

RESOLUTION # 02- 164-MWJR

**RESOLUTION OF THE GOVERNING BODY OF
THE THREE AFFILIATED TRIBES
OF THE FORT BERTHOLD RESOLUTION**

WHEREAS, This Nation, having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act; and

WHEREAS, The Constitution of the Three Affiliated Tribes generally authorizes and empowers the Tribal Business Council to engage in activities on behalf of and in the interest of the welfare and benefit of the Three Affiliated Tribes and its enrolled members; and

WHEREAS, Article VI, Section 5(c) of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to establish policy; and

WHEREAS, The Tribal Business Council enacted Resolution No. 90-106-TL, specifically allowing one (1) hour of normally scheduled work hours during which time employees were afforded an opportunity to utilize the fitness and exercise equipment owned by the Three Affiliated Tribes and maintained in the Tribal Administration Building; and

WHEREAS, The Tribal Business Council asserts that Resolution #90-106-TL is no longer applicable inasmuch as the fitness and exercise equipment are no longer maintained in the Tribal Administration Building and employees can no longer readily access fitness and exercise equipment within the time frame allowed, and therefore chooses to rescind said Resolution #90-106-TL;

WHEREAS, The Tribal Business Council recognizes the need for an exercise program that offers employees an opportunity to achieve a good health profile; and

WHEREAS, The Tribal Business Council endorses and sanctions a policy whereby employees are afforded an opportunity to devote thirty (30) minutes of normally established work day schedules to a health-focused form of exercise; and

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WHEREAS, The Tribal Business Council, in its support of a health-focused form of exercise for its employees, commits matching funds of 50 percent of cost (approximately \$1,700) to 50 percent of cost to be incurred by employees purchasing and using the Digi Walker Pedometer, a device specifically intended to monitor daily walking activity, to achieve a better health profile; and

WHEREAS, The Tribal Business Council chooses to purchase 100 Digi-Walker Pedometer devices, 50 percent of cost (totaling an estimated \$1,700) with matching 50 percent of cost, (totaling an estimated \$1,700) to be incurred by participating employees; and

WHEREAS, The Tribal Business Council prefers that employees utilize the opportunity to exercise and maximize their efforts through the use of the Digi Walker Pedometer and that devotion of thirty (30) minute exercise periods occur between the hours of 10:00 a.m. and 11:00 a.m. and between the hours of 2:00 p.m. and 3:00 p.m.; and

WHEREAS, The Tribal Business Council prefers that supervision of employees participating in the exercise program afforded through the policy set forth herein, rest with the Program Director/Administrator and/or supervisor of the participating employee; and

WHEREAS, The Tribal Business Council prefers that Program Director/Administrator and/or immediate Supervisor enforce strict guidelines for employee adherence to policy standards.

NOW THEREFORE BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation elects to rescind Resolution #90-106-TL, a policy establishing a one (1) hour period for employees to participate in an exercise program during normally established work day schedules;

BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation approves the establishment of a policy that affords employees an opportunity to participate in an exercise program by devoting 30 minutes between the hours of 10:00 a.m. and 11:00 a.m. and 2:00 p.m. and 3:00 p.m. during normally established work day schedules.

BE IT FURTHER RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation approves the utilization of the Digi Walker

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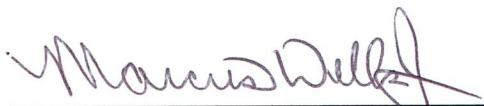
Pedometer, a device specifically intended to monitor daily walking activity, to achieve a better health profile, and elects to purchase 100 Digi Walker Pedometers at a cost of approximately \$1,700.00 which represents 50 percent of total cost, with participating employees to incur the remaining 50 percent of total cost.

FINALLY, BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation elects to direct that the respective Program Director/Administrator or Supervisor assume and assert responsibility for adherence to policy standards.

CERTIFICATION

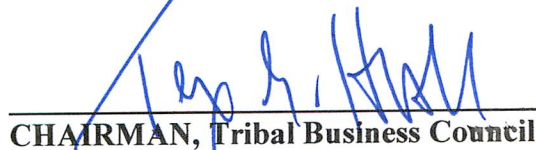
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 7 were present at a Regular meeting thereof duly called, noticed, convened, and held on the 14th day of August, 2002; that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 4 members, 0 opposed, 2 members abstained, and 0 members, not voting, and that said Resolution has not been rescinded or amended in any way.

Dated this 14th day of August, 2002.



Secretary, Tribal Business Council

ATTEST:



CHAIRMAN, Tribal Business Council