



HO-CHUNK NATION

Subject: Elder Roof Repair/Replacement	Title: Elder Roof Assistance
Scope: Department of Housing Homeownership Program and Fiscal Division	Effective Date: 03-09-17
Issuing Authority: Executive Director Department of Personnel	Responsible Official Signature: <i>[Handwritten Signature]</i>
Legislative Authority:	Policy Number:
Employment Relations Act 6 HCC § 5 4 b. (1)	DOH-HOP-03-09-17-001
Legislative Resolution 07-06-16L	

1.0 Policy Statement:

1.1 This policy will establish a process for assisting enrolled Ho-Chunk Nation Elder members with costs of roof repair/replacement by:

- 1.1.1 Determining eligibility and selection criteria for applicants seeking Elder Roof Repair/Replacement assistance.
- 1.1.2 Establish policy and procedures for the Department of Housing Homeownership Program and Fiscal Division staff to administer Elder Roof Assistance.

2.0 Purpose:

2.1 The purpose of the Elder Roof Assistance Policy is assisting Elders with critical roof repair/replacement by determining eligibility and selection criteria based upon an evaluation of the condition of the roof being repaired.

3.0 Rational and Background:

- 3.1 This policy shall carry out the delegated constitutional authority of the Executive Branch to execute and administer the laws of the Ho-Chunk Nation specifically, Legislative Resolution 07-06-16L.
- 3.2 This policy will ensure the Nation's resources are used in a reasonable and prudent manner, by addressing the critical needs for Elder roof repair/replacement.

4.0 Policy:

4.1 Eligibility

- 4.1.1 Must be an enrolled Ho-Chunk Nation member 60 years of age or older.
- 4.1.2 Elders who are in need of assistance with roof replacement must fill out an Elder Roof Repair/Replacement Application. Applications will be valid for two fiscal year funding cycles. Elder must submit application from January to April to be part of the selection for the upcoming fiscal year funding cycle.



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- 4.1.3 If funds are still available after addressing current applications; then applications received after the application deadline may be considered for roof repair/replacement.
 - 4.1.4 Applications can be obtained from the Ho-Chunk Nation website www.Ho-Chunk.com or the Department of Housing.
 - 4.1.5 Must be a home owner and provide proof of ownership by providing Warranty Deed or Land Lease.
 - 4.1.6 Must have Home Owners Insurance and provide proof of insurance by providing Home Owners insurance declaration page from insurance company.
 - 4.1.7 Elder must be the primary resident of the home and must be residing in the home at the time of service.
 - 4.1.8 Must provide copies of two (2) months of utility services to the Department of Housing.
 - 4.1.9 Elder must submit all supporting documentation for an application to be considered complete.
 - 4.1.10 Project Coordinator (PC) will verify application is complete.
 - 4.1.10.1 If application is not complete the Project Coordinator will contact applicant for additional information to complete the application.
- 4.2 Selection
- 4.2.1 The Department of Housing will coordinate the evaluation and rating of roof replacements for all applicants.
 - 4.2.2 Elders will be selected by an in-house review team of the Ho-Chunk Housing Department.
 - 4.2.3 In-house review will take place in June.
 - 4.2.4 District 1-4 will be evaluated and rated by the Department of Housing's designated staff.
 - 4.2.5 Ratings will be based on the following scale:
 - 4.2.5.1 1 (one) very poor condition- Roof life expectancy is 0-2 years
 - 4.2.5.2 2 (two) poor condition- Roof life expectancy is 3-5 years
 - 4.2.5.3 3 (three) good condition- Roof life expectancy is 6-10 years
 - 4.2.5.4 4 (four) very good condition- Roof life expectancy is 11+ years.
 - 4.2.6 District 5 will be evaluated by licensed contractor(s) with photos of roof condition with contractor's contact information.
 - 4.2.7 Only roofs ranked 1 or 2 will be considered for repair/replacement.
- 4.3 Roof Repair/Replacement
- 4.3.1 All roof replacements will be raised seam metal roofs (preferred)
 - 4.3.2 Roof repair/replacement may include the following but not limited to:
 - 4.3.2.1 Removal of old roof and disposal of material



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- 4.3.2.2 #30 felt underlayment
- 4.3.2.3 Roof ventilation
- 4.3.2.4 5 year workmanship warranty
- 4.3.2.5 Ice and water shield (where applicable)
- 4.3.2.6 Evaluation of roof deck sheathing, replace where needed
- 4.3.3 Roof Repair/replacement will not include the following:
 - 4.3.3.1 Gutter installation
 - 4.3.3.2 Exterior wall work
 - 4.3.3.3 Detached garage roofs
 - 4.3.3.4 Installation or repair of skylights
 - 4.3.3.5 Solar tubes
 - 4.3.3.6 Repair of interior structure water damage

5.0 Procedure:

- 5.1 The Department of Housing will coordinate the evaluation and rating of roof repair/replacement for all applicants.
- 5.2 In house review team will review the returned bids and recommend a contractor.
- 5.3 In house review team will forward recommendation to the Executive Director (ED) for approval.
- 5.4 PC will assist client to obtain three (3) bids by sending a request for proposal (RFP) to contractors.
- 5.5 The Department of Housing will work with the selected contractor(s) in accordance with the Ho-Chunk Nation Contract process.
 - 5.5.1 The Project Coordinator (PC) will determine if building permit and inspections are needed per the scope of work.
 - 5.5.2 Project must be compliant with necessary permits, codes and inspections.
 - 5.5.3 If project is on trust land PC will contact appropriate HCN department to verify if a building permit will be required.
 - 5.5.4 If project is on fee simple land the project coordinator will contact the municipalities to determine if building permit and inspections are required.
 - 5.5.5 Each bid needs to be signed and dated by company representative and valid for 60 days
 - 5.5.6 The Department of Housing will attempt to use Native American contractors.
 - 5.5.7 Contractors must provide a copy of their trade license.
 - 5.5.8 Selected contractor(s) are required to provide the following documentation:
 - 5.5.8.1 Current signed Construction Service Provider Agreement (SPA).
 - 5.5.8.2 Contractors W-9.
 - 5.5.8.3 Certificate of Liability Insurance.
 - 5.5.9 Project Coordinator will fill out contract cover sheet and submit to the Executive Director of Housing for approval.



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- 5.5.10 Contract will be provided to Fiscal Division Manager (FDM) to upload into the contract database.
- 5.5.11 FDM will notify and email a copy of the approved contract to the PC.
- 5.5.12 PC will notify and email a copy of the contract to the selected contractor.
- 5.5.13 PC will prepare the Draw Request for down payment and submit to the Junior Accountant (JA).
- 5.5.14 If a draw schedule is not submitted by the approved contractor, the JA will process fifty percent (50%) down and fifty percent (50%) upon completion.
- 5.5.15 Letter of satisfaction from the homeowner, and inspection if applicable is required for final payment.
- 5.5.16 JA will process the Draw Request for payment through Treasury.
- 5.5.17 PC will schedule work with contractor and client. Periodic updates to monitor progress.
- 5.5.18 PC will submit final draw and submit to Residential Construction Supervisor (RCS) for signature.
- 5.5.19 PC will give completed file to RCS for review.
- 5.5.20 RCS will give to JA to process final payment to contractor.

6.0 Attachment/Forms:

- 6.1 Employment Relations Act 6 HCC § 5 4 b. (1), page 4.
- 6.2 Legislative Resolution 07-06-16L.
- 6.3 Legislature Regular Meeting 11-08-11, pages 1, 2.
- 6.4 Elder Roof Replacement Application

7.0 Definitions:

- 7.1 Down Payment - An initial or partial amount paid.
- 7.2 Draw Request - Process used to request payment to contractor.
- 7.3 Elder- Means any individual sixty (60) years of age or more who is an enrolled Ho-Chunk Nation member.
- 7.4 Fee Simple Land - Land that is not held in trust by the United States government and is taxable.
- 7.5 Homeowner's Insurance- A comprehensive policy designed to protect the property, general liability, and other acts of God.
- 7.6 Nation- Means the Ho-Chunk Nation.
- 7.7 Project Coordinator- A designated individual on the DOH staff that assists the Approved Applicant.
- 7.8 Request for Proposal - Document that is sent to contractors that outlines the scope of work to be bid on.
- 7.5 Scope of Work - The area in an agreement where the work to be performed is described.
- 7.6 Service Provider Agreement - Legally binding contract between the Ho-Chunk Nation and contractor.



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7.7 Trust Land held in trust by the United States of America for the benefit of a federally recognized Indian tribe or a member of a federally recognized Indian tribe.

7.8 Warranty Deed – A deed that guarantees a clear title to the buyer of real property.

8.0 Policy History

03-09-17 Approved by the Executive Director Department of Personnel

CHAPTER I GENERAL PROVISIONS

1. Authority.

a. Article V, Section 2(a) of the Constitution grants the Legislature the power to make laws, including codes, ordinances, resolutions, and statutes.

b. Article V, Section 2(f) of the Constitution grants the Legislature the power to set salaries, terms and conditions of employment for all governmental personnel.

c. Article V, Section 2(h) of the Constitution grants the Legislature the power to enact all laws prohibiting and regulating conduct and imposing penalties upon all persons within the jurisdiction of the Nation.

d. Article V, Section 2(r) of the Constitution grants the Legislature the power to protect and foster Ho-Chunk religious freedom, culture, language, and traditions.

2. Purpose. This Act establishes uniform employment practices throughout the Ho-Chunk Nation in the utilization of human resources in the achievement of the desired goals and objectives of the Nation.

3. Declaration of Policy.

a. This Employment Relations Act is the official employment law of the Ho-Chunk Nation. It supersedes the Nation's Personnel Policies and Procedures Manual and all policies, rules, and regulations enacted by Legislative resolutions pertaining to the employment law of the Nation.

b. This Act is applicable to all employees of the Ho-Chunk Nation.

4. Responsibilities.

a. Department of Personnel. The *Department of Personnel Establishment and Organization Act* (1 HCC § 10) delegates to the Executive Director of the Department of Personnel the functions and authority to implement, manage, enforce, and promulgate i.e. create, establish, publish, make known and carry out the policies within this Act.

b. Departments and Units.

(1) Each department, division, or unit of the Nation, with the prior approval and consultation of the Executive Director of the Department of Personnel, may develop, implement, and revise as necessary internal procedures, operating rules and policies pertaining to the unique operational requirements of the work unit for efficient and effective performance. Advance notice of internal unit procedures and rules shall be provided to employees and must be posted in public places to serve as notice to all employees.



HO-CHUNK NATION LEGISLATURE
Governing Body of the Ho-Chunk Nation

**HO-CHUNK NATION LEGISLATURE
ESTABLISHMENT AND FUNDING OF
RESTRICTED ACCOUNT FOR
ELDER ROOF REPAIRS**

RESOLUTION 07-06-16L

WHEREAS, on November 1, 1994, the Secretary of the Interior approved a new Constitution for the Ho-Chunk Nation, formerly known as the Wisconsin Winnebago Tribe; and

WHEREAS, the Ho-Chunk Nation ("Nation") is a federally recognized Indian Tribe, organized pursuant to the Indian Reorganization Act of 1934; and

WHEREAS, Article V, Section 2(a) of the Constitution of the Nation ("Constitution") grants the Legislature of the Nation ("Legislature") the power to make laws, including codes, ordinances, resolutions, and statutes; and

WHEREAS, Article V, Section 2(b) of the Constitution grants the Legislature the power to establish Executive Departments, and to delegate legislative powers to the Executive branch to be administered by such Departments, in accordance with the law; any Department established by the Legislature shall be administered by the Executive; the Legislature reserves the power to review any action taken by the virtue of such delegated power; and

WHEREAS, Article V, Section 2(d) of the Constitution grants the Legislature the power to authorize expenditures by law and appropriate funds to the various Departments in an annual budget; and

WHEREAS, Article V, Section 2(i) of the Constitution grants the Legislature the power to negotiate and enter into treaties, compacts, contracts, and agreements with other governments, organizations, or individuals; and

WHEREAS, Article V, Section 2(l) of the Constitution grants the Legislature the power to enact laws to manage, lease, permit, or otherwise deal with the Nation's lands, interests in lands or other assets; and

WHEREAS, Article V, Section 2(r) of the Constitution grants the Legislature the power to protect and foster Ho-Chunk religious freedom, culture, language, and traditions; and

WHEREAS, Article V, Section 2(s) of the Constitution grants the Legislature the power to promote public health, education, charity, and such other services as may contribute to the social advancement of the members of the Ho-Chunk Nation; and

Executive Offices

W9814 Airport Road P.O. Box 667 Black River Falls, WI 54615

WHEREAS, the Nation's Appropriations and Budget Process Act permits the creation and establishment of special restricted use accounts in the Nation's Treasury Department, which are to be maintained separately from the Nation's General Fund; and

WHEREAS, the Legislature previously funded the Department of Housing – Elder Roof Repairs in the Fiscal Year 2016 budget; and

WHEREAS, the aforementioned expenditures have not been completed within the current fiscal year and need to be designated as a special revenue account in order to complete the project(s); and

WHEREAS, the Legislature finds it necessary and appropriate to establish a restricted account for Elder Roof Repairs; and

WHEREAS, the Legislature wishes to transfer the remaining balance of the Fiscal Year 2016 Department of Housing – Elder Roof Repairs budget to a restricted account to complete the projects;

NOW THEREFORE, BE IT RESOLVED that the Legislature, pursuant to its Constitutional authority, hereby establishes a restricted account for Elder Roof Repairs to be funded with \$7,238.00 from the Fiscal Year 2016 Department of Housing - Elder Roof Repairs budget (01.5000.670.7047), less any funds expended prior to the end of the fiscal year 2016, in order to complete projects.

CERTIFICATION

I, the undersigned, as Tribal Secretary for the Ho-Chunk Nation, hereby certify that the Legislature of the Ho-Chunk Nation, composed of 13 members, of whom 13 constituting a quorum were present at a meeting duly called and convened and held on the **6th day of July, 2016**, that the foregoing resolution was adopted at said meeting by an affirmative vote of 12 members, 0 opposed, and 1 abstaining, pursuant to the authority of Article V, Section 2(a) and (x) of the Constitution of the Ho-Chunk Nation approved by the Secretary of the Interior on November 1, 1994, and that said resolution has not been rescinded or amended in any way. I further certify that this is a verified copy of said resolution.

Kathleen Lone Tree-Whiterabbit
Kathleen Lone Tree-Whiterabbit, Tribal Secretary

7.6.16
Date



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE REGULAR MEETING - TRIBAL OFFICE BUILDING BLACK RIVER FALLS, WI NOVEMBER 8, 2011

CALL TO ORDER: Vice President Greg Blackdeer called the meeting to order at 10:05 a.m.

ROLL CALL:

President Jon Greendeer (EX)	Vice President Greg Blackdeer (P)
Rep. Susan Weber (P)	Rep. Douglas Greengrass (EX)
Rep. Andrea Estebo (EX)	Rep. James Greendeer (P)
Rep. John Holst	Rep. Hope Smith
Rep. Shelby Visintin	Rep. Greg Littlejohn (EX)
Rep. Forrest Whiterabbit (P)	Rep. Robert Two Bears (P)
Rep. Patrick Red Eagle (P)	

DETERMINATION OF QUORUM: Quorum is not established, and will have roll call again at 10:35 a.m.

ROLL CALL:

President Jon Greendeer (EX)	Vice President Greg Blackdeer (P)
Rep. Susan Weber (P)	Rep. Douglas Greengrass (EX)
Rep. Andrea Estebo (EX)	Rep. James Greendeer (P)
Rep. John Holst(P)	Rep. Hope Smith(P)
Rep. Shelby Visintin(P)	Rep. Greg Littlejohn (EX)
Rep. Forrest Whiterabbit (P)	Rep. Robert Two Bears (P)
Rep. Patrick Red Eagle (P)	

DETERMINATION OF QUORUM: Quorum is established.

OPENING PRAYER: Rep. John Holst offered a prayer.

APPROVAL OF AGENDA:

MOTION by Rep. Robert Two Bears to approve the agenda as amended to add item v. Position Statement S872, item w. FMAP Resolution, item x. Employee Appreciate under New Business. Second by Rep. John Holst. **9-0-0 Motion Carried.**

APPROVAL OF MEETING MINUTES:

MOTION by Rep. Susan Weber to approve the Legislature Meeting minutes of October 18, 2011 with corrections on page 4 to change from Marshfield Clinic to Marshfield Family Health Center, and page 8 fifth motion need second on motion. Second by Rep. John Holst. **8-0-1(Rep. Greendeer) Motion Carried.**

SUB-COMMITTEE REPORTS:

Development Committee:

MOTION by Rep. John Holst to approve the Development Committee Meeting minutes of October 20, 2011 with corrections on page 1 should be Theiding not Heating Construction in LDT Report. page 2 should be Healing Center not Juvenile Justice Center under LDT Report and on first motion add the word "they" after the word as on this motion. Second by Rep. Patrick Red Eagle. **7-1(Rep. Two Bears)-1(Rep. Weber) Motion Carried.**

Finance Committee:

MOTION by Rep. Susan Weber to approve the Finance Committee Meeting minutes of October 26, 2011 with corrections on page 5; last motion to add \$500.00 in front of the word donation. Second by Rep. John Holst. **8-0-1(Rep. Greendeer) Motion Carried.**

UNFINISHED BUSINESS:

Roof Repairs:

Myra Jo Price, Executive Director of Housing was present to discuss the Elder Roof Repair Funds. She disbursed material on Replacement Breakdown and the Classification of Need. Marie Lewis, TAU Director stated her department has been working with Elders and getting information on contractors and assisting with bids.

MOTION by Rep. Hope Smith to have the Elder Roof Repair Funds through the General Funds transferred to the Department of Housing to administer on an emergency basis. Second by Rep. Shelby Visintin. **9-0-0 Motion Carried.**

Kijire Nagu Healing Center:

Rep. John Holst stated that have been working on the progress of the Healing Center and at the point of needing the project administrator. There is a motion from the May 6, 2011 Legislative Meeting to allocate funds to set up a special revenue account for the purposes of a project administrator contract employee for the Healing Center.

MOTION by Rep. John Holst to adopt Ho-Chunk Nation resolution 11-08-11A Approval of the Ho-Chunk Nation RFP for Project Administrator. Kijire Nagu Healing Center. Second by Rep. James Greendeer. **3-5(Reps. Whiterabbit, RedEagle, Smith, TwoBears, Weber)-1(Rep. Visintin) Motion Defeated.**

MOTION by Rep. John Holst to approve the RFP for Project Administrator for Kijire Nagu Healing Center be sent out. Second by Rep. Robert TwoBears. **8-1(Rep. Weber)-0 Motion Carried.**

Agenda Amendment:

MOTION by Rep. Robert TwoBears to amend the agenda to move item C. Confirmation for the Ho-Chunk Nation Executive Director of Treasury under New Business next on the agenda. Second by Rep. Hope Smith. **9-0-0 Motion Carried.**

**Ho-Chunk Nation
Elder Roof Assistance Application**

This application is designed to be completed by the applicant in order to determine eligibility and priority rating. Failure to completely fill out and provide documentation will delay activating the applicant in the Elder Roof Assistance Program. Applications will be ranked according to the selection criteria defined within the Elder Roof Assistance Policy.

APPLICATION INFORMATION		
Applicant's Name (include Jr. or Sr. if applicable)		
Tribal Enrollment #	Date of Birth	Home Phone
Present Address (street, city, state, ZIP)		

INCLUDE WITH APPLICATION

- Must be a home owner and provide proof of ownership by providing Warranty Deed or Land Lease.
- Must have Home Owners Insurance and provide proof of insurance by providing Home Owners insurance declaration page from insurance company.
- Elder must be the primary resident of the home and must be residing in the home at the time of service.
- Must provide copies of two (2) months of utility services to the Department of Housing.
- Elder must submit all supporting documentation for an application to be considered complete.
- Elders residing in District 5 must submit contact information for 3 contractors in their area.

I certify that the information provided in this application is true and correct as of the date set forth opposite my/our signature(s) on this application and acknowledge my/our understanding that any intentional or negligent misrepresentation(s) of the information contained within this application may result in a penalty of being ineligible for the Elder Roof Assistance Program and a denial of the processing of the application and any future applications for this program.

Applicant's Signature	Date
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