

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

- WHEREAS, This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under 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, On the 14th day of January, 1982, the Chairman of the Tribal Business Council, on behalf of the Three Affiliated Tribes, executed and entered into a Consultant Contract with the Native American Rights Fund, Boulder, Colorado, which Contract was approved by the Tribal Business Council on said date, via Resolution #82-1; and
- WHEREAS, In pursuit of fulfilling its contractual obligations as prescribed by Clause 3 of said Contract, the Native American Rights Fund has expended a certain amount of time and effort in developing a number of proposed amendments to the Constitution of the Three Affiliated Tribes and in revising the Tribal Code of Laws in its entirety, in addition to having incurred certain expenses related to such legal services; and
- WHEREAS, The Native American Rights Fund has recently submitted three (3) separate fee and expense statements relating to the services provided to the Tribes in the above-identified matters, the total of which fees and expenses having been identified in the amount of Nineteen Thousand Four Hundred Seventy-One and 60/100 Dollars (\$19,471.60); and
- WHEREAS, Upon its review and consideration of said fee and expense statements, the Tribal Business Council deems the documented fees and expenses reasonable;
- NOW, THEREFORE, BE IT RESOLVED, That the Tribal Business Council, pursuant to Clause 5 of said Consultant Contract, hereby authorizes payment to to the Native American Rights Fund of legal fees and related expenses in the total amount of Nineteen Thousand Four Hundred Seventy-One and 60/100 Dollars (\$19,471.60), as documented in the three (3) statements attached hereto.


CERTIFICATION

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation certify that the Tribal Business Council is composed of 11 members of whom 7 constitutes a quorum, 9 were present at a Special meeting, thereof duly called, noticed, convened and held on the 3 day of AUGUST, 1983; that the foregoing

Resolution was duly adopted at such meeting by the affirmative vote of 8 members, — members opposed, — members abstained, 1 members not voting and that the said Resolution has not been rescinded or amended in any way.

Chairman (Voting) (~~Not Voting~~)

Dated this 3 day of AUGUST, 1983


Secretary, Tribal Business Council

Attest:


Chairman, Tribal Business Council

Executive Director
John E. Echohawk

Deputy Director
Jeanne S. Whiteing

Attorneys
Kurt V. Blue Dog
Walter R. Echo-Hawk
Douglas Endreson
Kim Jerome Gottschalk
Yvonne T. Knight
Scott B. McElroy
Don B. Miller
Terry L. Pechota
Anita Remerowski
Jeanette Wolfley

Development Officer
Mary Hanewall

Technical Writer
Oran LaPointe

Controller
Susan R. Hart

Native American Rights Fund

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Arlinda F. Locklear

Legislative Liaison
Suzan Shown Harjo

Of Counsel
Richard B. Collins
Bruce R. Greene
Thomas N. Tureen
Charles F. Wilkinson

S T A T E M E N T

TO: Tribal Business Council,
Three Affiliated Tribes of the
Ft. Berthold Reservation
New Town, North Dakota 58763

RE: Revision of Tribal Constitution and Tribal
Code of the Three Affiliated Tribes

DATE: June 29, 1983

Balance due from previous statement, 2/28/82 - 7/31/82
(copy attached) \$9,558.04

Balance due from previous statement, 8/1/82 - 12/31/82
(copy attached) \$1,215.00

Hours of attorneys Douglas B. L. Endreson (DBLE),
Jeanette Wolfley (JW) and Kim J. Gottschalk
(KJG) 1/10/83 - 4/29/83:

<u>Date</u>	<u>Attorney</u>	<u>Description</u>	<u>Hours</u>
1/10/83	DBLE	Travel, review memo re: codes rev.	2.5
1/11/83	"	Travel, meet with A. McKay & Kip	5.5
1/12/83	"	Travel, meet with R. Cross, review jurisdiction	5.5
1/27/83	"	Research and revise opinion	3
1/28/83	"	Finalize opinion, prepare codes	4.5
1/29/83	"	Draft constitution	4
1/6/83	JW	Research for memo on tribal regulation	2
1/7/83	"	Draft of memo; review constitution	2.5
1/9/83	"	Revision to juris. memo.	3

Native American Rights Fund

Three Affiliated Tribes Statement
June 29, 1983
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<u>Date</u>	<u>Attorney</u>	<u>Description</u>	<u>Hours</u>
1/10/83	JW	Final draft of memo	.5
1/13/83	"	Meet with D. Endreson	.5
1/18/83	"	Meet with D. Endreson; research	2
1/20/83	"	Research allotment issue; drafted memo	4
1/21/83	"	Redrafted memo additional research	5
1/24/83	"	Completed memo	3
2/1/83	DBLE	Constitutional revision memo	4
2/4/83	"	Conference with KJG re: hunting and fishing	1
2/6/83	"	Conference re: memo; meet with R. Cross	2
2/25/83	"	Hunting and fishing agreement	2
2/28/83	"	Meet with KJG re: hunting and fishing	2.5
2/1/83	KJG	Research	.5
2/4/83	"	Meet with D. Endreson	2
2/5/83	"	Review case	.5
2/7/83	"	Prepare for meeting with R. Cross	4.5
2/25/83	"	Review and revise tribal/state agreement	2
2/28/83	"	Meeting with D. Endreson	1
2/7/83	JSW	Meet with R. Cross	2
3/9/83	DBLE	Travel, review constitution	2.5
3/10/83	"	Travel, meet with Diane Johnson	7
3/25/83	KJG	Review materials re: agreement	1

Native American Rights Fund

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<u>Date</u>	<u>Attorney</u>	<u>Description</u>	<u>Hours</u>
3/26/83	KJG	Review materials re: agreement	1
3/27/83	"	Travel, meet with Cross, Baker, Baily	8
3/28/83	"	Meet with game, fish and tribal officials	11.5
3/30/83	"	Research, draft of letter	1.5
3/21/83	JW	Review, discussed memo	.5
4/28/83	DBLE	Discuss with Gottschalk	.5
4/29/83	"	Draft civil code and comments, letters, hunting and fishing transfer memo	4
TOTAL HOURS:			111
@ \$45/per hr.			\$ 4,995.00

COSTS

<u>Date</u>	<u>CK #</u>	<u>Payee</u>	<u>Description</u>	<u>Amt.</u>
1/10/83	33380	D. Endreson	Travel Reimb	\$ 110.75
1/10/83	33416	James Travel	Airfare	420.00
3/9/83	33728	Avis Rent A Car	Car Rental	113.92
3/9/83	34023	D. Endreson	Travel reimb.	60.65
3/9/83	34036	James Travel	Airfare	358.00
3/25/83	34036	James Travel	Airfare	451.00
3/27/83	-	Kim Gottschalk	Travel reimb.	79.30
3/20/83	34330	Steven Haberfeld		2,100.94
				\$ 3,703.56

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Three Affiliated Tribes Statement
June 29, 1983
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TOTAL HOURS & COSTS:	\$	8,698.56
TOTAL NOW DUE:	\$	<u>19,471.60</u>

Group

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John E. Echohawk

Deputy Director
Jeanne S. Whiteing

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Walker R. Echo-Hawk
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S T A T E M E N T

12/31/82

To: Tribal Business Council
Three Affiliated Tribes of the
Ft. Berthold Reservation
New Town, North Dakota 58763

Re: Revision of Tribal Constitution and Tribal
Code of the Three Affiliated Tribes

Balance due from previous statement, 2/18/82 - 7/31/82
(copy attached) \$ 9,558.04

Hours of attorneys Douglas B.L. Endreson (DBLE) and
Jeanette Wolfley (JW) 8/1/82 - 12/31/82:

<u>Date</u>	<u>Attorney</u>	<u>Description</u>	<u>Hours</u>
8/3/82	DBLE	Review material re: <u>Three Affiliated Tribes v. Wold Engineering</u> , 321 N.W.2d 510 (N.D. 1982)	1
8/4/82	"	Talk w/JW re <u>Wold</u> ; Call Kip Quale; draft memo	1
8/7/82	"	<u>Wold</u> , review opinion and brief; research for opinion letter	2
8/9/82	"	<u>Wold</u> analysis; draft opinion letter	2
8/10/82	"	Finalize opinion letter recommend- ing petition for cert. be filed	1
10/4/82	"	Call from Kip Quale re: election	.5
10/5/82	"	Research & return call and advise tribes on constitutional provision regarding election	1

Relative American Rights Fund

Tribal Business Council
 Three Affiliated Tribes of the
 Ft. Berthold Reservation
 New Town, North Dakota

<u>Date</u>	<u>Attorney</u>	<u>Description</u>	<u>Hours</u>
10/15/82	DBLE	Hunting and Fishing code revision; review, draft revisions and letter to Kip Quale	3
10/27/82	"	Letter to Kip Quale	.5
10/18/82	JW	Research from memo; talked with Mescalero attorney for exclusive juris. regs.	7
10/19/82	"	Meeting w/DBE	N/C
10/21/82	"	Research memo on exclusive jurisdiction	1
10/22/82	"	Memo on exclusive jurisdiction	2
10/23/82	"	Finalize memo	1
10/24/82	"	Meeting w/DBE	N/C
10/31/82	"	Memo to DBE	1
11/4/82	"	Memo to DBE; Research	N/C
11/5/82	"	Redraft of memo to DBE	1
12/13/82	"	Revise chapter 1 & 2; Letter to K. Quale	<u>2</u>
Total Hours			27
27 hours at \$45/hour			\$ 1,215.00
TOTAL NOW DUE			<u>\$10,773.04</u>

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Thomas N. Turner
Charles F. Wilkinson

25 August 1982

Mr. Austin H. Gillette, Chairman
Tribal Business Council
Three Affiliated Tribes of the
Fort Berthold Reservation
New Town, North Dakota 58763

Dear Chairman Gillette:

Our statement of costs for NARF's work on the
Three Affiliated Tribes' Constitutional Revision for the
period 2/18/82 - 7/31/82 follows:

2/18/82	DBLE	Letter re meeting; draft and revise.	2 hrs.
2/18/82	DBLE	Review file materials; letter re meeting and agenda.	2 hrs.
3/9/82	DBLE	Complete file review.	2 hrs.
3/14/82	DBLE	Travel	3 hrs.
3/15/82	DBLE	Meet w/council Travel	3 1/2 hrs. 2 1/2 hrs.
3/14/82	JSW	Travel - 3 hrs.	N/C
3/15/82	JSW	Meet w/council - 3 1/2 hrs. Travel - 4 1/2 hrs.	N/C N/C
4/26/82	DBLE	Research & memorandum re territorial jurisdiction, separation of powers, review of U.S. & Tribal Constitutions and research thereon.	8 hrs.
4/27/82	DBLE	Research and memorandum re separation of powers, research re voting by district, general law research and review of state codes.	8 hrs.

Native American Rights Fund

Mr. Austin H. Gillette
 25 August 1982
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5/7/82	DBLE	Revision of memorandum.	4 hrs.
5/9/82	DBLE	Prepare draft constitutional provisions on separation of powers, territorial jurisdiction.	4 hrs.
5/10/82	DBLE	Research from first draft; prepare draft constitutional provision.	5 hrs.
5/11/82	DBLE	Research as indicated; revise draft constitutional revision - voting by district.	7 hrs.
		Travel.	3 hrs.
5/12/82	DBLE	Travel to Ft. Berthold.	2 hrs.
		Preparation, meeting.	6 hrs.
5/13/82	DBLE	Travel	5 hrs.
5/18/82	DBLE	Meeting w/Austin Gillette - 1 hr.	N/C
5/18/82	JSW	Meeting w/Austin Gillette - 1 hr.	N/C
5/31/82	DBLE	Second draft - constitutional revision.	4 hrs.
6/1/82	DBLE	Second draft - constitutional revision.	10 hrs.
6/2/82	DBLE	Second draft - constitutional revision; prepare background memorandum.	10 hrs.
6/3/82	DBLE	Second draft - constitutional revision, compare w/other tribal constitutions.	10 hrs.
6/4/82	DBLE	Third draft - constitutional revision.	8 hrs.
6/19/82	DBLE	Prepare explanatory comments.	5 hrs.
6/20/82	DBLE	Travel to Ft. Berthold.	4 hrs.
6/21/82	DBLE	Prepare for meeting; meet w/council.	6 hrs.

Native American Rights Fund

Mr. Austin H. Gillette
 25 August 1982
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6/22/82	DBLE	Travel (return to Denver)	4 hrs.
6/2/82	JSW	Discuss w DBLE.	1/2 hr.
6/3/82	JSW	" " "	1/2 hr.
7/5/82	DBLE	Constitutional review-edit. Travel.	2 hrs. 3 hrs.
7/6/82	DBLE	Prepare for meeting. Meeting. Travel. Council. Revise constitution. Meet w/council.	1/2 hr. 1 hr. 1 hr. 3 hrs. 2 hrs. 2 hrs.
7/7/82	DBLE	Prepare for meeting. Meet w/council. Travel.	3 hrs. 1 hr. 3 hrs.
7/8/82	DBLE	Travel.	3 1/2 hrs.
7/9/82	DBLE	Revise after council meeting.	4 hrs.
			<u>158 1/2 hrs.</u>

Expenses

Travel to meeting w/council, 3/15/82	\$ 394.86
Douglas B. L. Endreson:	
Air fare	\$ 197.00
Ground travel	145.33
Lodging	42.53
Meals	10.00
Travel to meeting w/council, 5/12/82	\$ 607.89
Douglas Endreson:	
Air fare	\$ 406.00
Ground travel	94.39
Lodging	73.50
Meals	34.00
Travel to meeting w/council, 6/21/82	\$ 622.73
Douglas Endreson:	
Air fare	\$ 414.00
Ground travel	116.53
Lodging	67.20
Meals	25.00

Native American Rights Fund

Mr. Austin H. Gillette
25 August 1982
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Travel to meeting w/council, 7/5/82		\$ 800.06
Douglas Endreson:		
Air fare	\$ 414.00	
Ground travel	182.14	
Lodging	91.92	
Meals	40.00	
Air Freight	70.00	
Xerox	2.00	
		<u>\$ 2,425.54</u>

STATEMENT AMOUNT:

158.5 hours @ \$45.00 per hour	\$ 7,132.50
Expenses	<u>2,425.54</u>

TOTAL DUE: \$ 9,558.04

Thank you for your prompt review of this statement. I look forward to continuing to work with you.

Sincerely, _____

Douglas B. L. Endreson

DBLE:sh