

2023 CROW TRIBAL LEGISLATURE

JOINT ACTION RESOLUTION JAR NO. 23-03

**INTRODUCED BY FRANK WHITECLAY, CHAIRMAN
CROW EXECUTIVE BRANCH**

CO-INTRODUCED BY THE CROW TRIBAL LEGISLATURE

**JOINT ACTION RESOLUTION OF THE CROW TRIBAL EXECUTIVE BRANCH AND
THE CROW TRIBAL LEGISLATIVE BRANCH TITLED:**

**“A JOINT ACTION RESOLUTION AUTHORIZING AND APPROVING A LOAN
BETWEEN THE APSAALOOKE NATION HOUSING AUTHORITY AND MERCY
COMMUNITY CAPITAL TO ENABLE THE COMPLETION OF A LOW-INCOME
HOUSING TAX CREDIT PROJECT”**

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 Executive Branch and Legislature have heretofore approved the contracts developing a Low-Income Housing Tax Credit project to rehabilitate 31 housing units, and

WHEREAS, the Apsaalooke Nation Housing Authority (ANHA) has been overseeing this project, and is in need of a short-term loan to finance the cash flow requirements of the balance of the project, with such loan to be repaid out of project funds, that will be made available, as the project is completed, and

WHEREAS, the attached contract documents between the ANHA and Mercy Community Capital, of Denver, Colorado have been negotiated to facilitate this loan and its repayment out of project funds, and are needed immediately to timely meet project deadlines, with approval thereof of the utmost urgency, in this context, and

WHEREAS, the attached documents provide for a limited waiver of sovereign immunity, similar to other limited waivers of sovereign immunity approved by the Legislature in order for business activities to be conducted with entities of the Apsaalooke Nation in similar circumstances,

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

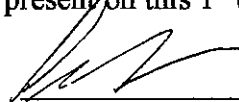
Section 1. The Board of Commissioners of the Apsaalooke Nation Housing Authority is approved to enter and complete the attached Loan and documents supporting this loan as set forth in Exhibit A, with amendments, as necessary; and

Section 2. The Board of Commissioners of the Apsaalooke Nation Housing Authority is approved and authorized to execute the limited waiver of sovereign immunity found in these documents, to the limited extend found therein; and

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.

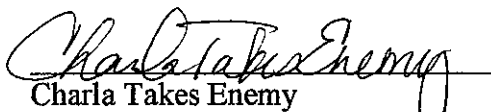
CERTIFICATION

I, hereby certify **A JOINT ACTION RESOLUTION TITLED: "A JOINT ACTION RESOLUTION AUTHORIZING AND APPROVING A LOAN BETWEEN THE APSAALOOKE NATION HOUSING AUTHORITY AND MERCY COMMUNITY CAPITAL TO ENABLE THE COMPLETION OF A LOW INCOME HOUSING TAX CREDIT PROJECT"** was duly adopted by the Crow Tribal Legislature with a vote of 15 in favor, 0 opposed, and 0 abstained and that a quorum was present on this 1st day of November, 2023.



Senator Sampson DeCrane
Speaker, Crow Tribal Legislature

ATTEST:


Charla Takes Enemy
Secretary, Crow Tribal Legislature



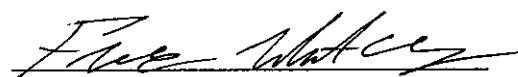
EXECUTIVE ACTION

I hereby:

 X approve

 veto

This Joint Action Resolution titled **A JOINT ACTION RESOLUTION TITLED: “A JOINT ACTION RESOLUTION AUTHORIZING AND APPROVING A LOAN BETWEEN THE APSAALOOKE NATION HOUSING AUTHORITY AND MERCY COMMUNITY CAPITAL TO ENABLE THE COMPLETION OF A LOW INCOME HOUSING TAX CREDIT PROJECT”** 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 1 day of November , 2023.


FRANK WHITE CLAY, Chairman
Crow Tribal Executive Branch

[REMAINDER OF PAGE LEFT BLANK INTENTIONALLY]

EXHIBIT A

**Loan Agreement and accompanying supporting documents between ANHA and Mercy
Community Capital**


**A JOINT ACTION RESOLUTION AUTHORIZING AND APPROVING A LOAN BETWEEN THE
 APSAALOOKE NATION HOUSING AUTHORITY AND MERCY COMMUNITY CAPITAL TO ENABLE THE
 COMPLETION OF A LOW-INCOME HOUSING TAX CREDIT PROJECT**

Bill or Resolution: JAR 23-03 Introduced by: Chairman White Clay Date of Vote Nov. 1, 2023

REPRESENTATIVE:

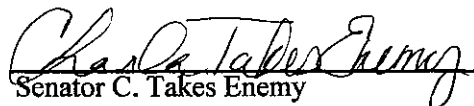
	Yes	No	Abstain
V. Pickett	X		
D. Spotted	X		
C. Other Medicine	X		
Y. Little Light, Jr			
L. Hogan III	X		
C. Meeks			
D. Don't Mix	X		
H. Small	X		
T. Gros Ventre	X		
P. Alden, Jr			
T. Plainfeather	X		
J. Kills Pretty Enemy	X		
B. Hugs	X		
N. Old Crow, Jr	X		
B. Good Luck	X		
H. MaleBear-Stone	X		
S. DeCrane	X		
<i>Speaker of the House</i>			
C. Takes Enemy	X		
<i>Secretary of the House</i>			
TOTAL	15	0	0

Result of Vote: **Passed** **Not Passed** **Tabled** **Veto-Override**



 Senator S. DeCrane
 Speaker of the House
 Crow Tribal Legislative Branch

11/1/23
 Date



 Senator C. Takes Enemy
 Secretary of the House
 Crow Tribal Legislative Branch

11-1-23
 Date