



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

A Resolution Entitled:” *Ownership and Demolition of the Existing Twin Buttes School Facilities*”

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, Article III of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council is the governing body of the Tribes; and

WHEREAS, The Constitution of the Three Affiliated Tribes 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 (l) of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council has the power to adopt resolutions regulating the procedure of the Tribal Business Council and other Tribal agencies and Tribal officials on the Reservation; and

WHEREAS, Article VI, Section 5 (c) of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council has the power to administer all funds or property within the exclusive control of the Tribes and to make expenditures from available tribal funds for public purposes; and

WHEREAS, The Twin Buttes Public School District existing under the laws of the State of North Dakota, operates within the Fort Berthold Indian Reservation certain educational facilities in or around Twin Buttes, North Dakota, and provides educational opportunities to tribal members and others; and



WHEREAS, pursuant to Resolution 05-66 NH Dated April 22, 2005 the Tribal Business Council authorized the Tribe to participate as a grantee for federal matching funds under the Tribal School Construction Demonstration Program for the replacement of the Twin Buttes School; and

WHEREAS, The Tribe and the Twin Buttes School District successfully received a Congressional appropriation in the amount of \$3,944,000 under the Tribal School Construction Demonstration Program for the construction of a new elementary school in Twin Buttes, North Dakota as set out Public Law 108-447, Consolidated Appropriations Act of 2004; and

WHEREAS, Pursuant to Public Law 108-108, which established the Tribal School Construction Demonstration Program, the Tribe was required to commit a tribal match of 50 percent of the costs of construction of the New School; and

WHEREAS, the Tribe entered into a Indian Self-Determination Agreement GTA04T301K1 with the Secretary of the Interior in September 2005 to receive the grant funds and construct the Twin Buttes Replacement School; and

WHEREAS, The current Twin Buttes School facilities consist of the school building and two modular buildings which are owned by the Bureau of Indian Affairs and four modular units that are owned by the Three Affiliated Tribes; and

WHEREAS, the Tribe is in the design phase of the new Twin Buttes School and in order to construct the new school according to the approved the site plan the old school and the four modular trailers will need to be demolished; and

WHEREAS, the Tribal Business Council recognizes that it is in the best interests of the Three Affiliated Tribes to reject ownership of currently owned Bureau of Indian Affairs facilities and request that the BIA demolish them or remove them from the site before completion of new school; and

WHEREAS, the Tribal Business Council recognizes that it is in the best interests of the Three Affiliated Tribes to demolish the tribally owned modular units; and

NOW, THEREFORE, BE IT RESOLVED, that the Tribal Business Council hereby rejects ownership of the existing BIA owned Twin Buttes School and modular units that are part of the Twin Buttes School facilities and;

BE IT FURTHER RESOLVED; That the Three Affiliated Tribes hereby request that the Bureau of Indian Affairs fund the demolition of the existing BIA owned Twin Buttes School facilities; and



BE IT FINALLY RESOLVED; that the Three Affiliated Tribes agrees to fund the removal of the four tribal modular units which are part of the Twin Buttes School Facilities;


CERTIFICATION

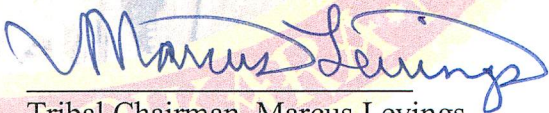
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the FortBerthold Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum, 7 were present at a Special Meeting thereof duly called, noticed, convened, and held on the 12th day of August 2009; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 7 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 12th day of August 2009.

ATTEST:


Tribal Secretary, V. Judy Brugh
Tribal Business Council
Three Affiliated Tribes


Tribal Chairman, Marcus Levings
Tribal Business Council
Three Affiliated Tribes