final Approval for the following Bill:

INTRODUCED BY CEDRIC BLACK EAGLE, CHAIRMAN
CROW TRIBAL EXECUTIVE BRANCH

“A JOINT ACTIN RESOLUTION ENTITLED:

A JOINT ACTION RESOLUTION OF THE CROW TRIBAL LEGISLATURE AND THE
CROW TRIBAL EXECUTIVE BRANCH ENTITLED: “ FINANCIAL MANAGEMENT
POLICIES AND PROCEDURES FOR THE BLACK LODGE DISTRICT”

No. JAR10--02 to Heather Whiteman Runs Him in the
Position of: Joint Executive Lead Counsel for the
Crow Tribal Executive Branch.

Done and dated this 29 day of January, 2010 @ 3:00 a.m./p.m.

Pat Alden
Secretary of the House
Legislative Branch of the
Crow Tribal Government

Served by:

Sheri Chandler
Legislative Branch Staff

Cc: file





Crow Country

Legislative Branch

Pryor:

Arrow Creek

Carlson Goes Ahead
Bryce Hugs
Lawrence DeCrane

Big Horn:

Valley of the Give

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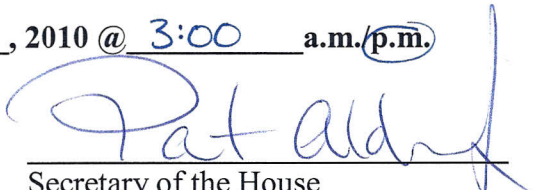
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Secretary of the House
Legislative Branch of the
Crow Tribal Government

Served by:

Legislative Branch Staff

Cc: file

