

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

- 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 of the enrolled members thereof; and
- WHEREAS,** The Tribal Business Council of the Three Affiliated Tribes, in its capacity as governing body of the Tribes, granted a nonprofit corporate Charter to the Twin Buttes Community Association in 1983, via Resolution No. 83-265-S; and
- WHEREAS,** The Twin Buttes Community Association Charter was granted by the Tribal Business Council for the benefit of the Community of Twin Buttes in general and specifically for the benefit of the membership of the Association, which is comprised of any enrolled member of the Three Affiliated Tribes who has been a resident of the Twin Buttes Community for a period of at least six (6) months; and
- WHEREAS,** The Association has adopted Bylaws in conformity with the requirement prescribed by Article XI of the Charter of the Association, which Bylaws provide, in Article V, Section 1, that the members of the Board of Directors of the Association are elected by the Association membership; and
- WHEREAS,** The Tribal Business Council has been informed by members of the Twin Buttes Community Association that the Board of Directors of the Association has failed to hold elections by the Association membership to fill four (4) seats on the Board, as clearly required by the Bylaws of the Association; and
- WHEREAS,** The Council has been informed that, in the case of two (2) of the four (4) seats currently subject to election, the Board of Directors, pursuant to Article VI, Section 4 of the Bylaws, previously filled two (2) vacancies on the Board, the respective terms of which seats have expired, thereby rendering such two (2) positions subject to election by the Association membership; and
- WHEREAS,** The Council has been further informed that the respective terms of the other two (2) seats at issue have likewise expired, thereby similarly rendering those two (2) positions subject to election by the Association membership; and

WHEREAS, The Tribal Business Council has been finally informed by members of the Association that the Board of Directors has been requested by Association members to comply with the requirements of the Association Bylaws and hold an election for the four (4) seats at issue; numerous such requests have been made by Association members throughout the past year, none of which requests, however, having been met with a positive response; and

WHEREAS, The Tribal Business Council is significantly concerned about the failure of the Board of Directors of the Twin Buttes Community Association to comply with the clear requirements prescribed in the Bylaws of the Association and to hold elections as clearly mandated in the Bylaws, thereby preventing the voting members of the Association from exercising their individual right to elect representatives of their choice to the governing entity of their Community; and

WHEREAS, The Tribal Business Council recognizes that, in addition to having granted the corporate entity the **privilege** of being chartered by the government of the Three Affiliated Tribes, the Tribal government provides annual financial assistance to the Twin Buttes Community Association, for expenditure by its Board of Directors on behalf of and **for the benefit of all members of the Association**, such financial assistance constituted by monies of the Three Affiliated Tribes as a whole, derived from certain judgment funds; and

WHEREAS, It is the considered judgment of the Tribal Business Council of the Three Affiliated Tribes that the Board of Directors of the Twin Buttes Community Association must hold a special election at the earliest practicable opportunity, so as to afford the voting members of the Association the opportunity to exercise their individual legal right to elect representatives of their respective choice to the governing entity of their Community;

NOW, THEREFORE, BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes, in the absence of the imposition at this time of any legally justifiable sanction against the Twin Buttes Community Association, hereby strongly encourages the Board of Directors of the Association, pursuant to Article V, Section 2 of the Bylaws of the Association, to call a Special Meeting of the membership of the Association for the purpose of electing qualified individuals to fill the four (4) positions on the Board of Directors identified above, and further strongly encourages that such Special Meeting be held within a period of thirty (30) days from the date of this Resolution.

BE IT FURTHER RESOLVED, That in the event that such Special Meeting fails to be held within the thirty (30)-day period without reasonable justification presented by the Board of

Directors of the Association, the Tribal Business Council, on the earliest practicable date subsequent to the expiration of the thirty (30)-day period, will consider the imposition of a reasonable and appropriate sanction against the Twin Buttes Community Association.

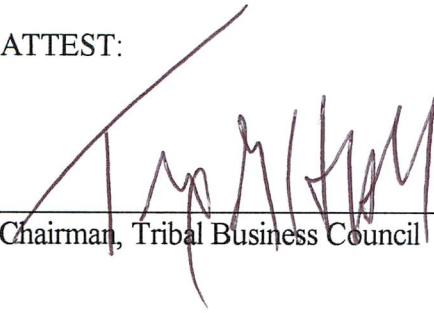
CERTIFICATION

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 Special Meeting thereof duly called, noticed, convened, and held on the 10th day of March, 2000; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 6 members, 0 members opposed, 0 members abstained, 1 not voting, and that said Resolution has not been rescinded or amended in any way.

Dated this 10th day of March, 2000.

Daylon Spotted Bear
Secretary, Tribal Business Council

ATTEST:



Chairman, Tribal Business Council