



RESCINDED
DATE 5-12-2022
NEW RES# 22-116-FWF

Resolution No. 19-248-FWF

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

A Resolution entitled, "*Amendment of Resolution 19-002-FWF which Approved of the Transfer of the Old White Shield School, located in the East Segment, from the BIA to the Tribes.*"

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 and By-laws of the Three Affiliated Tribes (or "Tribes") was adopted by membership of the Tribes on May 15th, 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; 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 (d) of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council has the power to negotiate with Federal, State and local governments on behalf of the Tribe and to advise and consult with representatives of the Interior Department on all activities that may affect the Fort Berthold Reservation; and

WHEREAS, The Tribal Business Council of the Three Affiliated Tribes through Resolution 19-002-FWF requested the Department of the Interior, Bureau of Indian Affairs to transfer title to the land upon which the old White Shield School is located; and

WHEREAS, It has come to the attention of the Tribal Business Council that the land description contained in Resolution 19-002-FWF needs to be corrected to read as follows: SE1/4SE1/4 of Section 2, T. 148N., R.88W., 5th Prin. Mer., McLean County, North Dakota, containing 40 acres more or less; and

WHEREAS, The request is therefore amended as follows: the Tribal Business Council of the Three Affiliated Tribes asks the Department of the Interior, Bureau of Indian Affairs to transfer title to the land with the following legal description to the Three Affiliated Tribes: SE1/4SE1/4 of Section 2, T.148N., R.88W., 5th Prin. Mer., McLean County, North Dakota containing 40 acres more or less; and



WHEREAS, The Tribal Business Council understands that Phase I and Phase II environmental hazard mitigation/abatement is to be performed before transfer "as is", and in addition requests that if there are any old fuel tanks, that any fuel tank leaks also be abated.

NOW, THEREFORE, BE IT RESOLVED that the Tribal Business Council of the Three Affiliated Tribes hereby amends its request in Resolution 19-002-FWF and asks the Department of the Interior, Bureau of Indian Affairs to transfer title to the land with the following legal description to the Three Affiliated Tribes: SE1/4SE1/4 of Section 2, T.148N., R.88W., 5th Prin. Mer., McLean County, North Dakota containing 40 acres more or less; and

BE IT FURTHER RESOLVED that the Tribal Business Council in addition asks that before transfer, if there are any old fuel tanks on the above-described land, that any fuel tank leaks also be abated; and

BE IT FURTHER RESOLVED that the Three Affiliated Tribes would like the Bureau of Indian Affairs to deed the land described below to the Three Affiliated Tribes "as is"; and

BE IT FINALLY RESOLVED that the Tribal Business Council of the Three Affiliated Tribes hereby agrees to accept the above described land in the "as is" condition.



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, 7 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 10th day of October, 2019, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 6 members, 0 members opposed, 0 members abstained, 1 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman [X] Voting. [] Not Voting.

Dated this 10th day of October, 2019.

ATTEST:



Tribal Secretary, Fred Fox
Tribal Business Council



Tribal Chairman, Mark N. Fox
Tribal Business Council