



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

*A Resolution Entitled: Reestablishment of the Tribal Business Council as the Personnel Selection Committee for the Three Affiliated Tribes"*

**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,** On March 11<sup>th</sup>, 1993 the Tribal Business Council adopted Resolution 93-033 JJR which established that the full membership of the Tribal Business Council would serve as the Personnel Selection Committee for purposes of hiring and terminating all tribal employees; and

**WHEREAS,** On January 11<sup>th</sup>, 2007 the Tribal Business Council adopted resolution 07-01-VJB whereby a new personnel selection/termination Committee was established consisting of a Senior Executive Official (depending on the applicable federal or tribal program), The Department Administrator or Director and a revolving director and whereby Resolution 93-33 JJR was rescinded; and



**WHEREAS**, The Tribal Business Council has determined that in order to ensure fairness and to ensure that the Tribal Council is fully advised of all hiring and terminations of tribal employees that the policy established under Resolution 93-033 JJR should be reinstated and that the Tribal Business Council should serve as the Personnel Selection/termination Committee for the Tribe; and

**NOW THEREFORE BE IT RESOLVED**, that the Tribal Business Council of the Three Affiliated Tribes hereby determines that that the Tribal Business Council shall serve as the Personnel Selection Committee for the Three Affiliated Tribes and shall approve all hiring terminations and/or lay offs of all tribal employees; and

**BE IT FURTHER RESOLVED**, that except as provided below for the Chairman and Council representative administrative and segment staff, this Policy shall apply to permanent, temporary, full-time, part-time and contract employees; and

**BE IT FURTHER RESOLVED**, that the Tribal Business Council shall meet every second Friday of each month after the regular monthly Tribal Business Council meeting to act on personnel matters; and

**BE IT FURTHER RESOLVED**, that the Tribal Chairman and Tribal Council representatives shall retain their individual authority to appoint and terminate their administrative and segment staff consistent with tribal budgets; and

**BE IT FURTHER RESOLVED**, that all other personnel actions including disciplinary actions other than terminations, wage increases and promotions shall remain with the Program directors/Administrators and supervisors but shall be subject to the approval of the applicable Senior Executive Official (Federal Programs Executive Officer or Tribal Programs Executive Officer); and

**BE IT FURTHER RESOLVED**, that the Program Directors or Administrators along with the Human Resources Director shall be responsible for facilitating the selection and termination process including initial ranking of applicants according to the Tribal Personnel Policies and Procedures Manual and other applicable personnel policies and presenting such employee selections and terminations to the Tribal Business Council for approval according to this Resolution; and

**BE IT FINALLY RESOLVED**, that Resolution 07-01 VJB is hereby rescinded.

meeting to have a number assigned to it. The motion is seconded by Councilman Packineau.

Discussion:

No discussion.

VOTE:

6 Ayes 0 Nays Motion carried.

#### **4. H.I.P. Budget for 2008**

Councilman Benson moved to approve the Housing Improvement Budget for 2008, seconded by Councilman Whitecalfe.

Discussion:

No discussion.

VOTE:

6 ayes 0 Nays Motion carried.

#### **5. 7 Trailer Homes Arrive for Segments**

Discussion: White Shield is looking for a home for a doctor. The seven trailers are in of the twelve, Malcolm Wolf is drawn but he gives it to White Shield for their doctor's home. Land descriptions are needed from the segments so H.I.P. Jackie Jackson will know where to put them.

#### **F. Resolution Reinstate 93-33-JJR/Rescind 08-01-VJB/Amendment to 08-134-VJB**

Councilman Packineau moved to approve an amendment to resolution 08-134-VJB to add Human Resource Department to the hiring /firing resolution, seconded by Councilman Whitecalfe.

Discussion:

This is brought back as a review from a previous meeting (8-14-08) and an amendment to add Human Resources to the resolution.

VOTE:

5 Ayes 0 Nays Motion carried.

#### **G. Human Resource in the Health Care System-Barlow Wells/Val Finley**

Discussion:

The number of employees has to grow with the expansion of Departments. Human Resources is or will overload.

#### **H. Jarrett & Kerry Baker Payment for Road Easement for Healthcare Facility**

Discussion:

Jarrett and Kerry Baker to receive \$8,000.00 for their 2 acres, the other 2 acres will have to be brought back on the September 11, 2008 regular meeting




**CERTIFICATION**

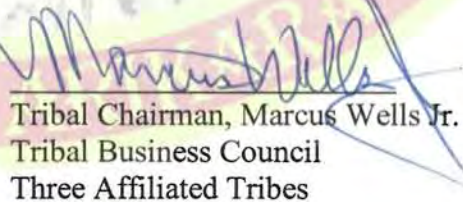
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum, 5 were present at a Special Meeting thereof duly called, noticed, convened, and held on the 27<sup>th</sup> day of August 2008; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 5 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 27<sup>th</sup> day of August 2008.

**ATTEST:**

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

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