



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

A Resolution Entitled: “*Extension of Contract with Wilbur Wilkinson to Increase Funding by \$30,000.00 to Continue to Provide Services to Obtain Settlement Claims Against United States Department of Agriculture*”.

WHEREAS, This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act and having adopted a Constitution and By-laws pursuant to said Act; and

WHEREAS, Article III of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council is the governing body of the Tribes; and

WHEREAS, The Constitution of the Three Affiliated Tribes 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, Article VI, Section 5 (c) of the Constitution of the Three Affiliated Tribes provides the Tribal Business Council has the power to administer any funds within the exclusive control of the Tribes to make expenditures from available Tribal funds for public purposes of the Tribes; and

WHEREAS, The Tribal Business Council previously enacted Resolution #05-20NH whereby the Tribal Business Council authorized up to \$50,000 to be paid to Wilbur Wilkinson as a Claimants Representative in *Keepseeagle v. Johanns* to pursue 28 claims for settlement or other resolution in the case; and

WHEREAS, Claimants Representative has done all things necessary to successfully obtain the twenty-eight claimants an opt out of the class action in *Keepseeagle v. Johanns* that will allow the claimants to settle their claims pursuant to 7 CFR Part 15 (f) with the United States Department of Agriculture; and

WHEREAS, On November 10, 2005 the federal district court granted an opt out for the twenty-eight claimants; and

WHEREAS, On November 10, 2005 Claimants Representative Wilbur Wilkinson met with officials from the USDA to begin the settlement process pursuant to federal regulations to settle the twenty-eight claims against USDA; and



WHEREAS, the funds authorized by Resolution #05-20NH have been depleted and the Tribal Business Council finds that it is in the best interests of the Tribes and its members to authorize additional funds to continue to pursue such claims provided that the Tribe is reimbursed by the claimants upon successful settlement.

NOW, THEREFORE, BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes hereby authorizes up to an additional \$30,000 to be paid to Wilbur Wilkinson as a Consultant to act as the Claimants Representative for the twenty-eight claimants to pursue settlement claims against the United States Department of Agriculture pursuant to federal regulations; and

BE IT FURTHER RESOLVED, that said compensation shall be paid to Wilbur Wilkinson in accordance with the Consultant Contract entered into between the Three Affiliated Tribes and Wilbur Wilkinson which is hereby authorized to be extended for a period of 6 months; and

BE IT FINALLY RESOLVED, that all amounts paid out to Wilbur Wilkinson by the Tribes shall be reimbursed to the Tribes by the 28 claimants equally upon settlement of such claims against the USDA.

CERTIFICATION

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Forth 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 23 day of November 2005; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 6 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 23 day of November 2005.

Secretary, Nathan Hale
Tribal Business Council

ATTEST:

Chairman, Tex G. Hall
Tribal Business Council