SHINGLE SPRINGS BAND OF MIWOK INDIANS
Shingle Springs Rancheria, (Verona) Tract, California
5281 Honpie Road, Placerville CA 95667
P.O. Box 1340, Shingle Springs CA 95682
(530) 676-8010 Office; (530) 676-8033 Fax

RESOLUTION 2016-24

SUBJECT: APPROVAL OF AMENDMENTS TO THE ELDER'S POLICIES AND PROCEDURES MANUAL

WHEREAS, the Shingle Springs Band of Miwok Indians (the "Tribe") is a federally recognized Indian tribe eligible for the special programs and services provided by the United States to Indians because of their status as Indians and is recognized as possessing powers of self-government; and

WHEREAS, the Shingle Springs Tribal Council is the duly-elected governing body of the Tribe and is authorized to act on behalf of the Tribe; and

WHEREAS, the Tribal Council has appointed an Elder's Committee to manage the delivery of programs and services to all Tribal Elders; and

WHEREAS, on February 11, 2016, the Tribal Council approved an amended Elder's Department Policy and Procedure Manual ("Manual"), which contains policies to serve as guidelines for the delivery of programs and services to all Tribal Elders; and

WHEREAS, the Tribal Council now desires to amend the Manual in order to clarify the procedure whereby Elder's may elect to receive the Elder's Stipend; and

WHEREAS, the Tribal Council has reviewed the amended "Elder's Department Policy and Procedure Manual," a copy of which is attached, and has found it to be consistent with the Tribe's goals for the Elder's Committee.

NOW THEREFORE, BE IT RESOLVED that the Tribal Council hereby approves the attached "Elder's Department Policy and Procedure Manual," and authorizes the Chairman or his designee to execute any and all documents and agreements necessary as may be required to give effect to the transactions, herein contemplated, and to take such other actions as may hereby be necessary and appropriate to carry out the obligations there under.

BE IT FURTHER RESOLVED, that this "Elder's Department Policy and Procedure Manual" supersedes and replaces all previous policies, ordinances or resolutions in conflict with this one.

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

CERTIFICATION

As a duly-elected official of the Shingle Springs Band of Miwok Indians, I do hereby certify that, at a meeting duly called, noticed, and convened on the 25th day of February, 2016 at which time a quorum of 7 was present, this resolution was duly adopted by a vote of 7 FOR, 0 AGAINST, 0 ABSTAINED, and said resolution has not been rescinded or amended in any form.

Chairperson — February 25, 2016 Date

ATTEST:

Secretary — February 25, 2016 Date

SHINGLE SPRINGS BAND OF MIWOK INDIANS
Shingle Springs Rancheria, (Verona) Tract, California
5281 Honpie Road, Placerville CA 95667
P.O. Box 1340, Shingle Springs CA 95682
(530) 676-8010 Office; (530) 676-8033 Fax

ELDERS DEPARTMENT
POLICIES AND PROCEDURES MANUAL

TABLE OF CONTENTS

SECTION	DESCRIPTION	PAGE(S)
I	DEFINITIONS	3
II	GENERAL OVERVIEW	6
III	ELDER'S MEAL PROGRAM	8
IV	ELDER'S PRESCRIPTION DELIVERY PROGRAM	10
V	ELDER'S APPLIANCE REPLACEMENT PROGRAM	11
VI	ELDER'S UTILITY ASSISTANCE PROGRAM	12
VII	ELDER'S PREVENTATIVE HEALTHCARE ACTIVITY PROGRAM	14
VIII	ELDER'S SUPPLEMENTAL TRAVEL PROGRAM	16
IX	ELDER'S WOOD ASSISTANCE PROGRAM	17
X	ELDER'S HOME REFURBISHING PROGRAM	19
XI	ELDER'S HOME CARE PROGRAM	21
XII	ADMISSION AND OCCUPANCY STANDARDS FOR ELDERS ASSISTED LIVING	22
XIII	HOUSING MAINTAINENCE FOR PLACEMENT HOMES	26
XIV	UTILITIES AND SERVICES FOR PLACEMENT HOMES	27
XV	INSPECTIONS FOR PLACEMENT HOMES	28

XVI	NORMAL WEAR AND TEAR VS. DAMAGES FOR PLACEMENT HOMES	30
XVII	ELDER'S STIPEND PROGRAM	32
XVIII	CERTIFICATION	34

SECTION I
DEFINITIONS

"Abandonment" shall mean vacating Elder's Assisted Living Placement Housing for a period of thirty (30) days or more without written notice to the Tribe.

"Admission" shall mean the act of entering into a written agreement with the Tribe for Elder's Assisted Living Placement Housing.

"Admission and Occupancy Standards" shall mean those requirements described within this manual necessary to fairly and equitably manage Elder's Assisted Living Placement Housing.

"Adult" shall mean person who is 18 years of age or older.

"Appliance" shall mean a type or piece of equipment designed to perform a specific task and shall include only the following: refrigerator, deep freezer, stove, microwave, dishwasher, clothes washer, clothes dryer, air conditioner, water heater, and wood pellet/log stove, furnaces, swamp coolers, fans and garbage disposals.

"Applicant" shall mean an individual who has actually turned in a complete application, including all required back up documentation, to be considered for a Program or Service.

"Bidder" shall mean the individual or organization submitting a proposal for work to be completed.

"Caregiver" shall mean a person who is compensated monetarily for providing care services to Elders and who reports their wages to the Internal Revenue Service. Although friends or relatives of the Elder may become Caregivers, they are not Caregivers until they show documentation in the forms of check stubs and tax returns. This provision is put into place to prevent financial abuse of the Elder and the Tribe by requiring that Caregivers are legitimately providing care and not just living with or accompanying their Elder relative or friend free of charge.

"Child" or "Children" shall mean person who is 17 years of age or younger.

"Consumables" include, but are not limited to, items such as batteries, light bulbs, toiletries, air or sediment filters, toilet tablets or any other item that becomes used up over time. The Tribe does not replace Consumables in Placement Homes.

"Elder" shall mean a Tribal Member who is fifty-five (55) years of age or older.

"Elder's Assisted Living Home" shall mean those Homes which are designated for Elder's with disabilities.

"Elder's Assisted Living Placement Agreement" shall describe the Placement Agreement which an Elder Occupant and the Tribe enters into describing the terms of Occupancy.

"Elder's Assisted Living Housing Placement Waiting List" shall mean the needs based waiting list for Elder's Assisted Living Modular Homes. This list is separate from any other housing waiting list.

"Full-Time" as in Full-Time Household Member or Full-Time Occupant is a person who lives in a Home more than 50% of the time.

"Guest" shall mean any person visiting Elder's Assisted Living Placement Housing who is not listed as an Occupant on the Placement Agreement.

"Head of Household" shall mean the one (1) Tribal Member Adult who enter into a Placement Agreement with the Tribe and who is solely responsible for ensuring that they and the members of their Household fulfill the obligations required under their Placement Agreement and abide by applicable Admission and Occupancy Policies for their Home.

"Home" shall mean a dwelling, owned by the Tribe, which is managed by the Tribe's Elder's Department.

"Household" shall mean all persons living within the same structure, which is not a hospital, institution or other community living center, more than 50% of the time regardless of whether they are named on a lease or deed.

"Immediate Family Member" shall include, parent, sibling, child and spouse.

"Manual" shall mean this Elder's Department and Procedure Manual.

"Occupancy" shall mean the number of Occupants that reside in a Home.

"Occupant" shall describe all persons residing within a Home for which substantiating documentation is available.

"Once in a lifetime" shall mean that the occurrence shall not be more frequent that one (1) time in the time that the Elder is alive.

"Other Housing Maintenance" is maintenance that is requested because something has become broken, has been damaged or has malfunctioned.

"Part-Time Occupant" is a person who lives in a Home less than 50% of the time. Part-Time Occupants are not counted in the calculation to determine Household size and do not affect the Occupancy limits in Elder's Assisted Living Placement Housing.

"Per Capita" shall mean those monthly payments to members of the Tribe derived from gaming revenue.

"Placement Housing" shall mean Elders Assisted Living Placement Housing.

"Regular Housing Maintenance" is maintenance that is performed periodically at regular intervals and in non-emergency situations.

"Shingle Springs Rancheria" shall mean all property held in trust by the United States for the Shingle Springs Band of Miwok Indians.

"Spouse" shall mean two individuals who are married.

"Sublet" shall mean when an Occupant charges another rent to live in their Home that they are placed in. Subletting is not allowed.

"Tribal Court" shall mean the Shingle Springs Band of Miwok Indians Tribal Court.

"Tribal Member" shall mean a single individual who is an enrolled member of the Shingle Springs Band of Miwok Indians.

"Tribal Membership" shall mean all of the individuals collectively who are enrolled members of the Shingle Springs Band of Miwok Indians.

"Elder's Department" shall mean the department responsible for the administration of Programs for Elders of the Tribe.

"Tribe" shall mean the Shingle Springs Band of Miwok Indians.

SECTION II
GENERAL OVERVIEW

(A) ELDER'S DEPARTMENT.
The Shingle Springs Band of Miwok Indians created the Elder's Department for the purpose of facilitating services for Tribal Elders. This Policies and Procedures Manual describes Programs and Services facilitated by the Elder's Department.

(B) DEPARTMENT STAFF.
The Elder's Department shall consist on the Elder's Coordinator, Elder's Building Coordinator, the Elder's Transporter and such other employees which the Tribe may deem necessary to employ. The Elder's Department may at times utilize interns or contractors and will also coordinate with other staff and departments in the course of delivering Services.

(C) BUDGET.
The Elder's Department budget is approved annually by the Tribal Council. Modifications to the approved budget may only be approved by the Tribal Council.

(D) FORMS.
Forms or other documents needed to fully implement programs may be created and revised as necessary to fully implement programs without need for amendment to this Manual.

(E) EMPLOYMENT ISSUES.
The Elder's Department staff will not interfere with any employment action or non-action of the Tribe on behalf of any Elder but may assist when requested in areas such as skill development and life skills.

(F) NO SUBSTITUTIONS.
No compensation in any form may be made to any individual in lieu the programs specified in this manual.

(G) PROCESSING TIME.
Actions which include payments may take up to seven (7) business days to process once all documentation is received.

(H) FRAUD.
Anyone found to be using false or misleading statements, omitting or misrepresenting facts or altering or forging documents to obtain eligibility, assistance or benefits will not be eligible for the Service which they are applying for.

(I) RESALE.
No Elder may re-sell any item purchased for them on their behalf without prior approval from the Elder's Committee.

(J) CONFIDENTIALITY.
Maintaining confidentiality is a requirement of being an Elder's Department staff member or contractor. All staff receives confidentiality training and signs a confidentiality statement upon hire.

(K) APPROPRIATE BOUNDARIES.
Elder's Department staff at all times must maintain appropriate boundaries and abide by certain ethics including, but are not limited to, following all applicable law, obeying all direct orders of the Tribal Council and maintaining a professional relationship with Elder's.

(L) SUSPECTED ELDER'S ABUSE.
Elder's Department staff members are required to report actual or suspected elder abuse whether physical, verbal, emotional, financial or otherwise to the proper authorities.

(M) CONFLICT OF INTEREST.
Elder's Department Staff will not be present at or be involved in the review of his/her own application or immediate family member's application for any program or service.

(N) AMENDMENTS
Amendments to this Manual, or any section herein, may be amended by a majority vote of the Tribal Council.

(O) SEVERABILITY.
If any part of this Manual is found void and without legal effect, the remainder of this Manual shall continue to remain in full force and effect, as though such part had not been contained therein.

(P) SOVEREIGN IMMUNITY.
Nothing contained within this Manual shall be construed as a waiver of the sovereign immunity of the Tribe

(P) EFFECTIVE DATE.
This Manual shall become effective upon adoption by the Tribal Council of the Shingle Springs Band of Miwok Indians.

SECTION III
ELDERS MEAL PROGRAM

(A) PURPOSE.

The Tribe established the Elders Meal Program to promote the general welfare of the elder population by assisting Tribal Elders in addressing their need for healthy meals. This section sets forth guidelines which describe how Tribal Elders may receive meals delivered and provided to them by the Tribe.

(B) ELIGIBILITY.

Meals will be provided to those individuals who meet the following requirements:

1. Is an enrolled member of the Shingle Springs Band of Miwok Indians; and
2. Is age fifty-five (55) years or older; and
3. Lives on the Shingle Springs Rancheria.

(C) SERVICES.

Tribal Members who meet the eligibility requirements may receive one (1) dinner meal per day for themselves and one (1) dinner meal per day for their spouse. Meals will not be provided for any other family member, including children. The meals will be prepared by Red Hawk Casino, or from another provider chosen and contracted by the Tribe. Meals must be delivered to the Elder's home, pick-up is not allowed. Meals will be provided up to seven days a week.

(D) REQUEST SERVICES PROCEDURE.

Elders may request to receive meals by submitting evidence of eligibility to the Elders Coordinator. Evidence of eligibility includes any combination of Tribal ID, State ID, and utility bill that evidences the applicant's enrollment in the Tribe, age and residence. Once the Elders Coordinator verifies eligibility, the Elder will be placed on the meals delivery list and begin receiving meals. A request for meal services need only be made once.

(E) CANCELATION OF SERVICE.

Elders will receive meals daily unless they cancel the service. Service may be temporarily canceled by completing and submitting the "Tribal Elders Meal Delivery Program Notification Form" to the delivery driver at least 24 hours in advance. Meals may be canceled for any duration of time.

(F) DELIVERY PROCEDURE.

1. **Days.**
   Meals will be delivered Monday through Friday, as scheduled by the Elders Coordinator. Frozen meals for Saturday and Sunday will be provided on Friday.
2. **Containers.**
   Meals are delivered in containers, which must be returned to the delivery driver on the next day's delivery in order to receive new meals. A one-to-one exchange is now in place, which means that in order to receive new meals you must return a container for each meal received. Monday's container exchange will actually be a three-to-one exchange, meaning one new container in exchange for the 3

delivered on Friday. All containers must be emptied and cleaned prior to returning them to the driver. If a meal is not consumed prior to the next delivery, the food must be stored in your own personal container as the delivery container must be returned to the driver. Elders who fail to return containers as requested may have services terminated by a majority vote of the Elders Committee.

3. **Menu.**
   Elders will routinely be provided a menu of upcoming meals. Elders who have allergies or other dietary restrictions may request a special meal accommodation from the Elders Coordinator. No other alterations will be allowed.

4. **No One Home.**
   Elders should inform the Elders Coordinator when they will not be home for a delivery. Elders must be home to receive the delivery, meals will not be left on the front porch. All issued containers must be returned on the next delivery or no further meals will be delivered. The Elders Coordinator will issue the Elder a written warning for failure to be home at time of delivery. Elders who miss five (5) or more deliveries without giving notice may have services terminated by a majority vote of the Elders Committee.

SECTION IV
ELDER'S PRESCRIPTION DELIVERY PROGRAM

(A) PURPOSE.

The Tribes Elder's Prescription Delivery Program is established to promote the general welfare of the elder population by assisting Tribal Elders in addressing their health needs. This section sets forth guidelines by which Tribal Elders and their spouses living on the Rancheria may receive assistance with delivery of his or her prescriptions.

(B) ELIGIBILITY.

Prescription drugs delivery will be provided to those individuals who meet the following requirements:

1. Is an enrolled member of the Shingle Springs Band of Miwok Indians and/or a spouse of a Tribal Elder living in the same household; and
2. Is age fifty-five (55) years or older; and
3. Lives on the Shingle Springs Rancheria; and
4. Executes and submits a signed Authorization and Release of Prescription Information and Drugs Form to the Elder's Coordinator.

(C) SERVICES.

Tribal Members and their spouses who meet the eligibility requirements may receive delivery of their prescriptions to their residence on the Rancheria. Delivery service will be provided Monday through Friday during business hours to the Elder's residence. Prescriptions shall only be delivered to an adult at the Elder's residence. Prescriptions shall not be left on the porch.

(D) REQUEST SERVICES PROCEDURE.

1. Elders may request to receive delivery of prescriptions by submitting an executed Authorization and Release of Prescription Information Form to the Elder's Coordinator.
2. The Elder's Coordinator will provide a copy of the executed Authorization and Release of Prescription Information Form to the Elder's Transporter.
3. Once the Elder has verified that his or her prescription is ready and available at the pharmacy, the Elder must call the Elder's Transporter to schedule a pick up.
4. The Elder's Transporter will pick up the requested prescription and deliver them to the Elder's residence. All deliveries must be signed for by the adult receiving the delivery.

SECTION V
ELDER'S APPLIANCE REPLACEMENT PROGRAM

(A) PURPOSE.
The Tribe established the Elder's Appliance Replacement Program to promote the general welfare of the elder population by assisting Tribal Elders in addressing their need for safe and adequate appliances. This section sets forth guidelines whereby Tribal Elders may receive financial assistance towards purchasing/repairing large household appliances.

(B) ELIGIBILITY.
Assistance under this Program shall be provided to those Applicants, regardless of location, who meet the following requirements:

1. Is an enrolled member of the Shingle Springs Band of Miwok Indians; and
2. Is age fifty-five (55) years or older; and
3. Is requesting assistance to replace/repair a household appliance that doesn't function properly or is unsafe and/or obtain an appliance that the Elder lacks; and
4. Has not already obtained assistance from the Elder's Committee for that type of appliance previously in his or her lifetime.

(C) ASSISTANCE.
Tribal Members who meet the eligibility requirements will receive once in a lifetime financial assistance in the following amount:

1. 50% towards the cost of a replacement appliance that is the same or similar make and model as the original.
2. 100% of the cost to repair the appliance, including labor costs.
3. 50% towards the cost of a new (not previously owned) appliance that is considered a standard make and model (non-luxurious).
4. 50% towards labor and installation costs for new or replacement appliances.

(D) REQUEST PROCEDURE.
All requests for assistance under this Program shall be made by submitting a completed Elder's Appliance Replacement Request Form to the Elder's Coordinator that shall include cost, make and model information for each appliance requested.

(E) REVIEW PROCEDURE.
All requests shall be reviewed by the Elder's Committee at their monthly meeting. The Elder's Committee shall determine whether the applicant meets the Program's eligibility requirements. The Elder's Committee shall inform Applicants, in writing, whether their request has been approved or denied. All determinations by the Elders Committee are final and shall not exceed the budgeted amount of $25,000 per year. Reimbursements will be issued only with approval from the Elder's Committee.

SECTION VI
ELDER UTILITY ASSISTANCE PROGRAM

(A) PURPOSE.

The Tribe established the Elder Utility Assistance Program to promote the general welfare of the elder population by assisting Tribal Elders in addressing their need for sufficient utilities. This section sets forth guidelines for which Tribal Elders may apply to receive financial assistance under the Elder Utility Assistance Program.

(B) GUIDELINES.

Assistance will be given to those Tribal members, regardless of location, who meet the following guidelines:

1. The individual is an enrolled member of the Shingle Springs Band of Miwok Indians.
2. The individual is age fifty-five (55) years or older.
3. The individual is in need of assistance.
4. The individual shows actual utility expenses by submitting a request form and current utility bills to the Elder's Committee via the Elder's Coordinator.

(C) DETERMINATION OF NEED.

1. An individual is considered to be in need of assistance if their yearly income is equal to or below the yearly median income of California. The yearly median income of California is determined by the Health and Human Services Low Income Home Energy Assistance Program's current "State Median Income Estimates," as published in the Federal Register. A determination of an Applicants need shall be made once a year.
2. An individual shall demonstrate their need for assistance by filling out the Request Form and submitting it to the Elder's Coordinator.
3. The Elder's Committee may reestablish minimum standards of living and income guidelines in order to determine need. The Elder's Committee may look for guidance from federal guidelines such as the federal poverty levels, federal earned income credit levels, and median income figures for national, state, local and/or other communities.

(D) ASSISTANCE AMOUNT.

Tribal members who meet the required guidelines may receive a maximum utility assistance of two-hundred-and-fifty-dollars ($250) per month, per household.

(E) REQUESTS PROCEDURE.

All requests for utility assistance shall be made by submitting a completed Utility Assistance Request Form and a copy of the applicant's current utility bills to the Elder's Committee for review. Request for utility assistance may be made once per month and any assistance will be paid directly to the utility provider.

(F) REVIEW PROCEDURE.

All requests shall be reviewed by the Elder's Committee at their monthly meeting. The Elder's Committee shall determine whether the request meets the Program's guidelines and inform applicants whether their request has been approved or denied. All determinations by the Elders Committee are final.

SECTION VII
ELDER'S PREVENTATIVE HEALTHCARE ACTIVITY PROGRAM

(A) PURPOSE.
The Tribe established the Elder's Preventative Healthcare Activity Program to promote the general welfare of its members by assisting Tribal Elders in learning about healthy habits and becoming engaged in preventative activities that positively affect their health. The Native Elder population is very susceptible to health problems, so it is important for them to maintain active healthy lifestyles. This section sets forth guidelines by which Tribal Elders may receive reimbursement for the cost of learning about and engaging in preventative physical fitness activities.

(B) ELIGIBILITY.
Preventative Healthcare Activity reimbursements will be provided to those applicants, regardless of location, who meet the following requirements:

1. Is an enrolled member of the Shingle Springs Band of Miwok Indians; and
2. Is age fifty-five (55) years or older.

(C) APPLICATION.
Elders wishing to apply for a Preventative Healthcare Activity reimbursement must submit an Elder's Preventative Healthcare Activity Reimbursement Form, along with the required documentation, to the Elder's Coordinator. Requests for reimbursement may be submitted no more than once a month.

(D) DOCUMENTATION REQUIREMENT.
Documentation required includes, but is not limited to, the following:

1. Copy of Tribal Photo Identification from the Shingle Springs Band of Miwok Indians which contains proof of age; and
2. Receipts evidencing the Elder is engaged in preventative healthcare activities.

(E) VENDOR REQUIREMENTS.
Vendors must be legitimate businesses. Under no circumstances will a reimbursement be made unless the applicant can provide real receipts from established businesses.

(F) REVIEW PROCEDURE.
The completed Elder's Preventative Healthcare Activity Reimbursement Form shall be reviewed by the Elder's Coordinator. The Elder's Coordinator shall determine whether the applicant, vendor and activity meet the programs eligibility requirements. If the Elder's Coordinator has questions or needs assistance he/she may refer the application to the Elder's Committee for review.

(G) NOTIFICATION.
Applicants will be mailed written notification on the status of their request within five (5) business days of the Elder's Coordinator's decision.

(H) DENIED REQUESTS.
For denied requests, the applicant will receive written notice from the Elder's Coordinator as to their reason for denial. All decisions are final.

(I) APPROVED REQUESTS.
For approved requests, the reimbursement will be issued and the Elder's Coordinator will prepare a file containing the approved application and supporting documents, which will be used to track the amount of reimbursement the Applicant has received for the calendar year.

(J) REIMBURSEMENT LIMITS.
The maximum activity reimbursement amount (cumulative) an applicant may receive is $1,200 per calendar year.

(K) ELIGIBILE ACTIVITIES.
Any activities that require an individual to engage in physical exercise are eligible for reimbursement. Eligible activities include, but are not limited to, golf, running, baseball, basketball, tennis, martial arts, yoga, water aerobics, massage and gym memberships.

(L) NON-COVERED COSTS.
Additional and incidental costs such as equipment, clothing, uniforms, transportation, gas money, mileage, food, hotels, etc. are not eligible for reimbursement.

SECTION VIII
ELDER'S SUPPLEMENTAL TRAVEL PROGRAM

(A) PURPOSE.

The Tribe established the Elder's Supplemental Travel Program in order to set forth rules governing trips organized for Tribal Elders. This Program is a supplement to, and not a replacement of the General Travel Policy.

(B) ELIGIBILITY.

Elders must meet the following requirements in order to attend trips organized by the Elders Committee:

1. Elder must be in Good Standing with the Tribe.
2. Elder must be physically able to travel.

(C) GUESTS.

If approved by the Elders Committee, Elders are allowed to bring one (1) guest, at the Committee's expense, provided the guest is in Good Standing with the Tribe and meets one of the following requirements:

1. Guest is at least 55 years of age; or
2. Guest is under 55 years of age and the legal spouse of the Elder whose guest they are; or
3. Guest is under 55 years of age and has been in a relationship for at least ten (10) years with the Elder whose guest they are; or
4. Guest is under 55 years of age and the caregiver of a disabled Elder, whose guest they are and:
    - **i.** The Elder must demonstrate that he/she is disabled by providing the Elders Coordinator with a letter from a doctor indicating that the individual is disabled, requires a full-time caregiver, and is released to travel; and
    - **ii.** An individual shall be considered a caregiver if he/she meets the definition of caregiver in *Section I Definitions.*
5. All guests must be pre-approved by the Elders Coordinator, in order to insure that they meet the above requirements.

(D) CHANGED TRAVEL DATES.

Special arrangements will not be made for travel outside of the approved trip dates set by the Elders Committee.

SECTION IX
ELDER'S WOOD ASSISTANCE PROGRAM

(A) PURPOSE.

The Tribe established the Elder's Wood Assistance Program to promote the general welfare of the elder population by assisting Tribal Elders in addressing their need for sufficient heating. This section sets forth guidelines which describe how Tribal Elders may apply to receive financial assistance under the Elder Wood Assistance Program.

(B) GUIDELINES.

Assistance will be given to those Tribal Members, regardless of location, who meet the following criteria:

1. The individual is an enrolled member of the Shingle Springs Band of Miwok Indians; and
2. The individual is age fifty-five (55) years or older; and
3. The individual is in need of assistance; and
4. The individual's wood burning device is in compliance with applicable codes; and
5. The individual submits a request form to the Elder's Committee via the Elder's Coordinator.

(C) DETERMINATION OF NEED.

1. An individual is considered to be in need of assistance if their yearly income is equal to or below the yearly median income of California. The yearly median income of California is determined by the Health and Human Services Low Income Home Energy Assistance Program's current "State Median Income Estimates," published in the Federal Register. A determination of applicants need shall be made once a year.
2. An individual shall demonstrate their need for assistance by filling out the Request Form and submitting it to the Elder's Coordinator.
3. The Elder's Committee may reestablish minimum standards of living and income guidelines in order to determine need. The Elder's Committee may look for guidance from federal guidelines such as the federal poverty levels, federal earned income credit levels, and median income figures for national, state, local and/or other communities.

(D) ASSISTANCE AMOUNT.

Tribal members who meet the required guidelines may receive a maximum of two (2) cords of wood per year. The wood will be provided all at once, unless the Tribal member lives on the Tribe's Rancheria.

(E) REQUESTS PROCEDURE.

All requests for wood assistance shall be made by submitting a completed Request Form along with any required documentation to the Elder's Committee for review. Request for wood assistance may be made once per year.

(F) REVIEW PROCEDURE.

All requests shall be reviewed by the Elder's Committee at their monthly meeting. The Elder's Committee shall determine whether the request meets the Program's guidelines and inform applicants whether their request has been approved or denied. All determinations by the Elders Committee are final.

SECTION X
ELDER'S HOME REFURBISHING PROGRAM

(A) PURPOSE.
The Tribe established the Elder's Committee Home Refurbishing Program to promote the general welfare of the elder population by assisting Tribal Elders in addressing their need for safe and adequate housing. This section sets forth guidelines by which Tribal Elders may have their residence on the Rancheria refurbished/constructed by the Tribe.

(B) ELIGIBILITY.
Services will be provided to those applicants who meet the following requirements:

1. Is an enrolled member of the Shingle Springs Band of Miwok Indians; and
2. Is age fifty-five (55) years or older; and
3. Has a land assignment or lease on the Shingle Springs Rancheria; and
4. Does not have a Home built on his/her land assignment/lease; or
5. The Home built on his/her land assignment/lease is in need of major repairs because it is unsafe or unsanitary; and
   The Home is his/her primary residence.
6. Submits an application by February 1 of the year applying.

(C) SERVICES.
Tribal Members who meet the eligibility requirements may receive up to $50,000 over the course of their lifetime towards either repairs to their residence or construction towards a new residence. The repairs/construction will either be provided by the Tribe or from another provider chosen and contracted by the Tribe. Reimbursements will not be issued to Tribal members who acquire the services themselves. The Elder's Committee will only pay the replacement cost for items of equal value. Any upgrades must be purchased by the Elder his/herself. The Elder's Committee shall have discretion to choose the number of approved applicants per year up to $150,000 per year.

(D) REQUEST PROCEDURE.
All requests for services shall be made prior to February 1 by submitting the following documents to the Elder's Coordinator:

1. A completed Elder's Home Refurbishment Request Form; and
2. An itemized list of repairs/construction contemplated in the request; and
3. Documentation evidencing need for repairs, including but not limited to; photos, estimates or statements from contractors/repairman.

(E) REVIEW PROCEDURE.
All requests shall be reviewed by the Elder's Committee at their February meeting. The Elder's Committee shall determine whether the applicant meets the Program's eligibility requirements. The Elder's Committee shall award assistance on a needs basis in accordance with Section (F) below. The Elder's Committee shall inform applicants, in writing, whether their request has been approved or denied and if approved the amount of money toward services awarded. All determinations by the Elders Committee are final.

(F) PRIORITY OF ASSISTANCE.

Assistance shall be issued to Elders based on the following priority list:

1. Elders whose homes are uninhabitable or pose an immediate health/safety risk.
2. Elders who have not received prior home refurbishing assistance from the Tribe.
3. Elders who are sick, disabled, or otherwise unable to physically perform repairs.
4. Elders who are financially unable to afford the repairs themselves.
5. Elders who have children residing with them.
6. All other Tribal Elders.

SECTION XI
ELDER'S HOME CARE PROGRAM

(A) PURPOSE.
The Tribes Elder's Home Care Program is established to promote the general welfare of the elder population by assisting Tribal Elders in addressing their need for home care and companionship. This section sets forth guidelines to set forth guidelines by which Tribal Elders may receive home care services provided by the Tribe.

(B) ELIGIBILITY.
Home care services will be provided to those applicants, regardless of location, who meet the following requirements:

1. Is an enrolled member of the Shingle Springs Band of Miwok Indians; and
2. Is age fifty-five (55) years or older; and
3. No one under the age of fifty-five (55) years old resides with the applicant; and
4. Is homebound; or
5. Has a major health condition, which limits his or her activity (as certified, in writing, by a doctor.)

(C) SERVICES.
Tribal Members who meet the eligibility requirements may receive up to three (3) hours of home care services up to five (5) days a week from a provider chosen and contracted by the Tribe. The Elder's Committee shall choose the home care services provided. The individual shall apply for the specific series needed which may include, laundry, housekeeping, meal preparation, and companionship services.

(D) REQUEST PROCEDURE.
All requests for home care shall be made by submitting a completed Elder's Home Care Request Form, along with a Doctor's certification of a major health condition, if applicable, to the Elder's Coordinator. A request for home care services must be made once per year.

(E) REVIEW PROCEDURE.
All requests shall be reviewed by the Elder's Committee at their monthly meeting. The Elder's Committee shall determine whether the applicant meets the Policies eligibility requirements. The Elder's Committee shall inform applicants, in writing, whether their request has been approved or denied and which home care services will be provided. All determinations by the Elders Committee are final.

(F) CONFLICT OF INTEREST.
No one may not be present at or be involved in the review of his/her own application or immediate family member's application. For purposes of this Program, immediate family members include, parent, sibling, and child.

SECTION XII
ADMISSION AND OCCUPANCY STANDARDS FOR ELDERS ASSISTED LIVING

(A) PURPOSE.

The Tribe created Admission and Occupancy Standards for Elders Assisted Living Placement Housing to describe procedures which the Tribe uses to fairly and equitably manage Elders Assisted Living Placement Housing. In addition to the requirements set forth in this section, additional requirements apply if housing is funded by sources outside of the Tribe.

(B) ELIGIBILITY FOR ADMISSION.

In addition to the eligibility requirements stated in Section II (C), the following eligibility requirements must be met in order for Admission into Elders Assisted Living Placement Housing:

1. The Head of Household must:
- **i.** Be an enrolled member of the Tribe; and
- **ii.** Be fifty-five (55) years of age or older; and
- **iii.** Complete the Application for Elders Assisted Living Placement Housing.
- **iv.** Have not have been previously been Evicted from Tribal Housing; and
- **v.** Have not have previously Abandoned Tribal Housing; and
- **vi.** Must be current in their payment plans if they owe a debt to the Tribe; and
- **vii.** Must not be banned from Tribal Land; and
- **viii.** Must not be subject to a lifetime registration requirement under any State or Federal sex offender registration program; and
- **ix.** Must not own a dwelling that could be used as their residence.

(C) APPLICATION SUBMISSION AND REQUIREMENTS.

1. Applicants must fill out, complete and turn-in an Application for Elders Assisted Living Placement Housing.

2. Applicants are always required to turn in the following documentation:
- **i.** Photo identification for each Adult in the Household. Acceptable forms of Photo Identification are: State issued driver's licenses or identification cards, United States military identification cards, Tribal identification cards from federally recognized Indian Tribes or United States passport; and
- **ii.** Shingle Springs Band of Miwok Indians Identification Cards for each Household Member who is a Tribal Member; and

3. Applicants may be required to turn in documentation from a medical doctor if requesting structural modifications to the Home to accommodate a disability.

4. All entries on applications are to be made in blue or black ink or typed in.

5. Use of white-out is prohibited on the application or supporting documentation.

6. Corrections or changes on the applications are to be made by lining through the original entry and entering the correct data. Such changes are to be dated and initialed by the person recording the change.

7. Supporting documentation must not contain alterations in any form.

8. Supporting documentation having more than one page in the series must contain all pages.

9. Hand written notes cannot be used as supporting documentation.
10. All supporting documentation must contain the letterhead from the business from which it came.

(D) APPLICATION REVIEW.

1. Immediately upon receiving an application the staff member who receives it will document the exact date and time it was received on the application.
2. Staff will check to ensure that all required documentation is present.
3. Within ten (10) business days staff will compose a letter to the Applicant which will inform them that their application is either:
   - **i.** Complete. Applicant will be added to the Elders Assisted Living Placement Housing Waiting List and their position on the list will be told to them in the letter.
   - **ii.** Incomplete. The application will be sent back to the Applicant with a detailed list of required documentation needed. The Applicant will not be placed on the Elder's Placement Housing Waiting List.
   - **iii.** Ineligible. The Household does not meet eligibility criteria or does not conform to application requirements. An explanation of the specific cause of ineligibility will be included in the letter.
4. All applications will be kept for a period of seven (7) years at minimum.
5. All applications, whether complete, incomplete or ineligible, will be kept in a locking file cabinet, in a locked office, in a locked building when not in use and/or unattended.

(E) ELDERS ASSISTED LIVING PLACEMENT HOUSING WAITING LIST.

1. The Elders Assisted Living Placement Housing Waiting List is a distinct separate list from the Rental Housing Waiting List.
2. The Elders Assisted Living Placement Housing Waiting List is comprised of all completed applications for Elders Assisted Living Placement Housing.
3. Applications are added to the Elders Assisted Living Placement Housing Waiting List on the date they are received by the Elders Department completed regardless of the date the Applicant writes on the application.
4. Placement on the Elders Assisted Living Placement Housing Waiting List is based on need as determined in the Elder's Assisted Living Placement Housing Priority Determination process.
5. Elders Department may only remove an application off of the Elders Assisted Living Placement Housing Waiting List prior to Admission for the following four (4) reasons:
   - **i.** A circumstance arises which causes the Applicant Head of Household to no longer be eligible to reside in Placement Homes; or
   - **ii.** The Applicant receives a land assignment on the Shingle Springs Rancheria and is no longer is in need of Elders Assisted Living Placement Housing; or
   - **iii.** The Applicant secures Admission into Rental Housing instead and is no longer is in need of Elders Assisted Living Placement Housing; or
   - **iv.** The Applicant Head of Household dies.

6. Any Applicant may remove themselves from the Elders Assisted Living Placement Housing Waiting List voluntarily by doing so in writing.
7. The Elder's Department may not disclose to any person any information about any person on the Elders Assisted Living Placement Housing Waiting List.
8. **Priority is based on points. Under no circumstances will any Applicant with less priority skip over any other Applicant with more priority to receive housing.** Everyone needs and deserves housing. The Elders Department may not change list placement to accommodate Applicants who feel they are more entitled to housing than others.
9. Persons already in Rental Housing or Elders Assisted Living Placement Housing do not have priority over those on the list when Homes become available. They must turn in an application like everyone else.

(F) RESIDENT SELECTION.

1. Selection for available Elders Assisted Living Placement Housing will start with the Applicant with the highest score on the Elder's Assisted Living Placement Housing Priority Determination Form.
2. Once a Home becomes available the Elder's Department will contact the Applicant with the highest priority on the list to ensure their Household circumstances have not changed.
3. The Applicant will receive an Offer for Placement which shall contain the following information about the Home:
   - **i.** Address; and
   - **ii.** Number of bedrooms.
4. At that time the Applicant has the choice to accept the Offer for Placement or decline it. The Applicant may ask to view the housing. The Applicant must make a decision to accept the offer to be placed or decline it within five (5) business days or it will be an automatic declination and an offer to be placed will be made to the next individual on the list.
5. Applicant must take possession of the Home within thirty (30) days of receiving an Offer for Placement. If unable, the Home will be offered to the next person eligible.
6. Applicants do not lose their place on the Elders Assisted Living Placement Housing Waiting List if they decline to occupy a Home for which they qualify.

(G) OCCUPANCY.

1. A Placement Home may only house the following individuals:
   - **i.** Elder Head of Household who is a Full-Time Occupant. An individual is considered a Full-Time Occupants if they reside in the home fifty percent (50%) of the time or more; and
   - **ii.** Spouse of Elder Head of Household regardless of that persons age. This person may or may not reside in the Home Full-Time; and
   - **iii.** Caregiver of Elder regardless of that persons age. This person may or may not reside in the Home Full-Time.
2. For the peaceful enjoyment of all residents Children may not reside in Placement Homes without specific written approval from the Elder's Committee.

3. The Head of Household must notify the Elder's Department when someone moves in or out of the Home.
4. The Head of Household must update the Tribe about their Caregiver(s) when there is a change.
5. Extra individuals cannot just move in; they must be added to the Placement Agreement.

(H) CAREGIVERS.

Caregivers are persons who are compensated monetarily for providing care services to Elders. Although friends or relatives of the Elder Head of Household may become Caregivers, they are not eligible to reside in a Placement Home unless they declare their wages to the Internal Revenue Service. Documentation in the form of a tax return must be provided yearly. This provision is put into place to prevent Elder financial abuse by requiring that Caregivers are legitimately providing care and not just living with their Elder relative or friend free of charge.

(I) EVICTION.

1. Residents who violate their Elders Assisted Living Placement Agreement will be warned of their non-compliance. If non-compliance is not corrected within three (3) days, eviction procedures will proceed and the Elder's Department will serve a 30 Day Notice to Vacate.
2. The Tribal Council reserves the right to evict any resident of a Placement Home at any time with or without notice at their discretion.

(J) DEATH OR ABANDONMENT.

In the event that the Head of Household dies or Abandons a Placement Home, the Tribe shall first determine if there is another Occupant who meets the eligibility requirements to become Head of Household.

1. If there is another eligible Adult, the Tribe shall immediately arrange a meeting with that individual to determine if they wish to remain in the Home, and, if so, sign a new Placement Agreement naming them Head of Household.
2. If there is not another eligible Adult Occupant, the remaining Occupants will be served a 30 Day Notice to vacate.

(K) TEMPORARY RESIDENT.

Any resident who intends to occupy the home temporarily rather than permanently will be charged rent of $100 per month which will be stored to pay for damages and repair upon move out.

(J) MAINTENANCE FEE.

Beginning on January 1, 2016, the Elder Head of Household for each Placement Home will be charged a monthly maintenance fee of $200.

SECTION XIII
HOUSING MAINTENANCE FOR PLACEMENT HOMES

(A) HOUSING MAINTENANCE.

There are two types of housing maintenance:

1. Regular Housing Maintenance is maintenance that is performed periodically in non-emergency situations. This includes, but not limited to, spraying for pests, maintaining wood and pellet stoves, maintaining central heat and air systems, etc.
2. Other Housing Maintenance is maintenance that is requested because something has become broken, has been damaged or has malfunctioned. This includes, but is not limited to, all types of leaks, floods, fires, damages, etc. This type of maintenance must be evaluated on a case by case basis to determine the cause. If damage is caused by negligence the Occupant will be responsible for the cost of repair.

(B) MAINTENANCE REQUEST.

To request that Other Housing Maintenance to be completed an Occupant must complete a Maintenance Request Form. No maintenance will be completed until a Maintenance Request Form has been received. Requests in writing are required to ensure there is an accurate record regarding maintenance performed.

(C) CONSUMABLES.

It is the Occupants responsibility to replace Consumables. Consumables include, but are not limited to, items such as batteries, light bulbs, toiletries, air or sediment filters, etc.

(D) PREPARATION FOR MAINTENANCE.

It is the Occupants responsibility to prepare their Home for maintenance. This may include moving items or cleaning. It is not the Tribe's responsibility to perform Occupant's general cleaning responsibilities or move their furniture. The Tribe's staff will not for instance fix kitchen sinks full of dishes, fix toilets or tubs in bathrooms that are unsanitary, work in spaces crowded by garbage or move Occupants possessions for them in order to paint or install flooring. If unable to prepare for maintenance due to disability please contact the Elder's Department in advance to make arrangements.

SECTION XIV
UTILITIES AND SERVICES FOR PLACEMENT HOMES

(A) UTILITIES/SERVICES FOR WHICH THE TRIBE IS RESPONSIBLE.
The following utilities are covered (when applicable):

1. Water
2. Maintenance of wells
3. Basic residential garbage service
4. Sewer
5. Maintenance of grinder pumps and leech fields
6. Internet
7. Exterminator
8. Pool or spa maintenance
9. Removal of hazardous trees and brush
10. Creation and maintenance of defensible space
11. Maintenance of stoves and fireplaces

(B) UTILITIES/SERVICES FOR WHICH THE OCCUPANT IS RESPONSIBLE.
The following utilities and services are not covered automatically but may be covered through some Tribal Programs:

1. Cable or satellite TV
2. Land line telephone services
3. Dump runs
4. Electricity
5. Propane
6. Landscaping
7. Insurance

SECTION XV
INSPECTIONS FOR PLACEMENT HOMES

(A) MOVE-IN INSPECTION.
To avoid disputes over damage, before move-in the Occupant shall inspect the Home thoroughly and note all problems in writing on the Inspection Check List. Both the Occupant and the Elder's Department shall sign and date the list.

(B) MOVE-OUT INSPECTION.
At the end of the tenancy, the Occupant should again inspect the premises with the Elder's Department present, discuss any damage, and check any problems found against the move in check list.

(C) BI-ANNUAL INSPECTION.
Bi-annual inspections of each Home will be conducted. The inspections will occur in January and July.

(D) INSPECTION RESULTS.
The results of the inspection will be kept in the housing file and a copy delivered in person to the Head of Household.

(E) MAINTENANCE ISSUES.
Maintenance issues revealed upon inspection will be compiled for all Placement Housing collectively and fixed in the following order:

1. Maintenance required ensuring health and safety
2. Water leaks
3. Maintenance required improving energy efficiency
4. Other maintenance

(F) MAINTENANCE STANDARDS.
The following standards must be adhered to and require immediate repair once notified in writing if below standard:

1. All sinks must work and have both hot and cold water
2. All toilets must flush and not run
3. All baths and showers must work and have both hot and cold water
4. All floors must have covering (tile, carpet, linoleum, etc.) except for basements
5 All floors shall be free of broken joists
6. All floors shall be level and be flush with base boards
7. All walls and ceilings must have covering (drywall, paneling, etc.)
8. All roofs must not leak
9. All roofs must have shingles, paneling, tiles or another covering
10. All exteriors must have excellent structural integrity and must not be damaged by mold, pests, birds or otherwise
11. All windows must be double pane or better
12. All double pane windows must have intact seals
13. All doors must lock properly

14. All doors must contain intact weather stripping
15. All central air must work properly
16. All central heat must work properly
17. All swamp coolers must work properly
18. All fans must work properly
19. All stoves (pellet, wood burning, etc.) must work properly
20. All blowers must work properly
21. All decks and exterior stairs must be stable
22. All out buildings (sheds, barns, etc.) shall have excellent structural integrity and be secure as not to allow birds and animals to enter
23. All exterior and interior light fixtures must work properly
24. All door bells must work properly
25. Smoke detectors must be present
26. All garage door openers must work properly
27. All driveways must be paved
28. All outlets must work properly
29. All windows must have screens
30. All sliding door tracks must not be damaged
31. All cabinets must open and close properly
32. All drawers must open and close properly
33. All dishwashers shall work properly
34. All driveways must be paved

(G) APPLIANCES AND FIXTURES.

1. The following appliances and fixtures shall be included in each Home:
   - **i.** Refrigerator
   - **ii.** Washer
   - **iii.** Dryer
   - **iv.** Stove
   - **v.** Sink
   - **vi.** Shower
   - **vii.** Toilet
2. If the Occupant would like to bring their own appliance they may do so. The Tribe will remove the Tribe's appliance for use elsewhere.
3. The Elder's Department will work with the Environmental Department when disposing of appliances to ensure that disposal is performed in an environmentally friendly manner.

SECTION XVI
NORMAL WEAR AND TEAR VS. DAMAGES FOR PLACEMENT HOMES

(A) NORMAL WEAR AND TEAR.

Normal wear and tear includes deterioration of the Home that occurs during normal conditions. For example, paint may fade, electrical switches may wear out and break, pull strings on blinds may fray or break, carpet and tile may wear down. These things happen even if the Occupant cleans regularly and cares for the premises reasonably.

(B) DAMAGE.

Damage occurs from unreasonable use or accidents. Damage can include extreme build-up of dirt, mold, etc., stains on carpets, and broken windows. Even intentional alterations to the premises are considered damage. For example, the Occupant cannot leave large holes in the walls from shelving or hanging pictures.

(C) NORMAL WEAR AND TEAR VS. DAMAGES.

The following list is intended as a guide to reasonable interpretation of the differences between expected wear and tear from normal residential use and irresponsible or intentional actions that cause damage to property.

NORMAL WEAR AND TEAR	DAMAGE
Worn out keys	Lost keys
Loose or stubborn door lock	Broken or missing locks
Loose hinges or handles on doors	Damage to a door from forced entry
Worn carpeting	Torn, stained or burned carpeting
Carpet seam unglued	Rust or oil stains on carpet
Scuffed up wood floors	Badly scratched or gouged wood floors
Linoleum worn thin	Linoleum with tears or holes
Worn countertop	Burns and cuts in countertop
Stain on ceiling from rain or bad plumbing	Stain on ceiling from overflowed tub, toilet or sink
Plaster cracks from settling	Holes in walls from kids or carelessness
Faded, chipped or cracked paint	Writing on the walls
Loose wallpaper	Ripped or marked-up wallpaper
Heat blistered blinds	Blinds with bent slats
Dirty window or door screens	Torn or missing screens
Foggy window	Broken window
Loose or inoperable faucet handle	Broken or missing faucet handle
Toilet runs or wobbles	Broken toilet seat or tank top
Urine odor around toilet	Urine or pet odor throughout Home
Closet bi-fold door off track	Damaged or missing bi-fold door
Window screens have holes	Window screens are missing

Nail or pin holes in walls	Holes in walls larger than 1 inch
Light fixtures wobbly or chipped	Light fixtures cracked or missing
Refrigerator is dusty	Refrigerator is dirty and smells bad
Washing machine is off balance	Washing machine is missing
Dryer stops working	Dryer is missing
Doors close incorrectly/off balance	Door missing or has fist holes

(D) USEABLE LIFE.

Useable Life is the amount of time a feature in the Home should last. The following list is intended as a guide to describe how long common housing features should last.

FEATURE	USEABLE LIFE
Dryer	5
Washer	5
Refrigerator	5
Range (both electric or gas)	10
Garbage disposal	5
Dishwasher	10
Carpet	5
Linoleum	5
Vinyl tile	5
Paint	5

(E) ASSESSMENT OF DAMAGES.

Following tenancy, the Elder's Department will inspect the Home for damages. The Resident will not be charged for normal wear and tear and will not be charged for damage to items that have reached their useable life. Residents will be charged however for a percentage of the cost of repair or replacement for items that are damaged which have not reached their useable life.

For instance if a Resident has brand new carpet and lives in the Home for one (1) year and damages the carpet they will be charged 80% of the cost of replacing or repairing the carpet.

If the Resident moves into a Home with two (2) year old carpet and lives in the Home for two (2) years and then damages the carpet, they will be charged 20% of the cost of repairing or replacing the carpet.

SECTION XVII
ELDER'S STIPEND PROGRAM

(A) PURPOSE.

The Tribe establishes the Elder's Stipend Program in order to promote the general welfare of the elder population and assist them as they transition from full-time employment. Therefore, a stipend will be available to financially assist Elders with housing, food, clothing and transportation costs. This section sets forth guidelines by which Tribal Elders may receive the Elder's Stipend.

(B) ELIGIBILITY.

Services will be provided to those applicants who meet the following requirements:

1. Is an enrolled member of the Shingle Springs Band of Miwok Indians; and
2. Is age fifty-five (55) years or older; and
3. Is neither an employee nor an independent contractor of the Tribe or any of its entities. This shall not apply to elected officials employed in his or her official capacity. Receiving a Tribal Council, Board or Committee honorarium or stipend does not qualify an individual as an employee or independent contractor of the Tribe for purposes of this policy.
4. Signs the portion of the application form waiving his or her rights to Tribal member per capita payments under the Tribe's Revenue Allocation Plan and Per Capita Policy.

(C) STIPEND.

Tribal Members who meet the eligibility requirements may receive a stipend in the amount of $5,000 per month to assist with housing, food, clothing and transportation costs. Whereas, the median income in California is approximately $70,000 per year, and the Tribe determines that a $5,000 a month Stipend for retired Elders is neither lavish nor extravagant. The Tribe's Finance Department will issue recipients the Stipend in the form of a check or direct deposit on or before the first of each month.

(D) APPLICATION.

Elders wishing to apply for the Elder's Stipend must submit a completed copy of the "Elder's Stipend Application Form," along with any required documentation, to the Elder's Coordinator.

(E) DOCUMENTATION REQUIREMENT.

Documentation that that must be submitted along with the Application includes, but is not limited to, the following:

1. Copy of Tribal Photo Identification issued by the Shingle Springs Band of Miwok Indians evidencing age and Tribal membership; and
2. Letter from the Tribal Administrator certifying that the individual is not an employee or independent contractor of the Tribe or any of its entities.

(F) REVIEW PROCEDURE.

The Tribal Administrator shall review all applications in order to insure the applicant meets the Program's eligibility requirements. If the applicant meets the requirements then the Tribal Administrator shall approve the application. If the applicant fails to meet the requirements then the Tribal Administrator shall deny the application and provide the applicant with the reason for the denial, in writing. All determinations by the Tribal Administrator are final.

(G) NOTIFICATION

Within five (5) days of their decision, the Tribal Administrator shall inform applicants, in writing, whether their application has been approved or denied.

(H) INELIGIBILITY FOR OTHER SERVICES

Individuals receiving the Elder's Stipend are ineligible to receive the Elder's Utility Assistance, Preventative Healthcare Activity Assistance, or Wood Assistance. Any assistance received under these programs, while receiving the Elder's Stipend, must be repaid to the Tribe.

(I) TERMINATION OF SERVICES

Any individual found to no longer meet the eligibility requirements shall be immediately terminated from the Elder's Stipend Program.

(J) TAXES

The Elder's Stipend Program is a program that is designed to comply with Section 139E of the Tribal General Welfare Exclusion Act, which excludes assistance under certain Tribal programs from being considered gross income by the IRS. However, the Tribe makes no guarantee as to the potential tax liabilities for receiving the Elder's Stipend.

(K) LIFETIME ELECTION

Electing to receive the Elder's Stipend is a lifetime election. All potential rights to per capita payments, Elder's Utility Assistance, Elder's Preventative Healthcare Activity Assistance, and Elder's Wood Assistance are permanently waived by electing to receive the stipend. Individuals may not opt out of the Elder's Stipend Program.

(L) PROCESS FOR TRANSITION FROM PER CAPITA TO ELDER STIPEND

1. Elders who elect to receive the Elder's Stipend prior to the 20th day of the month, in which the election was made, shall receive the Elder's Stipend that month and no per capita payments for that month.
2. Elders who elect to receive the Elder's Stipend on or after the 20th day of the month, in which the election was made, shall receive a per capita payment that month and no Elder's Stipend for that month. The Elder Stipend will then begin the first day of the following month.

SECTION XVIII
CERTIFICATION

As a duly-elected official of the Shingle Springs Band of Miwok Indians, I do hereby certify that, at a meeting duly called, noticed, and convened on the 25th day of February 2016 at which time a quorum of 7 was present, this policy was duly adopted by a vote of 7 FOR, 0 AGAINST, 0 ABSTAINED, and said policy has not been rescinded or amended in any form.

Tribal Council Chairperson — February 25, 2016
Date

ATTEST

Tribal Council Secretary — February 25, 2016
Date