



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

**A Resolution Entitled, “*Grant of Non-Profit Corporate Charter to the Fort Berthold Land and Livestock Association, Authorization of Authority, and Appropriation*”**

- WHEREAS,** The Mandan Hidatsa and Arikara Nation (MHA Nation), also known as the Three Affiliated Tribes, having accepted the Indian Reorganization Act of June 18, 1934, the authority under said Act, and having adopted a Constitution and By-laws (the Constitution) under said Act, and
- WHEREAS,** Pursuant to Article III, Section 1 of the Constitution, the Tribal Business Council is the governing body of the MHA Nation; and
- WHEREAS,** The Constitution 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 MHA Nation and of the enrolled members thereof; and
- WHEREAS,** Pursuant to Article VI, Section 5(l) of the Constitution, the Tribal Business Council has the power to adopt Resolutions regulating the procedures of the Tribal Business Council, its agencies and officials; and
- WHEREAS,** Article VI, Section 5(c) of the Constitution specifically authorizes and empowers the Tribal Business Council to administer funds within the exclusive control of the Nation and to make expenditures from available Tribal funds for public purposes for the Nation; and
- WHEREAS,** The Tribal Business Council has authority to grant corporate charters to enrolled members of the Three Affiliated Tribes, agencies, and segments organized for public purposes; and
- WHEREAS,** The Fort Berthold Land and Livestock Association was originally formed as a nonprofit corporation under the North Dakota Nonprofit Corporation Act in 1976 to carry out and promote agriculture on the Fort Berthold Reservation; and
- WHEREAS,** The Fort Berthold Land and Livestock Association has requested to be chartered under the laws of the MHA Nation; and
- WHEREAS,** The Tribal Business Council has determined it is in the best interest of the MHA Nation to grant a non-profit corporate charter and authorize an appropriation of tribal funds to the Fort Berthold Land and Livestock Association to facilitate the Land and Livestock Association’s work in promoting agriculture, and in ensuring compliance with the Three Affiliated Tribes’ Grazing Regulations in cooperation



with various tribal agencies and the U.S. Department of the Interior Bureau of Indian Affairs (BIA).

**NOW THEREFORE BE IT RESOLVED,** That the Tribal Business Council hereby grants a non-profit corporate charter to the Fort Berthold Land and Livestock Association, a true and correct copy of which Charter is attached hereto.

**BE IT FURTHER RESOLVED,** The Tribal Business Council authorizes and approves an appropriation of \$200,000.00 to the Land and Livestock Association subject to the accounting requirements of tribal law, to cover operational expenses and to hire staff, including an executive director, to hire consultants necessary to carry out the purposes of their organization, and to investigate violations of the MHA Nation's Grazing Regulations in cooperation with BIA, the Tribes' Supervisory Range Rider, the Tribes' Department of Natural Resources and the Tribal Business Council.

**BE IT FURTHER RESOLVED,** The Tribal Business Council authorizes the Land and Livestock Association to carry out investigations, contract with outside consultants and agencies, and with the BIA to provide the BIA enforcement assistance, and to pursue grant funding to further develop and promote agriculture on the Fort Berthold Reservation.

**BE IT FINALLY RESOLVED,** That the Tribal Secretary is authorized to certify the charter of the Fort Berthold Land and Livestock Association and acknowledge it as a duly authorized and active corporation in good standing with the laws and Constitution of the Three Affiliated Tribes.

[Remainder of Page Left Blank, Certification Follows]




**CERTIFICATION**


I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum, 5 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 14<sup>th</sup> day of September 2022; 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 [ X ] voting. [ ] not voting.

Dated this 14<sup>th</sup> day of September 2022.

**ATTEST:**

  
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Tribal Secretary, Fred W. Fox  
Tribal Business Council

  
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Tribal Chairman, Mark N. Fox  
Tribal Business Council

CHARTER OF THE FORT BERTHOLD LAND AND LIVESTOCK ASSOCIATION

Pursuant to the authority granted by the Constitution of the Three Affiliated Tribes, the Tribal Business Council of the Three Affiliated Tribes grants this Charter to a non-profit corporation known as the Fort Berthold Land and Livestock Association.

ARTICLE I

The name of the non-profit corporation is The Fort Berthold Land and Livestock Association.

ARTICLE II

The address of the principal executive office is 9696 BIA Rt 14, Mandaree, ND 58757.

ARTICLE III

The duration of The Fort Berthold Land and Livestock Association shall be perpetual.

ARTICLE IV

The Fort Berthold Land and Livestock Association is incorporated for the purposes of promoting the business of agriculture and upholding tribal law as it relates to grazing and agriculture on the Fort Berthold Reservation.

ARTICLE V

The Fort Berthold Land and Livestock Association is not organized for profit and shall have no capital stock.

ARTICLE VI

The regulation of the internal affairs of the Corporation, including provisions for distribution of assets on dissolution or final liquidation are as follows: The by-laws of the corporation and the distribution of assets on dissolution or liquidation are to be made in accordance with section 501(c)(3) of the Internal Revenue Code, in accord with the Directors and Officers.

ARTICLE VII

The registered agent is Susan Fredericks at the address of 9696 BIA Rt 14, Mandaree, North Dakota 58757.

ARTICLE VIII

The number of officers and directors of the Fort Berthold Land and Livestock Association shall be four (4). Their names and addresses are as follows:

Edward S. Danks Jr., President  
3542 Hwy 22  
New Town, ND 58763

Casey D. Fredericks, Vice President  
61 92<sup>nd</sup> Ave NW  
Halliday, ND 58636

Susan Fredericks, Secretary  
9696 BIA Rt 14  
Mandaree, ND 58757

Jessie Baker, Treasurer  
40<sup>th</sup> St. NW  
New Town, ND 58763

ARTICLE IX

The names and addresses of each incorporator are:

Susan Fredericks  
9696 BIA Rt 14  
Mandaree, ND 58757

Edward S. Danks Jr.,  
3542 Hwy 22  
New Town, ND 58763