



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

***A Resolution entitled, " Approval of Consent Agreement in the Matter of EPA Administrative Complaints for Highway 8 Convenience Store; White Shield Ree Store and West Dakota Service"***

- 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 and By-laws of the Three Affiliated Tribes was adopted by membership of the Tribes on May 15<sup>th</sup>, 1936 pursuant to the Indian Reorganization Act of 1934 and duly approved by the Secretary of Interior; 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 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,** On December 14, 2007, the U.S. EPA issued administrative complaints for violations of federal underground storage tank regulations for three tribally owned facilities, White Shield Ree Store, Highway 8 Convenience Store and West Dakota Service with a total proposed penalty of ; and
- WHEREAS,** the Legal Department has actively negotiated with U.S. EPA to come to a settlement as to the penalty assessed and remedial actions necessary to settle this issue; and
- NOW, THEREFORE BE IT RESOLVED,** that the Tribal Business Council does hereby approve the attached Consent Agreement in the Matters of The Three Affiliated Tribes and Highway 8 Convenience Store, White Shield Ree Store and West Dakota Service and agrees to all terms and conditions contained therein.



**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, 5 were present at a special Meeting thereof duly called, noticed, convened and held on the 1 day of July, 2008, 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vote of 5 members, 0 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.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 1 day of July, 2008.

**ATTEST:**

  
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Mervin Packineau, Acting Secretary  
Tribal Business Council

  
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Marcus Wells, Jr., Chairman  
Tribal Business Council

