



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

A Resolution Entitled, "Authorizing A Memorandum of Understanding among the MHA Nation and the Bureau of Indian Affairs for Assignment of Realty Personnel pursuant to the Intergovernmental Personnel Act"

- 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 Tribe 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 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 MHA Nation has entered into a P.L. 93-638 contract with the Bureau of Indian Affairs for the Realty program; and
- WHEREAS,** Under the authority of the Intergovernmental Personnel Act, the MHA Nation may request and the BIA may assign BIA employees to the MHA Nation Realty program; and
- WHEREAS,** The Business Council finds it in the best interest of the MHA Nation to enter into a Memorandum of Understanding (MOU) requesting the assignment of Ms. Kayla M. Danks, Realty Officer, Midwest Region, and Mr. Jay Daniels, Realty Specialist, Midwest Region, to the MHA Nation; and
- WHEREAS,** Due to the oil and gas boom on the Fort Berthold Reservation, the MHA Nation is in need of assistance in processing oil and gas leases, rights of way, residential leases and other real estate transactions in order to meet the needs of the MHA Nation and its members; and
- WHEREAS,** Due to sudden increase of activity, the MHA Nation requests that the assignment begin as soon as possible for a term of 2 years; and
- WHEREAS,** The IPA assignments will serve as governmental liaisons to assist the MHA Nation in setting up connectivity to the Trust Asset and Accounting Management System (TAAMS) to process all oil and gas leases, IMDA's, communitization agreements, residential leases, rights of way and business leases; and



WHEREAS, The MHA Nation needs access to TAAM to fully participate in Self-Determination and the management of their energy resources; and

WHEREAS, Ms. Danks will serve as the lead regarding fractionated interests which will allow the Tribe to fully participate in the Cobell Land Consolidation program; and

WHEREAS, Due to benefit bestowed on the BIA and MHA Nation, the Business Council finds it in the best interest of the MHA Nation to request that the BIA fund these IPA assignments; and

WHEREAS, The MHA Nation requests that Ms. Danks and Mr. Daniels retain all Federal employee benefits (including travel and relocation reimbursement) and that they return to the BIA upon completion of their IPA assignments.

NOW THEREFORE BE IT RESOLVED, that the Business Council hereby formally requests that the BIA assign Ms. Danks and Mr. Daniels to the MHA Nation P.L. 93-638 Realty program pursuant to the Intergovernmental Personnel Act as soon as possible for a period of 2 years, and authorizes an appropriate Memorandum of Understanding to accomplish the assignment.

BE IT FURTHER RESOLVED, that the Business Council hereby requests that the BIA fully fund these IPA assignments as the assignments will benefit both the BIA and the MHA Nation.

BE IT FURTHER RESOLVED, the Business Council finds it in the best interest of the MHA Nation to request these IPA assignments to deal with realty issues that the oil and gas boom have brought to the Fort Berthold Indian Reservation.

BE IT FINALLY RESOLVED, that the Chairman is hereby authorized to take such further actions as are necessary to carry out the terms and intent of this Resolution.



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 Regular Meeting thereof duly called, noticed, convened and held on the 11th day of October, 2012, 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 11th day of October, 2012.

ATTEST:

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

Tribal Chairman, Tex Hall
Tribal Business Council
Three Affiliated Tribes