



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

A Resolution entitled, " Elderly Home Program Policy and Procedures "

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

WHEREAS, the Three Affiliated Tribes' Constitution authorizes and empowers the Mandan, Hidatsa & Arikara Tribal Business Council to engage in activity on behalf of and in the interest of the welfare and benefit of the Tribes and of the enrolled members thereof; and

WHEREAS, Article VI, Section 5(c) of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to administer funds within the exclusive control of the Tribes and to make expenditures from available Tribal funds for public purposes of the Tribes; and

WHEREAS, the Tribal Housing Division's mission is to break the barriers that currently prevent home ownership amongst tribal members and to assist in meeting the housing demand; and

WHEREAS, the Three Affiliated Tribes', Tribal Business Council, recognizes that there is a lack of housing units available for use by its Tribal membership, specifically for the elder segment population; and

WHEREAS, the Tribal Business Council has been proactive in filling the housing needs of its membership by adopting Resolution 00-336-DSB, August 21, 2000; Resolution 01-194-MWJR, August 9, 2001 and Resolution 01-247-MWJR adopted for the purpose of authorizing expenditures for the construction and set up of two (2) elderly units and enacting legislation creating the Elder Home Program; and

WHEREAS, the Three Affiliated Tribes' has established the Tribal Housing and Mortgage Program with the mission to provide affordable financing for qualified borrowers for the purchase or renovation of individual housing needs; and

WHEREAS, in order to fulfill its mission the Tribal Housing and Mortgage Program has developed for enactment by the Tribal Business Council, Policy and Procedures regulating the business practices of the Tribal Housing and Mortgage Program and setting guidelines for borrowers, tenants, lessees and purchaser of elderly housing; and

WHEREAS, from time to time the Tribal Housing Division in order to fulfill its mission needs to expend finances from the Homebuyer Revolving loan fund to assist borrowers with down payment and closing cost to purchase homes; and



WHEREAS, the Tribal Housing Division request that the Tribal Business Council allow the housing divisions budget to reflect a line item allowing the Tribal Housing Division to provide financing for down payment and closing costs to eligible borrowers for new home purchases, existing properties and refinancing of existing mortgages in an amount not to exceed ten thousand (\$10,000.00) per applicant, provided the general budget for the Tribal Housing Division is adequately funded and following the Tribal Housing and Mortgage Program Policy and Procedures; and

NOW THEREFORE BE IT RESOLVED, that the Policy and Procedures of the Tribal Housing Division are hereby adopted subject to legal review; and

BE IT FURTHER RESOLVED, that the Tribal Housing Division is hereby granted the authority to rewrite its fiscal budget to include a line time for the expenditure of assisting first time homebuyers with down payment and closing cost assistance for new home purchases, and existing not to exceed ten thousand (\$10,000.00) per applicant; subject to the Policy and Procedures herein adopted and subject also to budgetary restraints.

CERTIFICATION

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian 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 mtg. Meeting thereof duly called, noticed, convened and held on the 13 day of February, 2003, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 5 members, 0 members opposed, 2 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman Voting. [] Not Voting.

Dated this 13 day of February, 2003.

[Signature]
Executive Secretary,
Tribal Business Council

ATTEST:

Chairman, Tex G. Hall
Tribal Business Council

45. ELDERLY HOME PURCHASE PROCEDURES RESOLUTION NO. 03-104-RP

Councilman Packineau moved to approve the elderly home purchases procedures as presented, and that this resolution rescinds any other resolution regarding elderly home program policy. Councilman Phelan amended his second.

DISCUSSION: The home purchase program will have to be based on a case-by-case basis and prioritized within the boundaries of the Fort Berthold Indian Reservation; and to place homes on allotted lands and/or tribal lands so the family can maintain it.

VOTE: 5 Ayes, 0 Nays, 2 Abstentions, 0 Not voting. Motion carried.

46. RITA OLSON HOME LOAN:

Councilman Phelan moved to approve a Home Loan for Rita Olson. Councilman Wells seconded the motion, subject to working out a promissory note as required by the program.

Councilman Phelan amended his motion to day: to prioritize a Home Renovation Loan up to \$900.00 for Rita Olson. Councilman Packineau seconded the motion.

DISCUSSION: The first half is due on March 1, 2003, and the second half is due on October 1, 2003.

VOTE: 7 Ayes, 0 Nay, 0 Abstentions, 0 Not voting. Motion carried.

47. BLUE BLOSSOM CATERING:

Theodora Starr submitted a catering bid to the Four Bears Casino and Lodge, but her bid was not recognized and they awarded the bid to Kentucky Fried Chicken. Her complaint is that she is a tribal member and catering meals is how she makes her income. In a prior meeting of the Tribal Business Council, she did discuss her complaint; and the Tribal Business Council gave a directive to the General Manager to work things out, which was never done, according to her.

Mr. Disselhorst explained to Theodora Starr that according to TERO Laws that the bidding process included the X factor based on the recommendation on Tero Director. The X factor includes tribal contractors and specifies the lowest bidder would get the contract. Theodora submitted her bid, which was not the lowest so she was not within the X factor.



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Resolution No. 03-104-JRP

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Chairman [X] Voting. [] Not Voting.

Dated this 13 day of February, 2003.

Randy Phelan

Executive Secretary, Tribal Business Council

ATTEST:

Tex G. Hall

Chairman, Tex G. Hall Tribal Business Council