



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

A Resolution entitled, "Recognition of the Grazing Rate/Natural Resources Task Force, Its Appointees and Approval of Grazing Rate for 2005. "

- WHEREAS,** This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act; and
- WHEREAS,** The Three Affiliated Tribes Constitution authorizes and empowers the Mandan, Hidatsa & Arikara Tribal Business Council to engage in activity 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 and Bylaws of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to adopt resolutions regulating the procedures of the Tribal Business Council, other Tribal Government entities, and Tribal Officials; and may administer any funds or property within the exclusive control of the tribe to make expenditures from available tribal funds, and
- WHEREAS,** The Tribal Business Council recognizes that the FY 1999 - 2004 Range Unit Permit period has expired and the parties involved are in dire need of a resolution that will satisfy all interested parties related in this matter and wishes to expedite a solution that will not hinder or delay the awarding of range units; and
- WHEREAS,** The Great Plains Regional Office hosted a Tribal Consultation meeting at Fort Berthold on December 7, 2004 to discuss the grazing rate on Fort Berthold reservation and all interested parties were represented and issues were debated at great length; and
- WHEREAS,** The Three Affiliated Tribes' Chairman, Great Plains Regional Director and Fort Berthold Agency Superintendent agreed to create a Task Force comprised of Land Owner, Livestock Owner and other interested individuals representative of interests in developing a amicable solution; and
- WHEREAS,** The individuals appointed to the Task Force were Chairman Tex Hall, Casey Fredericks (Land & Livestock Association), Todd Hall (Land & Livestock Association), Gene Morsette (Landowner Association), Ted Lonefight (At-Large), Clarisa Mandan (At-Large), Richard Lafromboise (Trust Officer from Turtle Mountain Band of Chippewas), Perry Baker (Fort Berthold Agency Superintendent), Edward S. (aka Tyke) Danks, Jr. (Land & Livestock Association), Ken Danks (Technical Assistance), Mary Fredericks (Technical Assistance), Paul Danks (Technical Assistance), Carey Dreyer (NRCS Representative), Jeb Fredericks (Technical Assistance), Judy Youngbear (Landowner Association) and Pete Fredericks (Landowner Association); and



WHEREAS, The established Task Force has convened and deliberated on the merits of an appraisal issued by Jerry Hulm, MAI, ARA, and the Task Force has rejected the methodology used and has come to the conclusion that a new appraisal should be conducted using a more realistic terrain demographic more comparable to that of the Reservation and that the survey conducted by Ecosystems Research Group to be consider or other similar instrument in reaching a grazing rate; and

WHEREAS, The established Task Force has been granted authority through the Chairman of Three Affiliated Tribe, the Area Regional Director, Office of Special Trustee personnel present at an official meeting called pursuant to the Regional Director's authority to discuss the grazing rate for Fort Berthold Reservation and to make a recommendation on the grazing rate to the Tribal Business Council; and

WHEREAS, The established Task Force has made a recommendation to set the 2005 grazing rate at the 1999 rate (\$4.31 per AUM) for the 2005 grazing period while the Task Force, in conjunction with the Tribes' Natural Resources Department, conducts an independent grazing appraisal using local demographics and conditions; and

WHEREAS, The Task Force seeks formal recognition from the Tribal Business Council and its approval to undertake this task and to further provide the BIA Regional Office with proper evidence of the Task Force's authority so that the BIA Regional Office may seek and provide funds to the Tribe to obtain the proper expertise to obtain the appraisal and for the Task Force to operate through the Tribe; and

WHEREAS, The Tribal Business Council desires to approve the creation of the Task Force and the appointees to the Task Force as well as the recommendation made by the Task Force to date.

NOW THEREFORE BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes hereby approves the creation of the Grazing Rate/Natural Resources Task Force and the appointees to this Task Force.

BE IT FURTHER RESOLVED, That the Tribal Council also approves the recommendation made by the Task Force that the 1999 grazing rate of \$4.31 should remain the same for the 2005 grazing-year so that the Task Force can work towards obtaining a new appraisal and come back to the Tribal Council with a recommendation that will allow the Tribal Business Council to make a recommendation to the BIA concerning the grazing rates for years 2006, 07, 08, 09.

CERTIFICATION

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 7 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 9 day of December 2004, 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 9 day of December 2004.

ATTEST:

Tribal Secretary, Nathan Hale
Tribal Business Council
Three Affiliated Tribes

Chairman, Tex G. Hall
Tribal Business Council
Three Affiliated Tribes