



THE MILLE LACS BAND OF
OJIBWE INDIANS

Legislative Branch of Tribal Government

RESOLUTION 17-01-66-16

A RESOLUTION ADOPTING A NEW SELF-MONITORING POLICY IN COMPLIANCE WITH THE NATIVE AMERICAN HOUSING AND SELF-DETERMINATION ACT OF 1996 (NAHASDA)

- WHEREAS, the Mille Lacs Band Assembly (“Band Assembly”) is the duly-elected governing body of the Mille Lacs Band of Ojibwe (“Band”), a federally-recognized Indian Tribe; and
- WHEREAS, pursuant to 3 MLBSA § 2 (d), the Band Assembly has the power to adopt resolutions to promote the general welfare of the people of the Band; and
- WHEREAS, the Native American Housing and Self-Determination Act of 1996 (NAHASDA) assists and promotes affordable housing activities to develop, maintain, and operate housing in a safe and healthy environment on Indian reservations and in other Indian Areas for occupancy by low-income families; and
- WHEREAS, recipients of NAHASDA Indian Housing Block Grant (IHBG) funds are responsible for monitoring grant activities, ensuring compliance with applicable federal requirements, and monitoring performance goals under the Indian Housing Plan (IHP); and
- WHEREAS, § 403(b) of NAHASDA requires IHBG recipients to prepare a compliance assessment at least annually; and
- WHEREAS, the Band received IHBG funds for the current program year to support the affordable housing goals and objectives of its IHP.
- NOW, THEREFORE, BE IT RESOLVED that the Mille Lacs Band of Ojibwe acknowledges it is required to conduct an annual assessment of its adherence to NAHASDA’s applicable federal requirements through a self-monitoring process; that the self-monitoring process will be conducted by an impartial reviewer; that results of this assessment will be made accessible to the public; and that recommendations to improve areas of significant compliance deficiencies will be developed and implemented during the proceeding program year.

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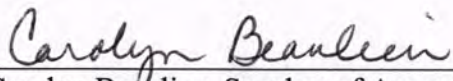
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WE DO HEREBY CERTIFY that the foregoing resolution was duly concurred with and adopted at a regular session of the Band Assembly in Legislative Council assembled, a quorum of legislators being present, held on the 24th day of March 2016 at Hinckley, Minnesota by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly hereunto cause to have set the signature of the Speaker of the Assembly.



Carolyn Beaulieu, Speaker of Assembly

OFFICIAL SEAL OF THE BAND

MILLE LACS BAND OF OJIBWE SELF-MONITORING POLICY

SECTION 1 - POLICY STATEMENT

The governing body of the Mille Lacs Band of Ojibwe (MLBO) recognizes the fact that it is responsible for establishing a self-monitoring policy and conducting compliance assessments as required by Section 403 of the Native American Housing and Self-Determination Act of 1996 (NAHASDA) and 24 CFR 1000 Subpart F, entitled "Recipient Monitoring, Oversight, and Accountability." This policy is to be utilized by the MLBO Housing Department staff to monitor and assess the activities of the MLBO Housing Department to ensure compliance with applicable Federal requirements and monitoring performance goals described in the MLBO's Indian Housing Plan (IHP).

As a NAHASDA grant beneficiary, the MLBO Housing Department is responsible for monitoring programmatic and compliance requirements of the IHP and NAHASDA. Therefore, the MLBO Housing Department will prepare periodic progress reports to submit to the MLBO Community Development Department (CMD), along with the annual assessment, the Annual Performance Report (APR), and a copy of the fiscal audit conducted.

This policy is intended to establish an easy-to-use compliance assessment system that includes self-monitoring procedures to be used by the MLBO Housing Department as a management tool in operating as a property management service.

SECTION 2 - CONDUCTING COMPLIANCE ASSESSMENTS

- 2.1. Assessors.** The Housing Advisory Board shall be responsible for conducting self-monitoring compliance assessments in accordance with this policy. The Housing Advisory Board Chairman shall assure that the assessments are conducted with an objective and impartial perspective and that no one is reviewing his or her own work.
- 2.2. Methods.** The Housing Director shall work with the compliance assessors to determine the most effective method, or combination of methods, to utilize in conducting the self-monitoring compliance assessments in accordance with this policy. Conducting the compliance assessments may be achieved via the following methods:

- A. **Interviews with Managers and Program Administrators.** The assessor shall complete self-monitoring checklists by conducting one-on-one interviews with the respective managers or administrative personnel to obtain their insights into how they adhere to specific compliance questions. The assessor shall gather a sufficient amount of corroborating information to exercise his or her judgment in determining the consistency and degree of adherence to the applicable regulatory requirements.
- B. **Standard Operating Procedures Review.** The assessor shall review the MLBO Housing Department's standard operating procedures, including all of the policies and governing documents required by NAHASDA, as well as contracts and established internal controls. The assessor shall analyze how well the staff adheres to the adopted policies and procedures. The assessor shall also select a random sample of transaction files and determine whether the documentation included and recorded in the files conform to established operating procedures. The assessor shall compile and analyze the information and answer the compliance questions on the checklist.
- C. **Filing.** The assessor shall file pertinent information and lessons learned throughout the self-monitoring compliance assessments. The previous year's self-monitoring file shall be made available to the subsequent year's assessors.

SECTION 3 - MONITORING COMPLIANCE

3.1. Monitoring Strategy and Plan.

- A. The Housing Director shall develop and complete a "Monitoring Strategy and Plan" each plan year, encompassing the following items:
- (1) The self-monitoring compliance assessments start and completion
 - (2) Frequency of conducting and completing the compliance assessments (annually, semi-annually, or quarterly).
 - (3) Procedures to resolve any identified deficiencies or concerns.

- B. The Housing Director shall provide a copy of the "Monitoring Strategy and Plan" to all staff, to the Housing Advisory Board, and to the CMD Commissioner. Any amended plans shall be distributed to the same individuals.

3.2. Areas to be Monitored for Compliance.

A. List of Areas.

- (1) APR Development and IHP Monitoring.
- (2) Organizational Control Environment.
- (3) Resident Eligibility and Service Standards.
- (4) Fiscal and Financial Management.
- (5) Procurement and Contract Administration.
- (6) Labor Standards and Construction Management.
- (7) Environmental Review.

B. Additions to List. The Housing Director may add any additional areas to the list as recommended by the governing body or by any Department of Housing and Urban Development notices, written guidance, or guidebooks.

3.3. Resolution of Noncompliance Areas and Issues.

A. Recommendations.

- (1) If deficiencies are discovered during the assessments performed in accordance with these procedures, the Housing Director shall establish a "Recommendations for Improvement Plan" to ensure resolution and prevent the deficiencies from recurring. At a minimum, this plan shall identify compliance deficiencies, the improvement target, action steps to reach the target, budget implications, and target dates for resolution.
- (2) The "Recommendations for Improvement Plan" shall be submitted to the Housing Advisory Board within 30 days of completion of the assessments.

B. Oversight Responsibility. The Housing Director shall be responsible for providing oversight to ensure that all deficiencies are corrected and for concurring on the closure of each identified agency.

3.4. Reporting.

- A. The MLBO Housing Department's self-monitoring compliance assessment activities conducted in accordance with this policy shall be summarized in a report and presented to the CMD Commissioner.

- B. The self-monitoring compliance checklist is not required to be submitted with the APR. However, to demonstrate that MLBO is in compliance with 24 CFR § 1000.502, the MLBO Housing Department shall submit a summary of its self-monitoring activities along with the APR. The Housing Department shall also complete the required responses on the APR form related to self-monitoring.