



RESOLUTION OF THE GOVERNING BODY OF
THE THREE AFFILIATED TRIBES
FORT BERTHOLD INDIAN RESERVE

04-089
7-0-0-0

A Resolution entitled: “Outstanding Travel Balances reverted to the Small Loans Department for Collection in concurrence to Resolution #04-45-RP”

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 benefits of the Tribes and of the enrolled members thereof; and

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

WHEREAS, The Three Affiliated Tribes have been making many strides in correcting Financial Audit Issues; one of these issues is the Outstanding Travel Owed the Tribe; and

WHEREAS, This Outstanding Travel is defined as upon completion of official travel and travel closeout a remaining balance remains due and payable to the Three Affiliated Tribes, but still outstanding to be paid to the Tribe ; and

WHEREAS, The Tribal Business Council has duly passed Tribal Council Resolution #04-45-RP, wherein specifying a deadline to turn in all respective closeouts due and remit the amount owed the Tribe by May 31, 2004 and thereafter comply with Travel Policies and Procedures of the Three Affiliated Tribes; and

WHEREAS, The Travel Policies and Procedures of the Three Affiliated Tribes have read for many years that the Travel is to be formally closed out and if there remains an Outstanding Travel Balance that it would be remitted back to the Tribe within two (2) work weeks; and

WHEREAS, The Tribal Business Council has provided approximately fourteen (14) months time for all employees to come into compliance with this current Travel Close Out requirement, therefore more than adequate notice has been given and has been afforded an appeal of such travel closeout balance disputed amounts; and

WHEREAS, However, their remains an Outstanding amount owed for a majority of the Personnel who have taken official travel, such Outstanding amount owed therefore will be transferred and reverted into a Small Loan Balance of the Three Affiliated Tribes and be collected respectfully with interest; such interest and fees as required through Small Loan Policies and Procedures; and

WHEREAS, Small Loans of the Three Affiliated Tribes will remit such Outstanding Principal Amounts to the Tribal Finances for reimbursement back to the respective programs due such outstanding travel; and

WHEREAS, The Tribal Business Council has determined that the Travel Outstanding over the amount of \$2,000 shall be deemed a small loan and to be transferred to the Small Loan Department of the Three Affiliated Tribes with a payback pursuant to the respective Policies and Procedures of such Small Loan Department; and

WHEREAS, The Tribal Business Council has also determined that the closing date for the Tribal Employees of the Three Affiliated Tribes whom have outstanding travel to be paid in full shall be no later than September 30, 2004; and

WHEREAS, The Tribal Business Council has finally determined that the closing date for the Tribal Business Council Members of the Three Affiliated Tribes whom have outstanding travel to be paid back in full shall be no later than October 31, 2004; and

NOW, THEREFORE, BE IT RESOLVED, The Tribal Business Council does hereby approve such Transfer of Outstanding Travel Balances as defined by the Tribal Finance owed to the Small Loans of the Three Affiliated, such Transfer shall not diminish the Pending Appeals of the Outstanding Amounts owed; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, That the Tribal Business Council authorizes the Small Loan Director to collect the necessary fees and interest in handling these Outstanding Balances until remitted in full to the Tribal Finance of the Three Affiliated Tribes; and

BE IF FURTHER RESOLVED, That the Small Loans Department of the Three Affiliated Tribes will be closed for business except for funeral and medical emergencies during the month of June 2004 to undertake this task of the Outstanding Travel Balances; and

BE IT FINALLY RESOLVED, That the Tribal Business Council's sole intent of this respective action is to be in compliance with Federal and Tribal Travel Regulations that have been denoted on Tribal Audits.

CERTIFICATION

I, the undersigned, as the 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 7 members of whom 5 constitute a quorum, 7, were present at a Special Meeting thereof duly called, noticed, convened, and held on Friday, May 21, 2004; that the foregoing resolution was duly adopted at such Meeting by the affirmative vote of 7 members for, 0 members opposed, 0 members abstained, 0 not voting, and that said resolution has not been rescinded or amended in any way.

Dated this 21st day of May 2004.

Chairman () Voting () Not Voting

Randy Phelan, Secretary
Tribal Business Council

ATTEST:

Tex G. Hall, Chairman
Tribal Business Council