

**OGLALA LAKOTA HOUSING AUTHORITY (OLHA)  
BOARD OF DIRECTOR QUALIFICATIONS AND ELECTION PROCEDURES**

**Mission: *Exercising our sovereign and treaty rights, OLHA works with communities in a culturally appropriate manner to provide safe, sanitary, and affordable housing to Oglala Sioux Tribal members on the Pine Ridge Indian Reservation.***

**Background:** In 1960, the Oglala Sioux Tribe formed the Oglala Lakota Housing Authority (previously named “Oglala (Sioux) Lakota Housing”), which made it the first tribally designated housing entity (TDHE) in the United States and the first public housing authority in South Dakota. In response to the U.S. Congress enacting the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA), on February 9, 1998, the Oglala Sioux Tribal Council enacted Ordinance 98-07, which amended OLHA’s Charter to “better and more appropriately address housing needs on the Pine Ridge Reservation.” The Tribal Council last amended OLHA’s Charter under Ordinance on September 30, 2020 to refine OLHA’s mission and purpose.

1. Remediating unsafe and unsanitary housing conditions that are injurious to public health, safety, and morals;
2. Alleviating the acute shortage of decent, safe and sanitary dwellings for persons of low income; and
3. To assist persons of all income levels to obtain good and decent housing at a fair and reasonable cost.

A secondary purpose of OLHA is to provide employment and economic development opportunities through the construction, reconstruction, improvement, extension, alteration, or repair and operation of housing.

**Board of Director’s Duties:**

Under the Charter, the BOD duties include, but shall not be limited to:

1. Establishing written OLHA policies.
2. Monitoring for compliance with policies, laws, regulations, and contractual obligations.
3. Designating areas of program activities.
4. Establishing organizational goals.
5. Ensuring proper financial accounting and maintain fiscal stability.
6. General oversight of the OLHA.

7. Other duties as officers of the organization.

Under the Charter, the BOD shall not:

1. Administer or manage OLHA's program activities.
2. Hire or fire administrative personnel.
3. Make contracting or procurement decisions except as expressly authorized by OLHA's Procurement Policy, Charter, and By-Laws.
4. Be involved in the selection of housing assignments or individuals selected to participate in any OLHA programs or housing assignments from eligible applicants on the waiting list who are in compliance with OLHA requirements.
5. Run the day-to-day activities of the OLHA.
6. Interfere with the management, administration, or program decisions of the OLHA. This means that Board members shall not, in their individual capacity, refrain from directing, managing, and influencing the activities of OLHA and its staff.

**Board Composition:** The Board of Directors shall consist of a 9-member Board made up of enrolled Tribal members who represent each of the 9 political districts of the Oglala Sioux Tribe. They shall reside in the respective district from which they are elected.

**BOC Terms:** Starting on December 1, 2024, the BOC shall serve on staggered terms. After the initial terms, all subsequent terms shall be for four (4) years.

The initial terms starting on December 1, 2024 shall be as follows:

- Four (4) Board members shall be elected to serve a two (2) year term; and
- Five (5) Board members shall be elected to serve a four (4) year term.

**Qualifications:** Candidates must meet the following qualifications before they are approved to be placed on the 2024 Oglala Sioux Tribe general election ballot.

**Candidates must:**

1. Be a resident in the political district in which they are running for office.
2. Have one (1) or more years of experience at least three (3) of the following areas:
  - a. Housing management;
  - b. Financial management;
  - c. Business management;

- d. Policy development;
  - e. Social service programs; and
  - f. Grants management or knowledge of NAHASDA and federal housing regulations.
3. Have at a minimum, an associate's degree from an accredited institution or eight (8) years of relevant working experience.
  4. Have the character and moral fitness necessary to discharge the fiduciary duty, duty of trust, and duty of loyalty to the OLHA:
    - **Fiduciary Duty** means a duty of utmost good faith, trust, confidence, and candor related to any and all financial affairs of the OLHA.
    - **Duty of Trust** means the BOD is held to an objective standard of care in managing OLHA organizational affairs, and property, including showing impartiality, no comingling of OLHA and individual property.
    - **Duty of Loyalty** means an undivided allegiance and duty of faithfulness to the OLHA. The best interest of OLHA must prevail over any individual interest, and the use of the position as a Board member, or information gained through such position for any personal benefit is prohibited. A Board member must avoid, disclose and resolve any conflicts of interest.

**Candidates must not:**

1. Be a current resident of OLHA housing. Must not owe any money to OLHA or have an OLHA rental delinquency. If the candidate has lived in OLHA-owned housing in the past, then their tenancy must have ended in good standing with the OLHA.
2. Have active litigation against OLHA in any capacity.
3. Have been employed, or a contractor of OLHA within 3 years preceding the date of the election. If the candidate was previously employed by OLHA or was an OLHA contractor over 3 years ago, the candidate must not have been terminated by OLHA or resigned in lieu of termination.
4. Have any convictions, including but not limited to:
  - a. A finding of guilt by jury or judge,
  - b. A no contest or nolo contendere, or
  - c. An order of guilt from a plea to any felony offense under tribal, federal or state law.
5. Have any **misdemeanor** convictions, including but not limited to:
  - a. A finding of guilt by jury or judge,
  - b. A no contest or nolo contendere, or

- c. An order of guilt from a plea to any offense within the past five (5) years preceding the date of the election.

**OLHA Board of Directors Election Procedures:** The objective of the OLHA Board of Directors election procedures is to ensure a transparent and fair selection of highly qualified individuals who can effectively govern and lead OLHA. This process aims to identify candidates who possess the necessary skills, experience, and commitment to uphold OLHA's mission, values, and strategic goals.

These guidelines cover the conduct of the elections for the Board of Directors, which are partially specified in Ordinance 20-63, as amended. In the event a conflict exists, Ordinance 20-63, as amended, controls.

1. **Announcement of Elections:** Elections will be held during the general election of the Oglala Sioux Tribe. The OLHA Board of Directors will announce vacancies on the Board at least 35 days before the general election date. The announcement will include the election date, the number of available positions, candidate eligibility criteria, and the application process.
2. **Eligible Voters:** All members of the Tribe who are eligible to vote in the primary or general election as specified in the Oglala Sioux Tribe Election Ordinance are eligible to vote in the OLHA Board of Directors election. Each voter is required to vote in person in the election district in which their permanent residence is located.
3. **Candidate Application Process:** Individuals must submit applications for candidacy no less than 20 days before the election. Applications should include a letter of interest and a resume that indicates the candidate lives in the political district in which they are running for office, meets the education and experience requirements, and otherwise satisfies the eligibility criteria.
4. **Qualification of Candidates:** OLHA administration will screen applications to ensure each applicant meets all the predefined eligibility criteria. The Board will confirm each candidate's eligibility, and OLHA will notify candidates of their eligibility status within 5 days after the application period ends. Candidates may be required to provide additional documentation or clarification. Ineligible candidates will receive an explanation of the reason for disqualification. OLHA will publish the list of eligible candidates at least 10 days before the election.
5. **Ballots:** OLHA will prepare and supervise the printing and distribution of ballots. Each ballot will list all eligible candidates for each political districts of the Oglala Sioux Tribe in alphabetical order with voting instructions. OLHA will record the number of official ballots printed and all official ballots will be accounted for by OLHA in its report of the election results. OLHA will post sample ballots in the OLHA office no less than 5 days before the dates set for the election.

6. **Polling Places:** OLHA will designate polling places within each election district on the Reservation and appoint and supervise an election judge and teller for each polling place. Election judges and tellers should be eligible voters who are not members of or candidates for the OLHA Board or immediate family members of any candidate listed on that district's election ballot. Immediate family members include son, daughter, husband and wife, brother, sister, mother, father, aunt, uncle, grandmother, grandfather, step and half-brother and sister, step-mother and father, nephew, niece, and cousin of the first degree.
7. **Ballot Boxes:** OLHA will ensure that ballot boxes are located at each polling place. Each ballot box must be locked and sealed, and OLHA shall establish appropriate safeguards to ensure control over and security for all ballot boxes. Immediately following the closing of the polls on election day, the judge and teller of each polling place will: make an unofficial count of the ballots cast at the polling place; account for ballots entrusted to them; verify and sign the results of their ballot count; and then personally deliver all ballot boxes in their charge (with all ballots and unofficial results therein) to OLHA.
8. **Voting:** OLHA will distribute ballots at the election site on the day of voting. Voting will be conducted by secret ballot and must take place in person. Polling places will be open from 9:00 AM to 7:00 PM MST on the day designated for the general election. OLHA will verify each voter's identity.

An OLHA representative will be present at each election site to supervise the entire voting process, ensuring it is conducted fairly and transparently. Voters will submit their completed ballots into a secure ballot box. Ballot boxes must remain sealed until the vote count begins. OLHA is responsible for maintaining the security of all ballots from the time they are issued until the final count. This includes ensuring that all ballots are handled in a manner that prevents tampering.

There shall be no electioneering within 50 feet of the structure within which any polling place is located and any violation of this regulation shall constitute disorderly conduct.

9. **Counting Votes:** Vote counting will commence immediately after the voting period ends. An OLHA representative will observe the count. The election judge and teller will open the ballot boxes in a secure environment and count the votes. Write-in votes are prohibited. Any ballots that are marked in any way other than as authorized on the ballot will be set aside and reviewed. If a decision cannot be made on the validity of the ballot, it will be marked as "spoiled" and excluded from the final count. The election judge and teller will tally the votes and record the results. Any discrepancies or disputes will be addressed immediately.

The candidate from each district receiving the greatest number of votes will be declared elected. In the case of a tie, there will be an automatic recount conducted. If a tie exists after the automatic recount, then OLHA will conduct another election as soon as possible.

10. **Announcement of Results:** OLHA will officially announce the results of the election within 24 hours of the vote count. OLHA will certify that the election process was

conducted according to the established rules and that the results are accurate. OLHA will notify the newly elected Board members.

OLHA will maintain detailed records of the election process including voter lists, ballots, and any disputes or recounts. These records will be stored securely and may be reviewed in the event of any future questions regarding the election.

- 11. Transition:** Newly elected Board members will be inducted at the next scheduled Board meeting. The existing Board of Directors will oversee the transition process to ensure a smooth handover of responsibilities.