



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

A Resolution Entitled: *“Adoption of a” Cellular Phone Use, Distribution and Payment Policy for Three Affiliated Tribes Tribal Employees*”

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 (c) of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council has the power to administer all funds or property within the exclusive control of the Tribes and to make expenditures from available tribal funds for public purposes including salaries and other remuneration of tribal officials and employees; and

WHEREAS, Article VI, Section 5 (l) 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 Tribes regularly provide cell phones for business use to its employees and has passed a prior policy for financial reasons to require employees to pay for their cellular phones, however the policies have not been consistently applied and there has been ongoing abuse of tribal cellular phones resulting in excessive costs to the Tribes; and

WHEREAS, The Tribal Business Council has determined that a policy should be adopted regarding the use, distribution and payment of cellular phones for tribal employees and the Property and Supply Department has drafted such a policy.



NOW, THEREFORE BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes hereby adopts the following Tribal Cell Phone Use, Distribution and Payment Policy for the employees of the Three Affiliated Tribes:

1. It shall be the responsibility of all Department and Program Directors and/or Administrators to determine which of their employees require the use of a cellular phone in order to effectively perform the duties and responsibilities of the employee's job position. The Director or Administrator shall provide adequate justification for the necessity of the employee to utilize a cell phone.
2. Each Program or Department shall be responsible for the payment of the cost of the cellular phone(s) that the Director or Administrator determines is necessary for their employees. These costs will be included within the Program or Department budget. The employee shall not be responsible for payment of the phone, provided however that any costs in excess of the monthly plan amount or abuse of use of the cellular phone resulting in extra costs over the plan amount shall be reimbursed by the employee through a payroll deduction.
3. The Director or administrator shall provide a list of those employees they have determined need a cellular phone to the Property and Supply Department within two weeks of the adoption of this Resolution.
4. Those employees who currently have the use of a cellular phone but have been determined by the Program or Department Administrator or Director as not needing the use of one for the performance of their job duties will be allowed to retain the phone provided that the employee will be required to pay for such phone through a bi-weekly payroll deduction at the actual monthly cost of the phone. The employee will be notified of this and will be required to execute a wage assignment for the payment of the cost of the phone. If the employee fails to execute the wage assignment within two weeks of the adoption of this Resolution the phone account will be cancelled by the Property and Supply Department. The employee will also be responsible for the payment of any costs in excess of the monthly plan amount and for any abuses in the use of the cellular phone resulting in excess charges through an automatic payroll deduction.
5. The Tribes' Property and Supply Department shall be responsible for monitoring cell phone use and making deductions from employee payroll in accordance with this Policy.
6. This Policy shall apply to all tribal programs, departments, and employees including Segment Staff.
7. This Policy shall be applied retrospectively only and no employee who has previously been required to pay for the cost of his/her cellular phone shall be entitled to any reimbursement from the Tribes for those prior payments.
8. The Policy shall become effective and be implemented immediately upon the adoption of this Resolution by the Tribal Business Council.



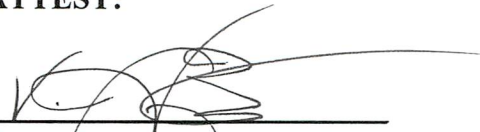
CERTIFICATION

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, 7 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 10 day of May 2007; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 7 members, 0 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

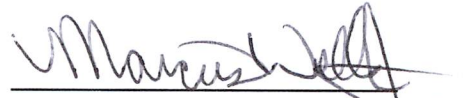
Chairman voting. [] not voting.

Dated this 10th day of May 2007.

ATTEST:



Tribal Secretary, V. Judy Brugh
Tribal Business Council
Three Affiliated Tribes



Tribal Chairman, Marcus Wells Jr.
Tribal Business Council
Three Affiliated Tribes

