



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

A Resolution entitled, "Tribal Housing Division, Applications Scored by Time and Qualifications. "

- 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 has been created by the Tribal Business Council for the purpose of constructing homes for the members of the Three Affiliated Tribes and developing financial resources for the occupant members of the homes for the lease or purchase of the homes, including but not limited to the Dreamcatcher program, the Elder Homes Program and the Home Buyer Assistance Program; and
- WHEREAS,** the Tribal Housing Division has developed qualifying criteria by and through approved policies for the selection of individuals for the lease or purchase of homes acquired and constructed by the Tribal Housing Division; and
- WHEREAS,** the homes acquired and constructed by the Tribal Housing Division are in great demand and a competitive market requires that the policies for the selection of individuals for the lease or purchase of the homes be administered timely and fairly in order to serve the housing needs of the entire membership of the Three Affiliated Tribes; and
- WHEREAS,** it serves the best interest of the members of the Three Affiliated Tribes that decisions of selection of applicants for occupancy of the homes ready for lease or purchase as developed by the Tribal Housing Division be made fairly and timely, meaning that applications must be scored according to first date of completion of "qualified" applications for housing and that the applicant must qualify according to the policy approved and set forth by the Tribal Housing Division.

10. **RESOLUTION NO. 04-006-RP; TRIBAL HOUSING DIVISION, REVISED EXISTING MILITARY HOUSING POLICY:**

Councilman Phelan moved for approval of a Resolution entitled, "Revised Existing Military Housing Policy." Councilman Wells seconded the motion.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

11. **RESOLUTION NO. 04-007-RP; TRIBAL HOUSING DIVISION; APPLICANTS SCORED BY TIME AND QUALIFICATIONS**

Councilman Packineau moved for approval of a Resolution entitled, "Applications scored by time and qualifications." Councilman Phelan seconded the motion.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

12. **CONSULTANT AGREEMENT EXTENSION; ATTORNEY, GARY BEAUDRY:**

Councilman Phelan moved for approval to extend Gary Beaudry's consultant agreement to August 31, 2004. Councilman Wolf seconded the motion.

VOTE: 4 Ayes, 1 Nay 2 Abstentions, 0 Not voting. Motion carried.

13. **LOREN SIMPSON, M.D., CLINICAL DIRECTOR-CONTRACT**

Councilman Gillette moved for approval to extend Clinical Director, Dr. Simpson's contract with the Tribe until the end of July 2004, with the terms of the contract extension negotiated with the Chairman, Programs Manager, and the Treasurer; and to begin the process of securing a replacement for the clinic. Councilman Phelan seconded the motion.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

14. **EMERGENCY FEED FOR LIVESTOCK:**

Councilman Phelan moved for approval to submit a request to Gary Nelson for emergency feed on behalf of the Tribal ranchers on Fort Berthold. Councilman Wolf seconded the motion.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

15. **DECISION ON GRAZING RATES:**

Councilman Gillette moved for approval to refer to the Legal Department and have them investigate and research the data used to calculate the grazing rates back charges for four years from \$4.30 to \$6.92 payment for the allottees. Councilman Phelan seconded the motion.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

16. **RESOLUTION NO. 04-009; LAND EXCHANGE WITH NELSON BIRD BEAR, 301-U1611:**

Councilman Phelan moved for approval of a land exchange between the Tribe and Nelson Bird Bear, Allot. No. 771, an undivided 1/2 interest in the N1/2 Sec. 36, T. 149



NOW THEREFORE BE IT RESOLVED, that the Tribal Business Council hereby authorizes and directs the Tribal Housing Division, Selection Committee to administer the selection of qualified applicants for lease or purchase of housing by and through the Tribal Housing Division according to the first date of completion of the application for lease or purchase subject to qualification of applicant according to approved policy of the Tribal Housing Division.

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, 6 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 8th day of January, 2004, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 6 members, 0 members opposed, 0 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 8th day of January, 2004.

Randy Phelan
Randy Phelan, Secretary
Tribal Business Council

ATTEST:
Tex G. Hall
Tex G. Hall, Chairman
Tribal Business Council