

SEPTEMBER 29, 2022 SPECIAL SESSION
CROW TRIBAL LEGISLATURE

JOINT ACTION RESOLUTION NO. JAR 22-05

INTRODUCED BY THE CROW TRIBAL LEGISLATURE

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

**“AN ACT APPROVING SUBMISSION OF A FISCAL YEAR 2023 INDIAN HOUSING
BLOCK GRANT APPLICATION and INDIAN HOUSING PLAN, ON BEHALF OF
THE APSAALOOKE NATION HOUSING AUTHORITY A TRIBALLY DESIGNATED
HOUSING ENTITY (TDHE) PURSUANT TO CROW TRIBAL HOUSING ORDINANCE
CLB 17-03”**

Legislative Findings:

WHEREAS, the Crow Tribal Legislature (hereinafter “Legislature”) has the power and duty under Article V, Section 2(a) of the Crow Tribal Constitution to promulgate and adopt laws, resolutions and guidelines in accordance with the Constitution and federal laws for the governance of the Crow Tribe; and

WHEREAS, the Crow Tribal Executive Branch (hereinafter “Executive Branch”) has the power and responsibility under Article IV, Section 3 of the Crow Tribal Constitution, subject to any limitations imposed upon such powers by the statutes and laws of the United States, to represent the Crow Tribe of Indians in negotiation with Federal, State and local governments and other agencies, corporations, associations, or individuals in matters of welfare, education, recreation, social services and economic development affecting the Crow Tribe; and

WHEREAS, the Executive Branch has the general duty under Article IV, Section 4 of the Crow Tribal Constitution to implement all laws, resolutions and policies duly adopted by Legislature; and

WHEREAS, the Crow Tribe enacted “An Act to Repeal and Replace the Crow Tribal Housing Ordinance” CLB 17-03, Section 19-10-101; requiring a Joint Action Resolution “[t]he Housing Authority shall prepare and submit the Indian Housing Plan, as required by NAHASDA” whereby such plan must also incorporate public comment; and

WHEREAS, the Apsaalooke Nation Housing Authority (ANHA) has sought public and community input through its Commission, multiple public meetings and events and through the Crow Tribal Legislature for priorities and funding applications, and the ANHA has the authority to prepare and submit the Indian Housing Plan under the *Crow Tribal Housing Ordinance*, §19-

10-101, and the Legislature does hereby determine it appropriate to approve the **Fiscal Year 2023 Indian Housing Block Grant (IHBG) and Indian Housing Plan** application as submitted by the ANHA, the Tribal Designated Housing Entity on behalf of the Tribe; and

NOW, THEREFORE, BE IT ENACTED BY THE CROW TRIBAL EXECUTIVE AND LEGISLATIVE BRANCHES; BY THE CROW TRIBAL LEGISLATURE IN SPECIAL SESSION:

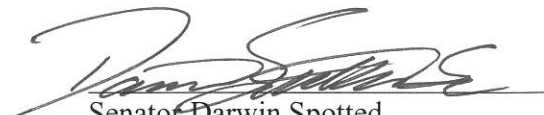
Section 1. The Board of Commissioners of the Apsaalooke Nation Housing Authority is approved for submission of the attached **Fiscal Year 2023 Indian Housing Block Grant IHP on behalf of the Crow Tribe**, Exhibit A;

Section 2. Effective Date. This Joint Action Resolution shall take effect upon its enactment by the Crow Tribal Legislature in accordance with the 2001 Crow Tribal Constitution.


CERTIFICATION

I, hereby certify **A JOINT ACTION RESOLUTION TITLED: "AN ACT APPROVING SUBMISSION OF A FISCAL YEAR 2023 INDIAN HOUSING BLOCK GRANT APPLICATION and INDIAN HOUSING PLAN, ON BEHALF OF THE APSAALOOKE NATION HOUSING AUTHORITY A TRIBALLY DESIGNATED HOUSING ENTITY (TDHE) PURSUANT TO CROW TRIBAL HOUSING ORDINANCE CLB 17-03"**

was duly adopted by the Crow Tribal Legislature with a vote of 16 in favor, 0 opposed, and 0 abstained and that a quorum was present on this ___ day of SEPTEMBER, 2022.


Senator Darwin Spotted
Speaker of the House
Crow Tribal Legislature

ATTEST:


Brandon Good Luck
Secretary



EXECUTIVE ACTION

I hereby:

 approve

_____ veto

This Joint Action Resolution titled **A JOINT ACTION RESOLUTION TITLED: “AN ACT APPROVING SUBMISSION OF A FISCAL YEAR 2023 INDIAN HOUSING BLOCK GRANT APPLICATION and INDIAN HOUSING PLAN, ON BEHALF OF THE APSAALOOKE NATION HOUSING AUTHORITY A TRIBALLY DESIGNATED HOUSING ENTITY (TDHE) PURSUANT TO CROW TRIBAL HOUSING ORDINANCE CLB 17-03”**

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 29 day of September 2022.



FRANK WHITE CLAY
Chairman
Crow Tribal Executive Branch

EXHIBIT A

INDIAN HOUSING BLOCK GRANT IHP
RESOLUTION: BOARD OF COMMISSIONERS, ANHA

"AN ACT APPROVING SUBMISSION OF A FISCAL YEAR 2023 INDIAN HOUSING BLOCK GRANT APPLICATION AND INDIAN HOUSING PLAN, ON BEHALF OF THE APSAALOOKE NATION HOUSING AUTHORITY A TRIBALLY DESIGNATED HOUSING ENTITY (TDHE) PURSUANT TO CROW TRIBAL HOUSING ORDINANCE CLB 17-03"

Bill or Resolution JAR 22-05 Introduced by: INFRASTRUCTURE Date of Vote September 29, 2022

REPRESENTATIVE:	Yes	No	Abstain
V. Pickett	<u>X</u>	<u> </u>	<u> </u>
D. Spotted <i>Speaker of the House</i>	<u>X</u>	<u> </u>	<u> </u>
C. Other Medicine	<u>X</u>	<u> </u>	<u> </u>
Y. Little Light	<u>X</u>	<u> </u>	<u> </u>
L. Hogan	<u> </u>	<u> </u>	<u> </u>
C. Meeks	<u>X</u>	<u> </u>	<u> </u>
D. Don't Mix	<u>X</u>	<u> </u>	<u> </u>
H. Small	<u>X</u>	<u> </u>	<u> </u>
T. Gros Ventre	<u>X</u>	<u> </u>	<u> </u>
P. Alden	<u>X</u>	<u> </u>	<u> </u>
C. Takes Enemy	<u>X</u>	<u> </u>	<u> </u>
T. Plainfeather	<u>X</u>	<u> </u>	<u> </u>
J. Kills Pretty Enemy	<u>X</u>	<u> </u>	<u> </u>
S. DeCrane	<u>X</u>	<u> </u>	<u> </u>
B. Hugs	<u> </u>	<u> </u>	<u> </u>
N. Old Crow, Jr	<u>X</u>	<u> </u>	<u> </u>
B. Good Luck <i>Secretary of the House</i>	<u>X</u>	<u> </u>	<u> </u>
H. MaleBear-Stone	<u>X</u>	<u> </u>	<u> </u>
TOTAL	<u>16</u>	<u>0</u>	<u>0</u>

Result of Vote: Passed Not Passed Tabled Veto-Override

	<u>9/29/22</u>		<u>9/29/22</u>
Senator Darwin Spotted, Sr.	Date	Senator Brandon Good Luck	Date
Speaker of the House		Secretary of the House	
Crow Tribal Legislative Branch		Crow Tribal Legislative Branch	

APSAALOOKE NATION HOUSING AUTHORITY

INDIAN HOUSING PLAN FY2023

SECTION 1: COVER PAGE

(1) Grant Number: 55IH3001880

(2) Recipient Program Year: 10/1 - 9/30

(3) Federal Fiscal Year: 2023

(4) Initial Plan (Complete this Section then proceed to Section 2)

(5) Amended Plan (Complete this Section, Section 8 if applicable, and Section 16)

(6) Annual Performance Report (Complete Items 27-30 and proceed to Section 3)

(7) Tribe

(8) TDHE YES

(9) Name of Recipient: Apsaalooke Nation Housing Authority		
(10) Contact Person: Florest Rowland		
(11) Telephone Number with Area Code: (406)623-7131		
(12) Mailing Address: PO BOX 99		
(13) City: CROW AGENCY	(14) State: MONTANA	(15) Zip Code: 59022
(16) Fax Number with Area Code (if available): 406-638-2668		
(17) Email Address (if available): f.rowland@anha-tipi.org		
(18) If TDHE, List Tribes Below: CROW TRIBE OF INDIANS		
(19) Tax Identification Number:		810331343
(20) DUNS Number: 102365434		(20b) Unique ID Number: MNALJ7T6F139
(21) CCR/SAM Expiration Date:		November 8, 2022
(22) IHBG Fiscal Year Formula Amount:		\$3,383,103
(23) Name of Authorized IHP Submitter:		Florest Rowland
(24) Title of Authorized IHP Submitter:		Comptroller
(25) Signature of Authorized IHP Submitter: <i>Florest Rowland</i>		
(26) IHP Submission Date: DUE JULY 2022		

SECTION 3: PROGRAM DESCRIPTIONS DRAFT

2023-1 : Operations and Maintenance of 1937 Act Housing

Program Name	Operations and Maintenance of 1937 Act Housing		
Unique Identifier:	2023-1		
Program Description	<p>Operate and maintain 183 1937 Act Housing units</p> <p>This program is designed to provide the following activities:</p> <ul style="list-style-type: none"> -Routine and non routine maintenance repairs and replacement of fixtures, equipment and or materials to ensure compliance and also provide preventative maintenance -Pest control -Elderly/Relocation units utility expenses -Necessary tools for maintenance staff -Janitorial supplies for 1937 act units -Annual inspection on housing stock -Insurance on 1937 act units -Training for staff -Community meetings -Vehicle expense -Meth kits , Meth kits will be utilized to establish baseline for meth use on homes <p>Occupancy referrals made to maintenance via work orders</p> <p>90% of Residential Occupancy Program counselors will operate for the 1937 Act units, activities will include; application intake, tenant relations, lease monitoring collections, recertification, lease agreement enforcement, data collection and analysis, report preparation, file inspections.</p> <p>ANHA will continue to operate and maintain the current assisted stock in accordance with our adopted policies and procedures. The units will be operated in accordance with the adopted Admissions and Occupancy policies and procedures. Units will be maintained in accordance with the adopted maintenance policies and procedures to assure that the units will meet the quality standards and remain affordable housing</p>		
Eligible Activity Number	{2} Operation of 1937 Act Housing [202(1)]		
Intended Outcome Number	{3} Improve quality of substandard units		
APR-Actual Outcome Number			
Who will be assisted:	Low rental units		
Types and Level of Assistance	Maintenance on low rental and mutual help housing stock		
APR-Describe Accomplishments			
Planned and Actual Outputs for 12-Month Program Year	Number of Units to be Completed in Year	Planned	APR- Actual
		183	
Prior and current year IHBG (only) funds to be expended in 12-month program year (L)	Total all other funds to be expended in 12-month program year (M)	Total funds to be expended in 12-month program year (N= L+M)	
Uses of Funding			
\$ 1,450,000.00		\$	1,450,000.00

2023-3: Modernization

Program Name	Modernization		
Unique Identifier:	2023-3		
Program Description	<p>This program will provide the following activities:</p> <ul style="list-style-type: none"> -new floors -renovation/partial renovation (material costs) -roof replacement (low rental) -new furnaces (demo & installation) -siding (low rental units) -renovation of low rent appliances (due to poor design and obsolete materials & systems) -Mold remediation for low rental units <p>The goal and intent of these activities are to create a decent, safe and affordable living environment. Selections of units will be determined from the annual inspection report</p>		
Eligible Activity Number	(1) Modernization of 1937 Act Housing [202(1)]		
Intended Outcome Number	(3) Improve quality of substandard units		
APR-Actual Outcome Number			
Who will be assisted:	Low income rental and mutual help families		
Types and Level of Assistance	<p>Assistance will be limited to ANHA (low rental) housing stock based on inspection reports. the goal and each activity is to maintain the current ANHA housing stock at serviceable conditions (safe, decent and affordable).</p> <p>LIHTC project on 37 Act units will have multiple sources of funding including LIHTC total of \$6.4mil , AHP of \$1 mil , IHBG Formula, Montana Board of Housing grant for covid relief of \$1.5mi, Loan guaranteed by Title VI of NAHASDA amount not determined yet. LIHTC project progress contingent on stability of material costs.</p>		
APR- Describe Accomplishments			
Planned and Actual Outputs for 12-Month Program Year	Planned	APR- Actual	
	31		
	Number of Units to be Completed in Year		
Prior and current year IHBG (only) funds to be expended in 12-month program year (L)	Total all other funds to be expended in 12-month program year (M)	Total funds to be expended in 12-month program year (N= L+M)	
Uses of Funding			
\$ 450,000.00	\$ 4,100,000.00	\$ 450,000.00	

2023-6: Crime Prevention/Youth

Program Name	Crime Prevention and Youth Activities		
Unique Identifier:	2023-6		
Program Description	1) To work in cooperation with the Tribe and Local Law Enforcement to help reduce the use of drugs and criminal activity in our affordable housing areas. Hiring security officers to patrol ANHA Housing areas to prevent criminal activity. 2) There is a high incidence of drug use, alcohol abuse, vandalism, suicide, early pregnancy among youth in the community. Planned youth activity support includes youth participation in organized cultural and sport activities that promote healthy lifestyles and deter engagement in drug and crime activities.. 3) Provide Security for ANHA buildings and multi-week projects. 3 FTE @ \$49,403 4) Replace LR Housing street lights 5) Traffic calming equipment 6) Fencing		
Eligible Activity Number	(21) Crime Prevention and Safety [202(5)]		
Intended Outcome Number	(11) Reduction in crime reports		
APR-Actual Outcome Number			
Who will be assisted:	Residents of ANHA Housing and Low Income Tribal Apsaalooke Nation youth from ages 6-18.		
Types and Level of Assistance	1) Follow up on tenant and community complaints. Security for eviction and protection of property. Security patrols for housing clusters and apartment complexes. 2) Financial support for youth activities promoting participation in sports, cultural and other healthy lifestyle events. This support will be for low income youth in our communities.		
Planned and Actual Outputs for 12-Month Program Year	Output measure is dollars	Planned 120,000	APR- Actual
Prior and current year IHBG (only) funds to be expended in 12-month program year (L)	Total all other funds to be expended in 12-month program year (M)	Total funds to be expended in 12-month program year (N= L+M)	
Uses of Funding			
\$ 250,000.00		\$	250,000.00

2023-7: Tribal Veterans Affairs Supportive Housing

Program Name	Tribal-HUD VASH Supportive Housing Program		
Unique Identifier:	2022-7		
Program Description	Program is designed to provide project based rental assistance to Native American Veterans who are in need of supportive services and are homeless or at risk of homelessness. Participants are required to be screened by the Veteran's Administration (VA) to confirm eligibility for this program prior to participation. Apsaalooke Nation Housing Authority has identified thirty-three (33) units to serve this program.		
Eligible Activity Number	(19) Housing Management Services [202(4)]		
Intended Outcome Number	(5) Address homelessness		
APR-Actual Outcome Number			
Who will be assisted:	Program is designed to provide project based rental assistance to Native American Veterans who are in need of supportive services and are homeless or at risk of homelessness. Participants are required to be screened by the Veteran's Administration (VA) to confirm eligibility for this program prior to participation. Apsaalooke Nation Housing Authority has identified thirty-three (33) units to serve this program.		
Types and Level of Assistance	Program will provide varying amounts of rental assistance to qualifying veterans in addition to counseling in an effort to prevent failure of the program by veteran.		
Planned and Actual Outputs for 12-Month Program Year	Output measure is dollars	Planned 33	APR- Actual
Prior and current year IHBG (only) funds to be expended in 12-month program year (L)	Total all other funds to be expended in 12-month program year (M)	Total funds to be expended in 12-month program year (N= L+M)	
Uses of Funding			
\$	74,300.00	\$	74,300.00

SECTION 4: MAINTAINING 1937 ACT UNITS, DEMOLITION, AND DISPOSITION

(1) Maintaining 1937 Act Units (NAHASDA § 102(b)(2)(A)(v)) *(Describe specifically how you will maintain and operate your 1937 Act housing units in order to ensure that these units will remain viable.):*

ANHA will provide the proper and necessary maintenance to existing rental units to increase the life of the units and improve the structure and living conditions. Participants in the mutual help program will be expected to be in compliance with their MHOA and accept responsibility for maintaining their units.

(2) Demolition and Disposition (NAHASDA § 102(b)(2)(A)(iv)(I-III), 24 CFR 1000.134) Describe any planned demolition or sale of 1937 Act or NAHASDA-assisted housing units. If the recipient is planning on demolition or disposition of 1937 Act or NAHASDA-assisted housing units, be certain to include the timetable for any planned demolition or disposition and any other information that is required by HUD with respect to the demolition or disposition.

No demos are scheduled at this time

SECTION 6: Other Submissions

Useful Life/Affordability Period(s)	<p>ANHA has determined; without continued routine maintenance, modernization and rehabilitation; the units would only have an original useful life expectancy of 20 years. With modernization and rehabilitation, the units will increase the life expectancy of each unit based on the amount of NAHASDA funds invested into each unit</p> <p>Amount invested Affordability Period Under \$50,000 Negligible, & \$50.01-\$999.99 6 Months, \$1,000.00-\$2499.99 12 Months (1 Year), \$2,500.00-\$4,999.99 5 Years, \$4,999.99-\$19,999.99 10 Years, \$20,000.00-\$39,000.00 15 Years, \$40,000.00-\$99,999.99 25 Years, \$100,000-Over (Including New Development) 30 Years, Construction investments over \$100,000.00 include New construction and the acquisition of newly constructed housing units.</p>
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Model Housing and Over-Income Activities	ANHA does not have any Model Activities for this year
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Tribal and Other Indian Preference	<p>YES</p> <p>ANHA policy states: First to eligible low-income families who are members of the Crow Tribe. Second to other eligible low-income Native American low-income families who are essential to the community. In addition to ANHA policy, these families will comply with 24 CFR 1000</p>
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Anticipated Planning and Administration Expenses	The answer is only requested for the APR
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Does the tribe have and expanded formula area?	NO
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TRIBAL WAGE RATE CERTIFICATION

(1) You will use tribally determined wage rates when required for IHBG-assisted construction or maintenance activities. The Tribe has appropriate laws and regulations in place in order for it to determine and distribute prevailing wages.	
(2) You will use Davis-Bacon or HUD determined wage rates when required for IHBG-assisted construction or maintenance activities.	YES
(3) You will use Davis-Bacon and/or HUD determined wage rates when required for IHBG-assisted construction except for the activities described below.	
(4) List the activities using tribally determined wage rates:	

SECTION 8: IHP TRIBAL CERTIFICATION
NAHASDA § 102(c)

This certification is used when a Tribally Designated Housing Entity (TDHE) prepares the IHP or IHP amendment on behalf of a tribe.

This certification must be executed by the recognized tribal government covered under the IHP.

(1) The recognized tribal government of the grant beneficiary certifies that:

(2) ☒ It had an opportunity to review the IHP or IHP amendment and has authorized the submission of the IHP by the TDHE; or

(3) ☐ It has delegated to such TDHE the authority to submit an IHP or IHP amendment on behalf of the Tribe without prior review by the Tribe.

(4) Tribe:	Crow Tribe of Indians
(5) Authorized Official's Name and Title:	Frank WhiteClay, Chairman
(6) Authorized Official's Signature:	
(7) Date (MM/DD/YYYY):	

**APSAALOOKE NATION HOUSING AUTHORITY
BOARD OF COMMISSIONERS**

LESLEY KABOTIE, Presiding Officer

RESOLUTION No. 22-18

WHEREAS, the Apsaalooke Nation Housing Authority, Board of Commissioners was duly created by CLB 17-03, duly enacted by the Crow Tribal Legislature on July 25, 2017, with the Executive approving said legislation by signature on August 3, 2017, and

WHEREAS, the Crow Tribal Legislators have subsequently appointed enrolled members of the Tribe to the Board of Commissioners, consistent with the provisions of CLB 17-03, and

WHEREAS, the Apsaalooke Nation Housing Authority has, throughout the last year and before, has met with the Executive Branch Officers, the Legislative Branch legislators and community members to learn of priorities and interests, and further, has solicited participation from community members through completed surveys, including this information in the development of this IHP and the application for other funds, and

WHEREAS, the Apsaalooke Nation Housing Authority, Board of Commissioners, in a duly called meeting, initiated by four members of the Board of Commissioners, met on June 17, 2022, and reviewed the 2023 IHP and funding application for the IHBG through HUD-ONAP, and finds it appropriate for processing, and

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners does hereby approve and authorize ANHA staff to submit for consideration through the Executive and Legislative branches and HUD-ONAP, the attached 2023 Indian Housing Plan and funding application for the IHBG, and

BE IT FINALLY RESOLVED, that the Board of Commissioner's Presiding Officer, Lesley Kabotie, is hereby authorized and directed to sign this Resolution.

DATED this 17th day of June, 2022.

I hereby certify that this resolution is a true and correct recitation of the action of the Apsaalooke Nation Housing Authority Board of Commissioners on the date set forth.



Lesley Kabotie, Presiding Officer
Apsaalooke Nation Housing Authority, Board of Commissioners