

JULY 2018 CROW TRIBAL LEGISLATURE

JOINT ACTION RESOLUTION NO. JAR 18-03

INTRODUCED BY ALVIN NOT AFRAID, JR., CHAIRMAN
CROW TRIBAL EXECUTIVE BRANCH

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

“A RESOLUTION AMENDING JAR 16-05 AND DESIGNATING CROW TRIBAL LAND NEAR CROW AGENCY FOR THE CONSTRUCTION OF A TRIBAL TRANSPORTATION-TRANSIT ADMINISTRATION AND MAINTENANCE BUILDING AND TRANSIT BUS TERMINAL.”

WHEREAS, pursuant to Article V, Section 2(a) of the 2001 Crow Tribal Constitution the Crow Tribal Legislature (hereinafter “Legislature”) is vested with the power and duty to promulgate and adopt laws, resolutions, ordinances, codes, regulations, and guidelines in accordance with the 2001 Crow Constitution and federal laws; and

WHEREAS, there is a need for a Transportation-Transit Administration and Maintenance Facility and Transit Terminal in Crow Agency, to help users arrive safely at their destinations, keep the transit fleet in a state of good repair, foster a livable community, and increase employment opportunities for local community members and tribal members. Furthermore, the proposed facilities are consistent with capital improvement needs detailed in the *2007 Crow Nation Public Transportation Plan* prepared by LSC Transportation Consultants, Inc.; and

WHEREAS, pursuant to the terms of a settlement agreement reached between the United States Department of the Interior, Bureau of Indian Affairs ("BIA") and the Crow Tribe in CBCA Case No. 4971-ISDA, the Tribe has agreed that the BIA-RMRO will construct a Transit Administration and Maintenance Facility and Terminal for the Crow Tribe, including all planning, design, and construction activities; and

WHEREAS, the BIA and Crow Tribe working collaboratively, have reviewed and discussed all possibilities of suitable tribal land near Crow Agency, and made a decision on the most suitable location for a Transit Administration and Maintenance Facility and Terminal; and

WHEREAS, in 2016 the Crow Tribe enacted Joint Action Resolution 16-05 (titled “A Resolution to Dedicate a Portion of Land for the Apsaalooke Youth Development Complex”) to designate and dedicate a portion of land near the West Crow Agency Subdivision, consisting of 60.68 acres, more or less, for the Apsaalooke Youth Development Complex; and

WHEREAS, the north-eastern most corner of the tract of land dedicated for the Apsaalooke Youth Development Complex in JAR 16-05, consisting of 3.0 acres, more or less, was determined to be the most suitable location for a Transit Administration and Maintenance Facility and Terminal; and

WHEREAS, carving out the 3.0 acres, from the 60.68-acre tract dedicated to the Apsaalooke Youth Development Complex, for the purpose of rededicating it for the purpose of constructing a Tribal Transit Administration and Maintenance Building, and Transit Terminal, is in the best interests of the Crow Tribe.

**NOW, THEREFORE, BE IT RESOLVED BY THE CROW TRIBAL LEGISLATURE
AND THE CROW TRIBAL EXECUTIVE BRANCH:**

Section 1. The following-described tract of Crow tribal trust land is hereby designated and dedicated by the Crow Tribe for the exclusive use of the Crow Tribal Transportation-Transit Department:

A portion of Tract T-3305 described as Government Lot 2, in Section 2, in Township 3 South, Range 34 East, MPM, consisting of 3.0 acres, more or less as shown on Exhibit A attached hereto.

Section 2. Joint Action Resolution 16-05, entitled “A Resolution to Dedicate a Portion of Land for the Apsaalooke Youth Development Complex” shall be, and is, amended to exclude that portion of land identified in Section 1 of this JAR; provided that all other terms of JAR 16-05 shall remain unaffected by this amendment.

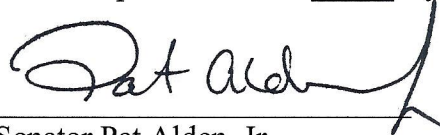
Section 3. The Crow Tribal Transportation-Transit Department, under the direction and supervision of the Executive Branch Officers, shall be authorized and directed to take any and all actions necessary to work collaboratively with the BIA on completion of the Transit Building Project, pursuant to the terms of the settlement agreement in CBCA Case No. 4971-ISDA.

Section 4. The BIA shall be, and hereby is, put on notice that its obligation to construct the facility in a “workmanlike manner” necessarily includes a responsibility to ensure its activities are carried out pursuant to the requirements found in all applicable Federal and Tribal laws and regulations; including the CLB 09-04 “Crow Nation Workforce Protection Act” (WPA), as amended, TERO Regulations, as amended, and CLB 05-17 “Cultural Resources Protection-Tribal Historic Preservation Office Act”.

Section 5. This Joint Action Resolution shall become effective immediately upon approval by the Legislative Branch and the Chairman of the Executive Branch.

CERTIFICATION

I hereby certify that this Joint Action Resolution entitled "**A RESOLUTION AMENDING JAR 16-05 AND DESIGNATING CROW TRIBAL LAND NEAR CROW AGENCY FOR THE CONSTRUCTION OF A TRIBAL TRANSPORTATION-TRANSIT ADMINISTRATION AND MAINTENANCE BUILDING AND TRANSIT BUS TERMINAL**" was duly enacted by the Crow Tribal Legislature with a vote of 14 in favor 0 opposed, and 0 abstaining and that a quorum was present on this 19th day of July, 2018.



Senator Pat Alden, Jr.
Speaker of the House
Crow Tribal Legislature

ATTEST:



Senator Lawrence DeCrane
Secretary
Crow Tribal Legislature



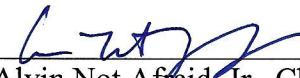
EXECUTIVE ACTION

I hereby

✓ approve or

 veto.

This Joint Action Resolution entitled "**A RESOLUTION AMENDING JAR 16-05 AND DESIGNATING CROW TRIBAL LAND NEAR CROW AGENCY FOR THE CONSTRUCTION OF A TRIBAL TRANSPORTATION-TRANSIT ADMINISTRATION AND MAINTENANCE BUILDING AND TRANSIT BUS TERMINAL**" pursuant to the authority vested in the Chairman of the Crow Tribe by Article V, Section 8 of the Constitution and Bylaws of the Crow Tribe of Indians, on this 24th day of July, 2018.



Alvin Not Afraid, Jr., Chairman
Crow Tribal Executive Branch

JAR-"A RESOLUTION AMENDING JAR16-05 AND DESIGNATING CROW TRIBAL LAND NEAR CROW AGENCY FOR THE CONSTRUCTION OF A TRIBAL TRANSPORTATION-TRANSIT ADMINISTRATION AND MAINTENANCE BUILDING AND TRANSIT BUS TERMINAL."

Bill or Resolution: JAR18-03 **Introduced by:** Chairman Alvin Not Afraid, Jr. **Date of Vote:** 7/23/2018
Number

REPRESENTATIVE:	Yes	No	Abstained
M. White Clay	<u>X</u>	<u> </u>	<u> </u>
D. Spotted	<u>X</u>	<u> </u>	<u> </u>
F. White Clay	<u>X</u>	<u> </u>	<u> </u>
L.Hogan, III	<u>X</u>	<u> </u>	<u> </u>
B. Brown	<u>X</u>	<u> </u>	<u> </u>
S. Real Bird	<u> </u>	<u> </u>	<u> </u>
V. Nomee	<u>X</u>	<u> </u>	<u> </u>
T. Yellowtail	<u> </u>	<u> </u>	<u> </u>
T. Gros Ventre	<u>X</u>	<u> </u>	<u> </u>
M. Not Afraid	<u> </u>	<u> </u>	<u> </u>
G. Bouyer	<u>X</u>	<u> </u>	<u> </u>
J. Demontiney	<u>X</u>	<u> </u>	<u> </u>
B. Hugs	<u>X</u>	<u> </u>	<u> </u>
N. Old Crow, Jr.	<u>X</u>	<u> </u>	<u> </u>
B. Good Luck	<u>X</u>	<u> </u>	<u> </u>
H. Stone, Jr.	<u> </u>	<u> </u>	<u> </u>
L. DeCrane, <i>Secretary of the House</i>	<u>X</u>	<u> </u>	<u> </u>
P. Alden, Jr., <i>Speaker of the House</i>	<u>X</u>	<u> </u>	<u> </u>
Total:	<u>14</u>	<u>0</u>	<u>0</u>

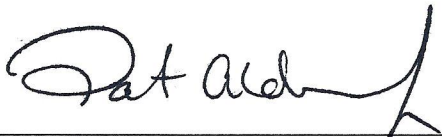
Result of Vote:

Passed

Not Passed

Tabled

Veto-Override



Senator Pat Alden, Jr.
Speaker of the House

Date



Senator Lawrence DeCrane
Secretary of the House

Date

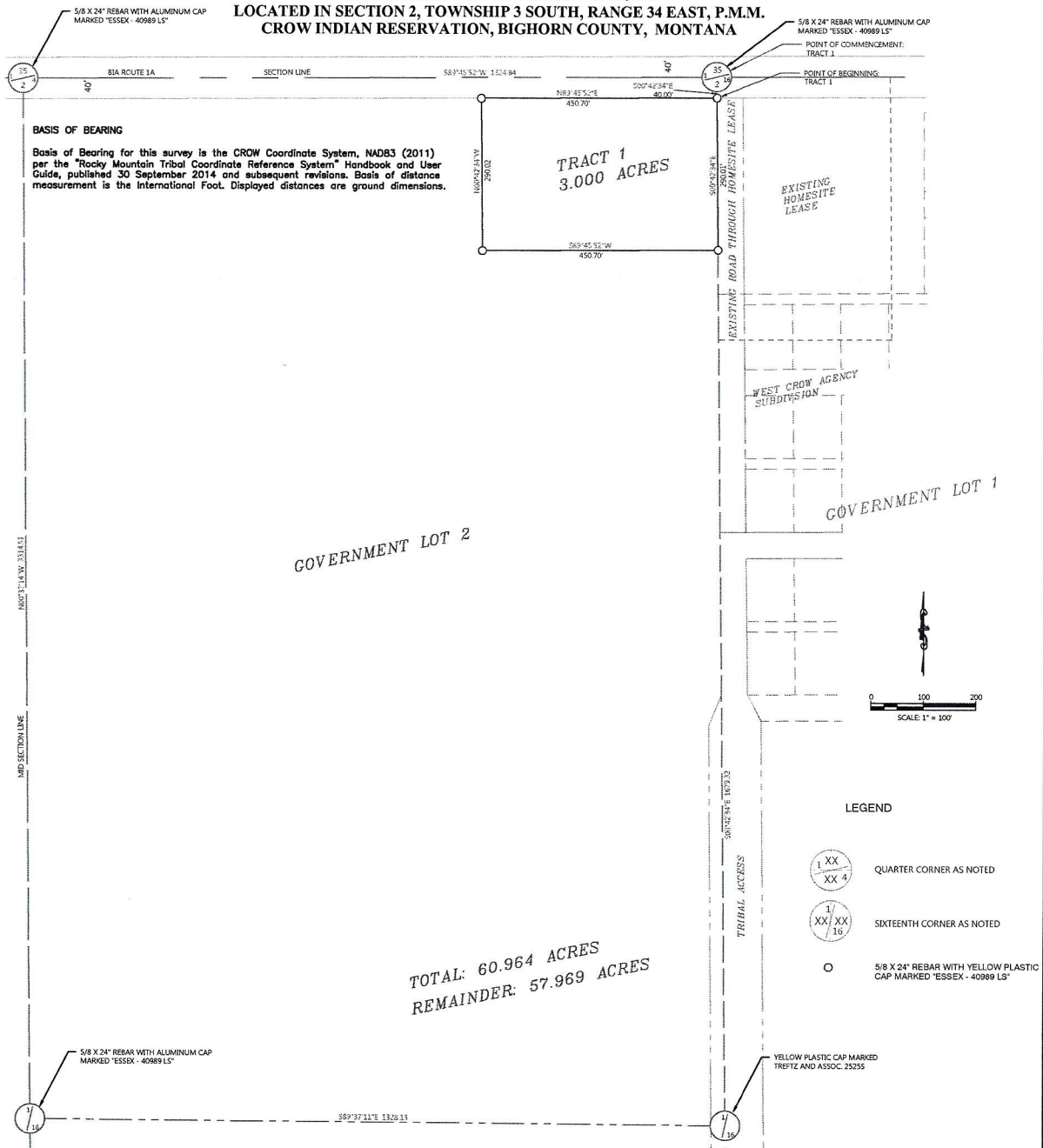
EXHIBIT A

PRELIMINARY CERTIFICATE OF SURVEY
TRANSIT BUILDING

PRELIMINARY

CERTIFICATE OF SURVEY

BEING TRACT 1 OF GOVERNMENT LOT 2
LOCATED IN SECTION 2, TOWNSHIP 3 SOUTH, RANGE 34 EAST, P.M.M.
CROW INDIAN RESERVATION, BIGHORN COUNTY, MONTANA



CERTIFICATE OF SURVEYOR

The undersigned, a Professional Land Surveyor licensed in the State of Montana, states that, a survey was performed under his supervision of a tract of land to be known as Tract 1 of this Certificate of Survey. In accordance with the request of the owner thereof and said tract, descriptions of boundaries and dimensions are in accordance with the Certificate of Survey, and as shown on the Certificate of Survey; that the monuments found and set are of the character and occupy the positions shown hereon and the net area is 3.0 acres.

Northern Engineering and Consulting, Inc.

By:

Zamian Z Essex, Licensed Land Surveyor
Montana License No. 40989 LS, CFedS No. 1755



Date:

LEGAL DESCRIPTION: TRACT 1

Being Tract 1 of this Certificate of Survey, located in Government Lot 2, Section 2, Township 3 South, Range 34 East, P.M.M., Crow Indian Reservation, Big Horn County, Montana, and being more particularly described as follows:

COMMENCING at the north 1/16th corner common to Sections 2 and 35 of said Township 3 South, Range 34 East, said corner being a 2 inch aluminum cap marked "ESSEX 40989LS"; thence S00°42'34"W, a distance of 40.00 feet to the POINT OF BEGINNING, point also common to the south Right-of-Way line of B.I.A. Route 1A per document number 202-21145 on file at the B.I.A., said point also being the Northeast corner of the boundary to be described; thence departing from said Right-of-Way S00°42'34"E a distance of 290.01 feet along the sixteenth line common to Government Lots 1 and 2 to the southeast corner of Tract 1; thence S89°45'52"W a distance of 450.70 feet to the southwest corner of Tract 1; thence N00°42'34"W a distance of 280.02 feet to a point on the previously described Right-of-Way line, said point also being the northwest corner of Tract 1; thence N89°45'52"E along said Right-of-Way a distance of 450.70 feet to the Point of Beginning.

Said parcel containing 130701.670 square feet or 3.000 acres, more or less.

SHEET NO.
1 OF 1

CERTIFICATE OF SURVEY
PART of GOVERNMENT LOT 2
SECTION 2, TOWNSHIP 3 SOUTH, RANGE 34 EAST
CROW INDIAN RESERVATION, MONTANA



FILING NO.