

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 Tribe 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, The Tribal Business Council of the Three Affiliated Tribes duly appointed an Election Board to conduct fair elections in the primary and general elections of February 17, 1987 and March 10, 1987; and
- WHEREAS, On March 13, 1987 an election contest was filed with the Election Board wherein an administrative hearing was held March 18, 1987; and
- WHEREAS, It was the considered judgment of the Election Board to hold a Special Run-Off Election between the two eligible candidates, Ernest Stone and Jim Mossett, in the South Segment; and
- WHEREAS, The Tribal Business Council has appealed the decision of the Election Board to the Fort Berthold District Court for proper judicial review; and
- WHEREAS, Following the passing of Resolution No. 87-08-TL by the Tribal Business Council, the Tribal District Court held a hearing on the evening of April 15, 1987 at the New Town Civic Center and present at such hearing was Lyle Witham, Attorney, representing the Tribal Election Board and Curtis Danks, member of the Tribal Election Board; Attorney Ronald Hall of the Fredericks & Pelcyger Law Firm, representing the interests of Ernest Stone; and Attorney Tom Schoppert, representing the interests of James Mossett; and
- WHEREAS, On April 22, 1987, the Honorable Tom M. Beyer, Associate Tribal Judge rendered a judicial review and opinion of the South Segment election dispute and declared the election a tie between Ernest Stone and Jim Mossett, held that the Election Board rescinds its certification of Ernest Stone as the elected candidate for the South Segment, dated March 18th, 1987, and orders that a special Runoff Election be held at the earliest possible date for the South Segment representative pursuant to Part IX, Page 30 of the Election Ordinance; and

NOW, THEREFORE, BE IT RESOLVED, That the Tribal Business Council hereby accepts Associate Tribal Judge Tom M. Beyers judicial review and opinion of the South Segment election dispute; and

BE IT FURTHER RESOLVED, That the Tribal Business Council hereby requests the Tribal Finance and the Tribal Legal Department, to review the state of a serious funding problem in keeping the present Election Board to carry out the South Segment election and directs the Department to report to the Tribal Business Council within thirty days to make recommendations for the funding of or a plan to carry out the South election.

C E R T I F I C A T I O N

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 constitutes a quorum, 5 were present at a Special meeting thereof duly called, noticed, convened, and held on the 1st day of May, 1987; affirmative vote of 5 members, 0 members opposed 0 members abstained, 0 members not voting, and that said Resolution has not been recinded or amended in any way.

Chairman

(Voting)

(Not Voting)

Dated this 1st day of May, 1987.

Jed Am Fight III
Secretary, Tribal Business Council

ATTEST:

Edward Lone Figher

Chairman, Tribal Business Council
Three Affiliated Tribes
Fort Berthold Reservation