



TAT RESCINDED RESOLUTION Resolution No. 07-204-VJB
DATE 10/26/07
NEW RESOLUTION # 07-205-UJB

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

A Resolution entitled, "Settlement of the Twin Buttes School Litigation and Reinstatement of the Twin Buttes Replacement School Project"

WHEREAS, The Three Affiliated Tribes have accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act; and

WHEREAS, The Constitution of the Three Affiliated Tribes 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 Tribal Business Council authorized the Tribe to participate as a grantee for federal matching funds for the Twin Buttes Replacement School Project, through Resolution 05-66-NH dated April 21, 2005; and

WHEREAS, the Tribe entered into Indian Self-Determination Agreement GTA04T301K1 with the Secretary of the Interior in September 2005 for the construction of the Twin Buttes Replacement School; and

WHEREAS, the Secretary, acting through the Bureau of Indian Affairs, terminated the Agreement in March 2007; and

WHEREAS, the Tribe has appealed the termination of the grant to the Civilian Board of Contract Appeals; and

WHEREAS, through good faith negotiations with the Tribe, the Bureau of Indian Affairs has indicated its willingness to amicably resolve the appeal, reinstate Indian Self-Determination Agreement GTA04T301K1, and restore approximately \$3.8 million in federal funding for the Project; and

WHEREAS, the Tribal Business Council recognizes that the school children of the Twin Buttes community and surrounding areas deserve an excellent educational facility; and

WHEREAS, the Tribal Business Council recognizes that it is in the best interests of the Three Affiliated Tribes to amicably resolve the appeal and restart the Twin Buttes Replacement School Project;



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NOW, THEREFORE, BE IT RESOLVED, the Tribal Business Council hereby reaffirms its full support for the Twin Buttes Replacement School Project; and

BE IT FURTHER RESOLVED, the Tribal Business Council hereby authorizes the Chairman and the Tribe's attorneys at Sonosky, Chambers, Sachse, Endreson & Perry LLP to finalize a settlement agreement which will end the Tribe's appeal; and

BE IT FURTHER RESOLVED, the Tribal Business Council hereby agrees to match the Federal government's contribution to the Twin Buttes Replacement School Project and to pay for cost overruns for the Project, as required by the Project's authorizing statute and Indian Self-Determination Agreement GTA04T301K1, and to provide appropriate documentary assurance to the Bureau of Indian Affairs to demonstrate the Tribe's matching fund capacity; and

BE IT FURTHER RESOLVED, the Tribal Business Council hereby establishes a Twin Buttes Replacement School Project Team, which shall include the Chairman of the Three Affiliated Tribes, Councilman Barry Benson, Tribal Federal Programs Officer Camilla Gosnell, Twin Buttes School Principal/Superintendent Chad Dahlen, and attorneys James Glaze and Will Stephens of Sonosky, Chambers, Sachse, Endreson & Perry LLP; and

BE IT FURTHER RESOLVED, the Tribal Business Council hereby authorizes the Project Team to proceed with the Tribal management of the Project and to take all necessary action, in coordination with the Bureau of Indian Affairs, to establish timelines and guidelines for successful completion of the planning, design, and construction phases of the Project; and

BE IT FURTHER RESOLVED, the Tribal Business Council hereby authorizes the Project Team to issue a Request for Proposals (RFP) from professional, experienced construction management firms to oversee the planning, design, and construction phases of the Twin Buttes Replacement School Project; and

BE IT FINALLY RESOLVED, the Tribal Business Council hereby authorizes the Chairman to execute any and all such documents as may be necessary to accomplish the purposes of this resolution; and

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, _____ were present at a _____ Meeting thereof duly called, noticed, convened and held on the ___ day of _____, 2007, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of



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

Chairman [] Voting. [] Not Voting.

Dated this ____ day of _____, 2007.

ATTEST:

Executive Secretary, V. Judy Brugh
Tribal Business Council

Chairman, Marcus Wells, Jr.
Tribal Business Council

