



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

*A Resolution entitled, "Request for Modification of Road Maintenance Contract with the Bureau of Indian Affairs to include additional funding for removal of snow, equipment, and repair to roads as a result of snow accumulation"*

**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,** The Constitution of the Three Affiliated Tribes generally 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 IV of the Constitution empowers the Tribal Business Council to negotiate with the Federal, State and local governments in behalf of the Tribe, and to advise and consult with the representatives of the Interior Department on all activities of that department that may affect the Fort Berthold Reservation; and

**WHEREAS,** The Three Affiliated Tribes performs Interior Department's Road Maintenance program functions, services, and activities on the Fort Berthold Reservation under provision of the Indian Self Determination Act; and

**WHEREAS,** The Tribal Business Council, responding to the impact that the severe weather conditions poses to the members of the Three Affiliated Tribes, to the residents of north central North Dakota, and to the general public, has had no alternative but to declare the Fort Berthold Reservation of North Dakota in a state of emergency due to the severity of the weather, immense snowfall, tremendous accumulation of snow, and the consequences those conditions; and

**WHEREAS,** The Three Affiliated Tribes, in delivery of services under the contract, is undertaking the immense task of removing snow and in doing so, has dedicated its FY 2009 contract allocation to this aspect of road maintenance; and

**WHEREAS,** The severity of the weather, the amount of snow removal undertaken by the Tribe, that which remains to be removed, anticipation of additional snowfall, and the repair to roads which will be needed as result of the snow, are of grave concern to the Tribal Business Council; and



**WHEREAS,** The Three Affiliated Tribes, having expended approximately 90 percent of the Road Maintenance allocation for its Road Maintenance Contract, and another 30 percent for shared used of snow removal equipment, requires additional funding for snow removal, repair to roads affected by accumulated snow; routine maintenance of our roads system; and

**WHEREAS,** The Tribal Business Council has noted the vast and fractionated area covered within the Road Maintenance Contract with the Bureau of Indian Affairs and the level of allocation that has remained consistently below our level of need for the primary responsibilities of our contract with the Bureau of Indian Affairs;

**WHEREAS,** The Tribal Business Council, recognizing the additional and critical task of removing snow and the repair to roads that will be needed in the aftermath, requests that its Contract with the Bureau of Indian Affairs be modified to include additional and increased level of funding to meet the Tribes' need for snow removal, snow removal equipment, subsequent repair to and maintenance of roads,

**NOW THEREFORE BE IT RESOLVED** That the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation sanctions its request for additional funding in the amount of \$650,000 for snow removal, snow removal equipment and subsequent repair to roads damaged as a result of snow accumulation;

**FURTHER, BE IT RESOLVED,** That the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation elects to modify its existing P.L. 93-638 contract to include funding for snow removal, snow removal equipment and subsequent repair to roads damaged as a result of snow accumulation.

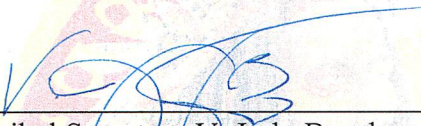


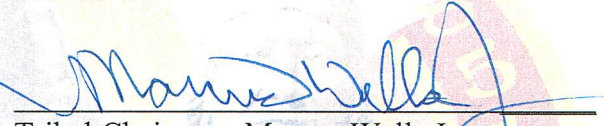
### CERTIFICATION

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, 6 were present at a Special Meeting thereof duly called, noticed, convened and held on the 14<sup>th</sup> day of January, 2009, 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.

Dated this 14<sup>th</sup> day of January, 2009.

ATTEST:

  
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Tribal Secretary V Judy Brugh  
Tribal Business Council  
Three Affiliated Tribes

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