

Richard Mayer will work with Steve Salveson. Add to the March agenda.
Request a waiver of TERO Fees. Sole sourcing any entity including the
FBCC. There was a unanimous consent from the Tribal Business Council
to approve the purchase of a tractor for \$25,000 for the FBCC Agricultural
Program

07. NEW BUSINESS

**A. RESOLUTION NO. 04-018-RP; SAKAKAWEA LANDOWNERS
ASSOCIATION ALLOTTEE CHARTER:**

Councilman Wells moved for approval of Sakakawea Landowners Association's
Charter and Articles of Incorporation, subject to legal review. Councilman
Phelan seconded the motion.

John Danks draft Reso.

VOTE: 5 Ayes, 0 Nay, 2 Abstentions, 0 Not voting. Motion carried.

The members are Pearl Ross, Inez Plenty Chief, Teddy Starr, John Danks, Pete Fredericks, John
Fredericks, Sr., Mary Alice Wells and Adrian Foote, Sr., Arnold Charging and Betty Hueiser,
Patrick Fredericks and Helen Baker

B. SAKAKAWEA LAND OWNERS ASSOCIATION CHARTER TRAVEL:

Councilman Gillette moved for approval to pay travel expenses for John
Fredericks, John Danks, Inez Plenty Chief, Pat Fredericks, Pearl Ross, Adrian
Foote, and Arnie Charging to attend the allottee meeting at Prairie Knights, North
Dakota, on February 18, 2004. Councilman Wells seconded the motion.

VOTE: 7 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

C. FORT BERTHOLD LAND & LIVESTOCK ASSOCIATION:

Councilman Wells moved for approval of a Budget of \$64,000 from the indirect
cost settlement and transfer it to the miscellaneous line item to award to the Fort
Berthold Land & Livestock Association. Councilman Packineau seconded the
motion.

VOTE: 5 Ayes, 2 Nays, 0 Abstentions, 0 Not voting. Motion carried.

D. AISES FINANCIAL REQUEST

Councilman Phelan moved for approval to grant AISES Society \$500.00 to help
offset the cost of a conference scheduled for April 1-2, 2004 at the University of
North Dakota, Grand Forks, ND. Councilman Wells seconded the motion.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

E. NEW TOWN BASKETBALL TEAM

Councilman Phelan moved for approval of a sponsorship of \$800 per student for
Whitney Hale, Nicole Wells, and Shawna Wells from the New Town Girls
Basketball team to participate in the, "Australian Down Under Bowl."
Councilman Wolf seconded the motion.

SAKAKAWEA LANDOWNERS ASSOCIATION

**CHARTER
and
ARTICLES OF INCORPORATION**

I. AUTHORIZATION

The corporation is a nonprofit entity organized by a group of Mandan, Hidatsa, and Arikara Nation tribal members, and chartered by the Three Affiliated Tribes of the Fort Berthold Reservation ("Tribes"). The corporation is established pursuant to the inherent authority of the Tribes as a sovereign governmental entity and the express authority vested in the Three Affiliated Tribes' ("TAT") Tribal Business Council under the Constitution and By-Laws of the TAT.

II. NAME

The name of the association shall be the Sakakawea Landowners Association (hereinafter "SLA").

III. DURATION

SLA shall have a perpetual existence unless otherwise dissolved under Article XI hereunder.

IV. PURPOSES AND POWERS

The SLA is an organization composed of members of the Tribes who are either individual landowners or family members of deceased landowners of allotted trust and fee land that was part of the land taken by the United States for the construction of the Garrison Dam and Reservoir Project. The land base within the Fort Berthold Reservation was vital to the social and economic welfare of the individual TAT tribal members. In 1949, under P.L. 81-437, 63 Stat. 1026, the federal government appropriated 155,000 acres of tribal and individual lands for the Garrison Dam Project, and compensated those landowners for the loss of lands. In 1992, under P.L. 102-575, 106 Stat. 4731, titled the Three Affiliated Tribes and Standing Rock Sioux Tribe Equitable Compensation Act ("Equitable Act"), the federal government admitted that the compensation from the 1949 Act was inadequate, but neglected to make provision to directly compensate individual Tribal member landowners or their heirs and instead directed payment to the Tribes. Action by the landowners and their heirs is necessary in order to protect their legitimate interests. The purpose of this organization is to investigate all available remedies concerning land loss claims and just compensation and to seek appropriate legal remedies including the right to negotiate specific land claims on behalf of the Sakakawea Landowners.

In accordance with the spirit and intent involving the formation of SLA, the specific purposes and objectives of SLA shall include, but not be limited to the following:

A. To provide Sakakawea landowners a forum to become informed about historic congressional acts and documents, to participate in organizational business, to verify eligibility of participants in accordance with historic laws and documentation, to discuss options for remedies for lands taken from them by the United States, and to seek just compensation for the landowners.

B. To provide an entity through which the landowners can address land loss and compensation issues that may arise from time to time and particularly as a result of the Equitable Act referenced above.

C. To ensure that the Fifth Amendment of the United States Constitution is enforced, and that trust and fee land and resources are adequately compensated for under applicable law and in any legislation designed to pay for Indian lands.

D. To assist individual Indian landowners and their heirs of the Fort Berthold Reservation who were adversely impacted by the taking of lands for the construction of the Garrison Dam and Reservoir Project.

E. To promote change in federal policies, as necessary, and to develop needed solutions to the land compensation issues that may arise from time to time amongst the individual tribal members and their heirs who were owners of lands taken for the Garrison Dam and Reservoir Project.

F. To advocate the interests of SLA and provide a forum through which these interests can be effectively communicated to the federal, state, and tribal governments as well as the public in general.

G. To meet with Tribal Business Council officials and discuss their plan to address the landowners' issues.

H. To discuss and negotiate a joint agreement between the Tribes and landowners that will justly compensate the landowners.

I. To do everything necessary, proper, advisable or convenient for the accomplishment of the purposes hereinabove set forth, and do all things incidental thereto or connected therewith, which are not forbidden by law.

J. Enumerated Powers. SLA shall have the following enumerated powers:

1. To engage in any and all business activities necessary for the orderly and efficient operation of the SLA.

*Added
provided that
the*

2. To sue and be sued in courts of competent jurisdiction, provided, that when the cause of action arises within the territory of the TAT, as set forth in Article VI of the Tribal Constitution, the TAT Tribal Courts shall have jurisdiction over all such causes of action to the extent that jurisdiction lies in tribal court.

3. To enter into contracts and agreements affecting the business affairs of the SLA and to accept all funds and obligations resulting therefrom.

4. To contract with private persons, associations, or corporations for the provision of any service within or without tribal boundaries, and to accept all funds and obligations resulting therefrom.

5. To incur indebtedness and other obligations, and to open bank accounts in the name of SLA.

6. To acquire, dispose of and encumber real or personal property, including, without limitation, rights and interests in property, including leases and easements necessary to accomplish the purposes of SLA.

7. To negotiate with the federal, state, and tribal governments on behalf of the SLA and to enter into binding agreements with said governments on behalf of the SLA.

8. To adopt, amend, and repeal by-laws, provided that any amendments that concern board member qualifications or terms of office shall be subject to an affirmative vote of a majority of the members constituting a quorum of the SLA, on the day that the issue is decided by that body.

9. To take all actions necessary, suitable or proper for the accomplishment of any of the purposes or attainment of any of the goals herein before enumerated, either alone or in association with others.

V. MEMBERS

Membership is open to all Indians or their heirs who owned lands within the Fort Berthold Reservation which were taken by the federal government for the Garrison Dam and Reservoir Project according to the 1949 Joint Resolution, and who meet the membership requirements set forth in the By-Laws of the SLA. Meetings of the SLA members shall take place in the manner provided in SLA's By-Laws except that a membership meeting shall be held at a minimum annually.

VI. BOARD OF DIRECTORS

The number of Directors of SLA shall be fixed by the By-Laws of SLA and shall not be fewer than three nor more than ten. The general powers of the Directors shall be as enumerated in SLA's By-Laws. The meetings of the Board of Directors shall be as

provided in the By-Laws except that the Board of Directors shall meet at least semi-annually.

The Board of Directors will serve for a term of four years, except that at the first annual meeting of the members, to create staggered terms, four (4) Directors shall be elected to a four-year term, and three (3) Directors shall be elected to a two-year term. At the annual meeting after the first annual meeting, the number of Directors whose terms expire at the time of such meeting shall stand for election by the general membership of the SLA.

1. ✓
Seven Directors shall constitute the initial Board of Directors. The names and addresses of the persons who are to serve as Directors until the first annual meeting of members, or until their successors are elected and qualify, are:

1. _____

TEL: _____

2. _____

TEL: _____

3. _____

TEL: _____

4. _____

TEL: _____

5. _____

TEL: _____

6. _____

TEL: _____

7. _____

TEL: _____

VII. INCORPORATION

The incorporators of SLA are:

1. _____ 2. _____

TEL: _____

TEL: _____

**VIII. REGISTERED OFFICE AND AGENT
AND PRINCIPAL PLACE OF BUSINESS**

A. The address of the registered office of the SLA is:

B. The name of the registered agent of SLA is _____
The address of the registered agent of SLA is:

C. SLA shall be a resident of and maintain its headquarters and principal place of business on the Fort Berthold Reservation with offices located at the above-registered office. SLA may conduct its business activities at any place in or outside of the Reservation so as to achieve the purposes in this Charter.

IX. ADDITIONAL POWERS

All activities of SLA shall be nonprofit in character and for the mutual benefit of SLA members, but SLA shall have and exercise all powers authorized by law. SLA's principal business will be transacted with the Fort Berthold Reservation. However, SLA may conduct part or all of its business in any part of North Dakota, the United States, or the world.

X. AMENDMENT

This Charter may be amended at any meeting called specifically for the purpose of amending this Charter by a majority vote of members of the Tribal Business Council of TAT present at the meeting provided that a quorum is present.

XI. DISSOLUTION

SLA may be dissolved upon a vote of three-fourths (3/4) of the voting members of SLA present at a meeting called for such purpose provided a quorum of the membership is present at the meeting. Upon the dissolution of SLA, the Board of Directors, after paying or making provisions for the payment of all the liabilities of SLA, shall dispose of all the assets of SLA, if any, exclusively for exempt purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code, to further the purposes of SLA, the TAT, or such organization or organizations organized and operated exclusively for charitable, educational, religious, or scientific purposes in such manner as the Board of Directors shall determine.

SLA
SAMPLE PROPOSED BUDGET

2004

The Sakakawea Landowners Association estimates their initial operating budget for 2004 to be \$25,000. The purposes for these funds are to accommodate meetings of the SLA, travel to meetings with an intertribal corporation organized to represent the landowner interests of all the Missouri River Tribes, and provide SLA members with per diem compensation for said travel.

The SLA is a nonprofit organization organized by members of the Mandan, Hidatsa, and Arikara Nation who are either individual landowners or family members of deceased landowners of allotted trust and fee land that was part of the land taken by the United States for the construction of the Garrison Dam and Reservoir Project. Action by the landowners and their heirs is necessary in order to protect their legitimate interests. The purpose of this organization is to investigate all available remedies concerning land loss claims and just compensation and to seek appropriate legal remedies including the right to negotiate specific land claims on behalf of the Sakakawea Landowners.

The intertribal corporation will represent the interests of the Mandan, Hidatsa, and Arikara Nation as well as the interests of other Tribes who have claims to just compensation for lands lost along the Missouri River. The combined resources of the various landowner's associations will provide greater bargaining power in the effort to obtain appropriate legal remedies.

The SLA estimated budget for 2004

Meetings Expenses (including facilities rental, printing costs for agendas or other information, and refreshments)

\$5,000

Travel Expenses (including rental cars, compensation for mileage, etc.)

\$5,000

Per Diem Expenses (lodging and meals, estimated at \$86 per person, per day)

\$15,000

Total

\$25,000

10,000 - 1 yr.