



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

A Resolution entitled, "Amendments to the Tribal Employment Rights Ordinance."

- 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 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 Tribe has adopted a Tribal Employment Rights Ordinance governing the employment of Indian workers and businesses on the Fort Berthold Reservation; and
- WHEREAS,** Title VI of the TERO Ordinance governs employment rights fees charged to covered employers with construction contracts and all other covered employers doing business on the Fort Berthold Indian Reservation; and
- WHEREAS,** Oil companies have approached TERO and indicated that the fee structure set forth in Title VI is cumbersome in terms of payment and enforcement; and
- WHEREAS,** The TERO Commission has listened to valuable suggestions made by oil companies that desire to conduct business on the reservation and establish a positive relationship with the Tribe and the TERO Office; and
- WHEREAS** The TERO Commission desires amendments to the TERO Ordinance concerning the fees charged to oil companies and oil exploration companies doing business on the Fort Berthold Reservation; and
- WHEREAS,** The TERO Commission submits the amendments below in order to create a convenient employment rights fee system that meets the Tribe's needs which are also simple to calculate and enforce; and
- WHEREAS,** The Tribal Business Council has reviewed the amendments and finds the same in the best interest of the Tribe, its members and for oil development on the Fort Berthold Reservation.

NOW THEREFORE BE IT RESOLVED, The Three Affiliated Tribes hereby approves the following amendments to the Tribal Employment Rights Ordinance:



Insert the following provisions to Title V, Section 503:

- (f) The Director shall have the authority to enter into agreements with covered employers addressing the payment of fees and any other compliance matters consistent with this Ordinance.

Insert the following provisions to Title VI, Section 601:

- (d) Oil companies or operators drilling oil or gas wells on the Fort Berthold Reservation shall pay a lump sum employment rights fee for all activities related to drilling, completion, equipping, operating, maintaining, marketing and abandonment of oil wells drilled on the Fort Berthold Reservation from the development of the drill site to abandonment as follows:

1. Dual Lateral Horizontal Well	\$60,000
2. Single Lateral Horizontal Well	\$50,000
3. Vertical Wells exceeding 10,000 feet.	\$25,000
4. Shallow Vertical Well	\$20,000

These employment rights fees shall be due and payable within ten days after spudding a well on the drill site. These fees shall apply to all wells drilled regardless of the productivity of the well.

Employment rights fees paid by an oil company or an operator shall cover all activities of contractors and subcontractors working on the company's drill site or well location.

Pipeline projects connecting wells to a pipeline transportation system (not a gathering system) shall be subject to a separate employment rights fee.

- (e) Oil companies or oil exploration companies shall pay an employment rights fee of \$350 per square mile for seismic surveys.



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, 5 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 11th of January, 2007; 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 11th day of January, 2007.

ATTEST:

Judy Brugh
Executive Secretary, Judy Brugh
Tribal Business Council
Three Affiliated Tribes

Marcus Wells, Jr.
Tribal Chairman, Marcus Wells, Jr.
Tribal Business Council
Three Affiliated Tribes

