



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

*A Resolution entitled, " Waste Management Project-To Proceed with Memorandum of Agreement Without The PL 93-638"*

**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,** The Tribal Business Council of the Three Affiliated Tribes have previously duly passed resolutions to have first right of refusal to PL-93-638 and to have sole source projects on or near the Fort Berthold Indian Reservation; and

**WHEREAS,** The Four Bears Segment Representative Marcus Wells, Jr duly serving as the Tribal Business Council Representative since November 1998 and have duly directed all projects within the Four Bears Segment be duly advertised and bid out with full requirements of the respective federal procurement regulations and TERO Ordinances; and

**WHEREAS,** The Four Bears Segment Representative formally believes that the project will be better served by this Resolution exempting this " Waste Management Project-Project AB-04-R25" from such PL-93-638 Resolution and Sole Source Resolution; and

**NOW, THEREFORE BE IT RESOLVED,** That the Tribal Business Council of the Three Affiliated Tribes hereby exempts the "Waste Management Project-Project AB-04-R25" from PL 93-638 and such project should proceed as soon as practical.

**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,



21. **RESOLUTION NO. 05-52-NH, GRANT PROPOSAL TO THE UNITED STATES FISH AND WILDLIFE SERVICE:**

Councilman Wolf moved for approval of a Resolution entitled, "Grant Proposal to United States Fish and Wildlife Service up to \$250,000. Councilman Spotted Bear seconded the motion.

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

22. **BLACK ROCK RESOURCES LLC PROPOSAL FOR OIL/GAS DEVELOPMENT:**

This matter will be deferred until Monday, March 14, 2005.

23. **RESOLUTION NO. 05-53-NH, WASTE MANAGEMENT:**

Councilman Wells moved for approval of a Memorandum of Agreement between Indian Health Service and the Three Affiliated Tribes Business Council who will assist in providing solid waste equipment and facilities to serve housing on the Fort Berthold Indian Reservation. Councilman Hale seconded the motion.

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

24. **OIL REFINERY UPDATE:** Horace Pipe

- Draft Scoping Report send comments back
- MHA Nation Web Site 20-30 pages of letters
- Report - GEO Trans
- Monitoring System

25. **RESOLUTION NO. 05-54-NH, TRIAD CONTRACT:**

Councilman White Calf moved for approval to authorize legal counsel to finalize the contract with Triad, prepare the Resolution to authorize to progress, and to seek funding to pay for the price of the contract. Councilman Wolf seconded the motion.

VOTE: 5 Ayes, 1 Nay, 0 Abstention, 0 Not voting. Motion carried.

26. **OIL REFINERY CHARTER:**

Councilman Wells moved for approval to authorize the Legal Department to seek and select through normal proposal requirements a law firm to get the legal opinion on whether the State excise tax applies and a recommendation on the type of Corporation that should be formed under the Refinery, with payment estimated at \$10,000. Councilman Hale seconded the motion.

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

27. **MOTOR TAX SETTLEMENT ND:**

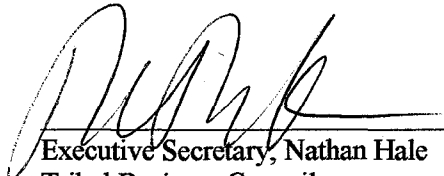
Councilman Wells moved for approval to direct Legal Counsel, Steve Kelly to assist the Tribal Tax Commissioner Marcus Sr. and Treasurer Frank White Calf in resolving the tax settlement with the State of North Dakota; and to execute a consultant Agreement with attorney Vance Gillette to assist them. Councilman White Calf seconded the motion.

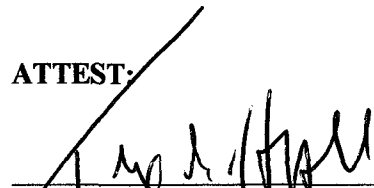


noticed, convened and held on the 10 th day of March 2005, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 7 members, 0 members opposed, 0 Members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman [ X ] Voting. [ ] Not Voting.

Dated this 10 day of March 2005.

  
\_\_\_\_\_  
Executive Secretary, Nathan Hale  
Tribal Business Council

ATTEST:  
  
\_\_\_\_\_  
Chairman, Tex G. Hall  
Tribal Business Council