



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

A Resolution entitled, "Establishment of the Tribal Employment Rights Office as an entity independent of the Three Affiliated Tribes"

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 under said Act; and

WHEREAS, Article III of the Constitution of the Three Affiliated Tribes (hereinafter the "Tribe") 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 (1) of the Constitution of the Three Affiliated Tribes authorizes and empowers the Tribal Business Council to adopt resolutions regulating the procedures of Tribal agencies; and

WHEREAS, The Tribal Business Council of the Three Affiliated Tribes granted authority to the Tribal Employment Rights Office of the Three Affiliated Tribes to implement the federally-recognized policy of Indian preference in the context of contracting and subcontracting; and

WHEREAS, The Tribal Business Council enacted Resolution 81-258 on December 11, 1981, adopting its "Fort Berthold Tribal Employment Rights Ordinance" for the implementation of the Federally-recognized policy of Indian preference in the context of contracting and subcontracting; and

WHEREAS, The Tribal Business Council recognized that continued construction and development of mineral resources within the exterior boundaries of the Fort Berthold Reservation provided a significant opportunity to afford Indian owned and managed contractors and subcontractors with employment opportunities in the area of mineral development; and



RESOLUTION NO. 06-112-NH

WHEREAS, The Tribal Business Council enacted Resolution No. 83-95-S on April 25, 1983, approving adoption of "Indian Preference Policies and Procedures in Mineral Development"; and

WHEREAS, For the improved implementation of such policy of Indian preference, the Tribal Business Council formally adopted its revision to the above-enacted "Fort Berthold Employment Rights Ordinance" by Resolution No. 83-122-S in order to provide more specific and comprehensive guidance to the Director and staff of the TERO office and to the members of the TERO Commission; and

WHEREAS, The Tribal Business Council adopted its amendment and revision to Chapter 9 – Employment Rights Fee of the "Tribal Employment Rights Ordinance" (applicable to construction development vendors) by Resolution No. 92-043-JJR, on May 18, 1992, for the purpose of meeting the economic conditions to operate the TERO Program; and

WHEREAS, The Tribal Business Council enacted its Resolution No. 92-044-JJR on May 18, 1992, approving certain amendments to Chapter 4 – Definitions of the Tribal Employment Rights Ordinance; and

WHEREAS, The Tribal Business Council supports and encourages self-sufficiency within the Tribes' agencies; and

WHEREAS, The Tribal Business Council, considering the request of the Tribal Employment Rights Office to operate its own program functions and activities in an independent capacity and establishing and maintaining its own financial system with a Contract Specialist retained by the Tribal Employment Rights Office for the purpose of maintaining and sustaining fiscal accountability, chooses to extend an opportunity to the Tribal Employment Rights Office to operate as an independent tribal agency;

NOW THEREFORE BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation approves the intent of the Tribal Employment Rights Office to serve the Fort Berthold Reservation in the implementation of the federally-recognized Indian Preference Policy in the context of contract and subcontracting, in an independent, self-sufficient Tribal agency;



RESOLUTION NO. 06-11A-NH

BE IT FURTHER RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation sanctions the intent of the Tribal Employment Rights Office to establish its own financial management system independent of the Three Affiliated Tribes, on the condition that two (2) audits be performed annually by an accounting firm in compliance with the Federal Standards;

FURTHER BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation approves the retention of a Contract Specialist specifically for the Tribal Employment Rights Office who will assume responsibility for maintaining and sustaining fiscal accountability and, including, but not limited to, those duties and responsibilities directly and indirectly related to compliance standards imposed by the program's funding agency or agencies;

BE IT RESOLVED, That a Memorandum of Understanding be developed and executed by the parties involved and approved by the Funding Agency to reflect the applicable standards required for fiscal management and operational accountability; the extent to which the Three Affiliated Tribes "Tribal Employment Rights Office" will operate independently of the Tribe; the extent to which the Three Affiliated Tribes will maintain and sustain its responsibility for implementation of the Federally-recognized Indian Preference Policy; and to clearly defining program objectives;

FINALLY, BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation authorizes the Chairman and Treasurer to negotiate and finalize the Memorandum of Understanding.

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 Tribal Business Council~~ Meeting thereof duly called, noticed, convened, and held on the 27th day of June, 2006; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 7 members,



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0 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Dated this 14 day of SEPTEMBER, 2006.

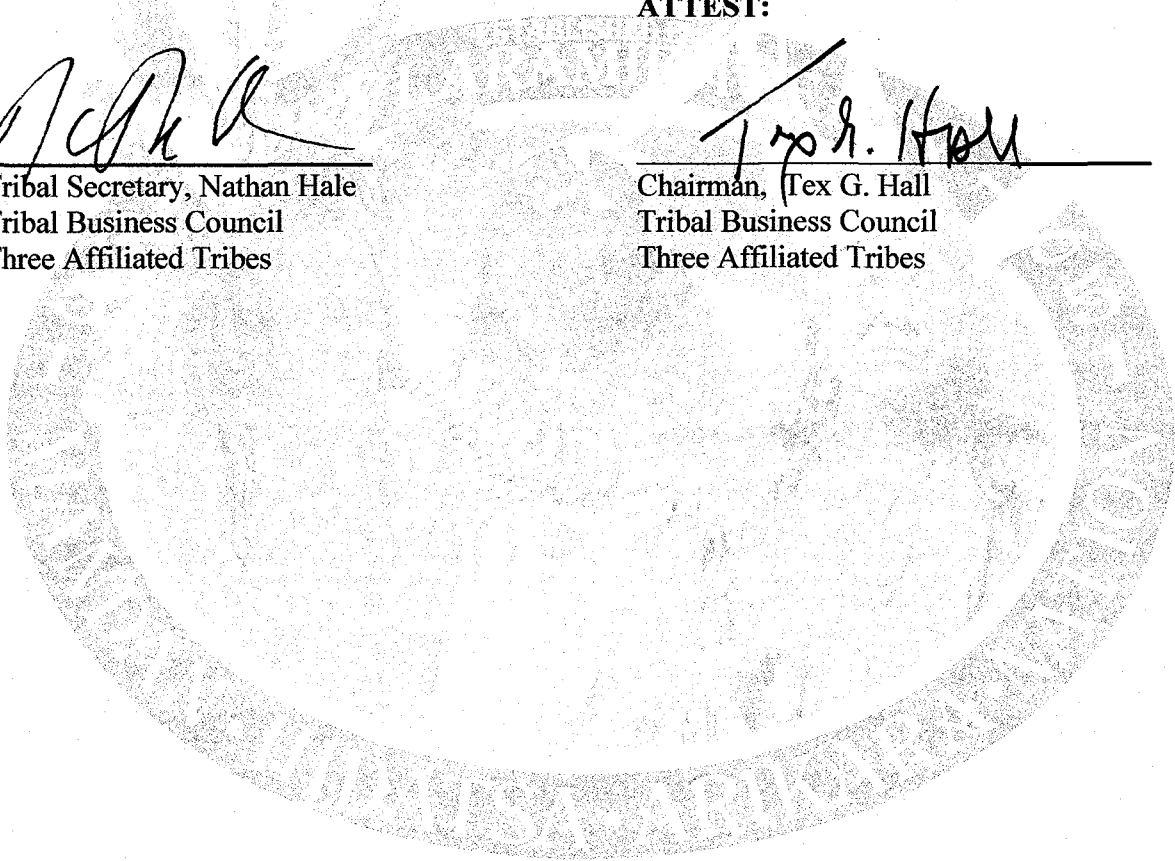
ATTEST:

Handwritten signature of Nathan Hale in black ink.

Tribal Secretary, Nathan Hale
Tribal Business Council
Three Affiliated Tribes

Handwritten signature of Tex G. Hall in black ink.

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





RESOLUTION NO. 06-112-NH

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

A Resolution entitled, "Approval of the Sale of Individual Residential Lot in the Breslin Addition in Accordance with Title XII, Chapter 1 of the Three Affiliated Tribes Code."

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 under said Act; and

WHEREAS, pursuant to Article III, Section 1 of the Constitution and By Laws of the Three Affiliated Tribes, the Tribal Business Council is the governing body of the Tribes; and

WHEREAS, pursuant to Article VI, Section 5 (l) of said Constitution, the Tribal Business Council has the power to adopt resolutions regulating the procedures of the Tribal Business Council and other Tribal agencies and Tribal officials on the Reservation; and

WHEREAS, the Tribal Business Council has authority according to the terms of the said Constitution and pursuant to Article IX, Section 1 of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council shall have authority to manage, lease and otherwise deal with Tribal lands and resources in accordance with law; and

WHEREAS, in accordance with Article IX, Section 1 of the Constitution, the Tribal Business Council adopted an ordinance, entitled Title XII, Chapter 1 to create a statutory mechanism in conformance with Article IX, Section 2 of the Constitution which authorizes the acquisition, sale and encumbrance of tribal fee lands for public purposes, including residential housing development; and

WHEREAS, the Tribal Business Council created the Tribal Housing Division of the Three Affiliated Tribes with the goal of developing new homes on the Reservation and creating homeownership opportunities for tribal members; and

WHEREAS, the Tribal Housing Division purchased and developed the lot otherwise known as the "Mandan Lot" with a Walking Shield home attached to the real property. Said property is located on tribal fee land with the intent of selling such property in accordance with the program criteria as adopted by the Tribal Business Council. The Program otherwise know as "Project Walking Shield" consisting of single family homes which will be sold to tribal members of the Tribes through various financing mechanisms; and



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WHEREAS, Leland Beston, a tribal member has qualified under the Project Walking Shield Program to enter into an Contract For Deed with Tribal Housing Division to purchase a home through the Project Walking Shield Program; and

WHEREAS, Title XII, Chapter 1, Section 1.4 authorizes the sale of Tribal lots to tribal members provided that a Resolution authorizing such lots to be sold has been adopted by the Tribal Business Council.

NOW THERE FOR IT BE RESOLVED, that in accordance with Title XII, Chapter 1, Section 1.4 of the Three Affiliated Tribes Tribal Code, the Tribal Business Council of the Three Affiliated Tribes hereby authorizes the sale of the following fee property to the tribal member herein identified:

1. Block 3, Lot 7, Breslin Subdivision, New Town, County of Mountrail, North Dakota to: Leland Beston

BE IT FURTHER RESOLVED, that said transaction shall be accomplished through real estate Purchase agreements and warranty deeds approved by the Tribes' Legal Department and executed by the Three Affiliated Tribes Tribal Chairman and witnessed and attested to by the Secretary of the Tribal Business Council as required by Section 1.4 of Title XII.

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, 5 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 31st day of August, 2006; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 5 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 31st day of August, 2006.

Nathan Hale
Tribal Secretary, Nathan Hale
Tribal Business Council

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