



**AMENDED**

**RESOLUTION NO. 15-079-LKH**

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

**A Resolution entitled, “Authorizing the Three Affiliated Tribes Division of Child Support to Prepare and Serve Tribal Income Withholding Orders”**

**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 benefit of the Tribes and the enrolled members thereof; and

**WHEREAS,** Title I, Chapter 5 of the Fort Berthold Tribal Code specifically authorizes and establishes the Three Affiliated Tribes Division of Child Support (TAT DCSE) with authority and responsibility to provide child support enforcement services; and

**WHEREAS,** Chapter 5-25-56 provides for immediate income withholding for each judgment or order of child support, pursuant to standards and procedures set forth by TAT DCSE, using the standard federal income withholding form pursuant to Chapter 5-26-61, and

**WHEREAS,** The Three Affiliated Tribes is, pursuant to statute, an income payer, and is subject to income withholding for past due child support in lump sums of one thousand dollars or more, and

**WHEREAS,** TAT DCSE intends to issue certain Tribal Income Withholding Orders to the Three Affiliated Tribes pertaining to individuals in arrears as to their child support obligations, and the Tribal Business Council concurs in the authority under the laws of the Tribe to issue the same.

**NOW, THEREFORE BE IT RESOLVED,** the Tribal Business Council of the Three Affiliated Tribes does authorize TAT DCSE to prepare and serve Tribal Income Withholding Orders, against delinquent child support obligors, who have arrears exceeding one thousand dollars, and who have failed to make a full monthly child support payment plus arrears in a ninety day period preceding the issue of the same.



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**FURTHER, BE IT FURTHER RESOLVED**, that a copy of this resolution and a copy of the Tribal Income Withholding Order shall be served by mail upon each delinquent obligor, at least 10 days prior to submission to Tribal Finance.

**BE IT FINALLY RESOLVED**, that the Tribal Business Council hereby finds that such legislative action is in the best interest of our tribal children.

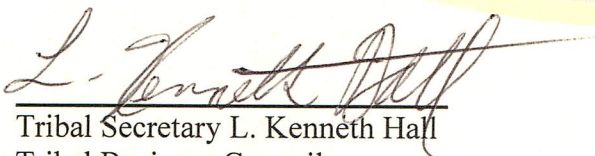
**CERTIFICATION**

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 27<sup>th</sup> day of May 2015, that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 5 members, 1 members opposed, 0 members abstained, 1 member not voting, and that said Resolution has not been rescinded or amended in any way.

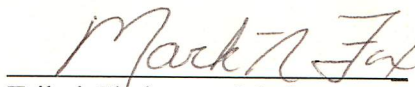
Chairman [ X ] Voting. [ ] Not voting.

Dated this 27<sup>th</sup> day of May, 2015.

**ATTEST:**



Tribal Secretary L. Kenneth Hall  
Tribal Business Council  
Three Affiliated Tribes



Tribal Chairman, Mark N. Fox  
Tribal Business Council  
Three Affiliated Tribes





**MANDAN, HIDATSA & ARIKARA NATION**  
Three Affiliated Tribes \* Fort Berthold Indian Reservation  
404 Frontage Road \* New Town, North Dakota 58763-9402

**MEMORANDUM**

TO: Ellen Otterman  
FROM: Mike Stevens, *MS*  
Information Technology / Records Manager  
DATE: Wednesday, April 06, 2016  
RE: Minutes Request

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Included below are the requested minutes from the;

THREE AFFILIATED TRIBES  
TRIBAL BUSINESS COUNCIL  
SPECIAL MEETING  
FEBUARY 17th, 2016 MINUTES

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**E. Resolution 15-079-LKH Withholding Order Amendment – Ellen Otterman**

**Motion:** Councilman Fred Fox moved to approve amending resolution 15-079-LKH. Subject to legal review Councilman Cory Spotted Bear seconded the motion.

***Motion amended***

Vote: 5 Ayes. 2 – Not Present. Motion carried.  
Chairman Mark N. Fox – Aye  
Councilman Randy Phelan – Not Present  
Councilman L. Kenneth Hall – Aye  
Councilman Mervin Packineau – Not Present  
Councilman Fred Fox – Aye  
Councilman Frank Grady – Aye  
Councilman Cory Spotted Bear – Aye

Discussion: Amended to 75% instead of 100% of distribution as stated in draft amendments.

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If you have any questions, please feel free to contact me at;  
701-627-4781x8111 or 701-421-1968,  
or my email is [mstevens@mhanation.com](mailto:mstevens@mhanation.com).



## AMENDED RESOLUTION NO. 15-079-LKH

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

#### A Resolution Entitled, *“Amending the Income Withholding Order Policies”*

**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 benefit of the Tribes and the enrolled members thereof; and

**WHEREAS,** Title I, Chapter 5 of the Fort Berthold Tribal Code specifically authorizes and establishes the Three Affiliated Tribes Division of Child Support (TAT DCSE) with authority and responsibility to provide child support enforcement services; and

**WHEREAS,** Chapter 5-25-56 provides for immediate income withholding for each judgment or order of child support, pursuant to standards and procedures set forth by TAT DCSE, using the standard federal income withholding form pursuant to Chapter 5-26-61; and

**WHEREAS,** The Three Affiliated Tribes is, pursuant to statute, an income payer, and is subject to income withholding for past due child support in lump sums of one thousand dollars or more; and

**WHEREAS,** TAT DCSE intends to issue certain Federal Income Withholding Orders to the Three Affiliated Tribes pertaining to individuals in arrears as to their child support obligations, and the Tribal Business Council concurs in the authority under the laws of the Tribe to issue the same.

**NOW, THEREFORE BE IT RESOLVED,** the Tribal Business Council of the Three Affiliated Tribes does authorized TAT DCSE to prepare and serve Federal Income Withholding Orders, against delinquent child support obligors, who have arrears exceeding one thousand dollars, and who have failed to make a full monthly child support payment plus arrears in a ninety day period preceding the issue of the same; and





## AMENDED RESOLUTION NO. 15-079-LKH

**BE IT FURTHER RESOLVED**, that a copy of this resolution and a copy of the Federal Income Withholding Order shall be served by mail upon each delinquent obligor, at least 10 days prior to submission to Tribal Finance; and

**BE IT FURTHER RESOLVED**, that Tribal Finance shall subtract from disbursement funds, and pay over to the Tribal agency such bond amounts, which shall be limited and shall not exceed seventy-five percent (75%) of the disbursement. The remaining disbursements due to the Tribal member shall be paid over; and

**BE IT FURTHER RESOLVED**, that the Tribal agency or court shall notify Tribal Finance when the Court vacates any warrants, or agrees to release funds held up by the vacated Warrant. A revised warrant list must be filed prior to any disbursement dates; and

**BE IT FINALLY RESOLVED**, that the Tribal Business Council hereby finds that such legislative action is in the best interest of our Tribal children.

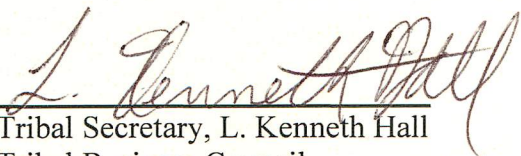
### CERTIFICATION

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 Regular Meeting thereof duly called, noticed, convened, and held on the 17<sup>th</sup> day of February 2016, that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 5 members, 0 members opposed, 0 members abstained, 2 members not voting, and that said Resolution has not been rescinded or amended in any way.

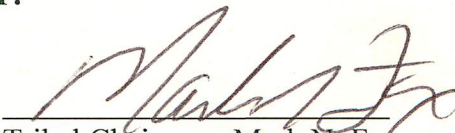
Chairman  Voting.  Not voting.

Dated this 30<sup>th</sup> day of March, 2016.

**ATTEST:**

  
Tribal Secretary, L. Kenneth Hall

Tribal Business Council  
Three Affiliated Tribes

  
Tribal Chairman, Mark N. Fox

Tribal Business Council  
Three Affiliated Tribes