

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

A Resolution Entitled: "Adoption of Supplemental Personnel Policies and Procedures Regarding Demotion and Reduction in Rank for the Gerald "Tex" Fox Justice Center"

WHEREAS, This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act and having adopted a Constitution and By-laws pursuant to said Act; and

WHEREAS, Article III of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council is the governing body of the Tribes; and

WHEREAS, The Constitution of the Three Affiliated Tribes 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 Tribes and of the enrolled members thereof; and

WHEREAS, Article VI, Section 5 (1) of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council has the power to adopt resolutions regulating the procedure of the Tribal Business Council and other Tribal agencies and Tribal officials on the Reservation; and

WHEREAS, The Three Affiliated Tribes operates the Gerald "Tex" Fox Justice Center pursuant to a P.L. 93-638 Contract with the Bureau of Indian Affairs; and

WHEREAS, The employees of the Justice Center are tribal employees who fall under the Personnel Policies and Procedures of the Tribes; and

WHEREAS, The nature of employment of correction officers and other staff at the Justice Center requires that the Justice Center's administration have supplemental policies and procedures that would not normally apply to employees of the Tribe such as provisions for demotion and reduction in rank under certain specified circumstances; and

WHEREAS, The Justice Center Administration and the Tribal Judicial Committee who has oversight over the Justice Center pursuant to Resolution of the Tribal Business Council have recommended that supplemental personnel policies be adopted for the Justice Center that authorize demotions and reduction in rank for correctional officers under certain specified circumstances; and

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WHEREAS, The Tribal Business Council has determined that it is necessary for the proper and orderly administration of the Justice Center that provisions be adopted that allow the Justice Center to use demotions and reductions in rank under certain specified circumstances.

NOW THEREFORE BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes hereby adopts the following supplemental personnel policy and procedure for the Gerald "Tex" Fox Justice Center:

A correction officer may be demoted and receive a reduction in rank which shall include a pay or salary reduction commensurate with the reduction in rank under the following circumstances:

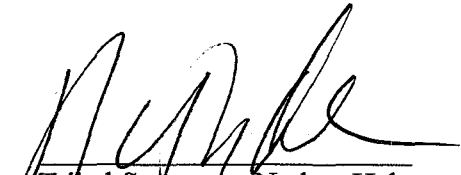
1. When the officer has been reprimanded or disciplined for conduct that demonstrates an inability to properly perform the duties necessary for the officer's position; or
2. When the officer has failed to satisfactorily complete the required probationary period or has received a below average performance rating; or
3. When the officer has violated the Justice Center Correctional Officer Code of Conduct; or
4. When the officers on duty conduct consistently demonstrates the inability to perform the job duties required of the officer's position.

CERTIFICATION

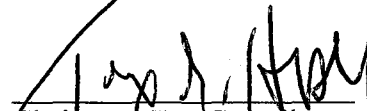
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum, 6 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 6 day of June 2005; 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 {X } voting. { } not voting.

Dated this 6th day of June 2005.


Tribal Secretary, Nathan Hale
Tribal Business Council
Three Affiliated Tribes

ATTEST.


Chairman, Tex G. Hall
Tribal Business Council
Three Affiliated Tribes