

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, the Docket 350-C&D Community Development Funds for Fiscal Year 1990 have been made available and \$103,862 was identified by Tribal Resolution #89-256-TL which allocated Docket Income; and

WHEREAS, The Docket 350-C&D Community Development fund was approved by the Secretary of Interior for the following purposes:

Community Development

Thirty-Five Percent (35%) of the annual income shall be divided on a local resident tribal member basis among the five reservation communities or segments for Community Development Projects as approved by the tribal governing body.

; and

WHEREAS, the Tribal Business Council, in Resolutions #88-52-TL and #89-93-TL specified that prior to disbursement of their respective Fiscal Year CD Funds the Communities would be required to submit their Community Census Listings and FY 1983-1988 Revenue Sharing & CD Funds Audit Material; and

WHEREAS, The South, Mandaree, and Four Bear Segments have submitted Updated Community Census Lists for 1989/90, but the delinquent other Segments are causing a delay in arranging for the distribution of the 1990 CD funds; and

WHEREAS, the results of the Communities' Census Listings in terms of segment population and percent of total population for FY 1989 under Resolution #89-93-TL were as follows:

North Segment	729 Members	28.9%
South Segment	304 Members	12.1%
Mandaree Segment	444 Members	17.6%
N.E. Segment	338 Members	13.4%
East Segment	386 Members	15.3%
4 Bears Segment	320 Members	12.7%
Totals	2,521 Members	100.0%

; and

WHEREAS, The required submission of audit materials by some communities has remained incomplete while others have submitted the required information (Yes = Received) (No = Not Provided By Community) (CD = Docket Community Development Funds) (RS = US Revenue Sharing Funds):

Community	83-84		84-85		85-86		86-87	87-88	88-89
	CD	RS	CD	RS	CD	RS	CD	CD	CD
N. Seg.	No	No	No	No	No	No	No	No	Yes
T. Buttes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Mandaree	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
NE Seg.	No	No	No	No	No	No	No	Yes	No
East Seg.	No	Yes	No	Yes	No	Yes	No	No	No
4 Bears	No	No	No	No	No	Yes	Yes	Yes	Yes

WHEREAS, The Tribal Business Council does not wish to assume liability for the unauditable accounts of the Reservation Communities and have to utilize T-2 Funds to correct any questioned costs, etc.; and

WHEREAS, It is unfair to hold the funds of communities having submitted the required headcount/audit information while not penalizing delinquent communities; and

WHEREAS, It is possible to use the population figures submitted for 1989-90 by Twin Buttes (404), Mandaree (714), Four Bears (411) Total= 1,257 and subtract the total for the previous year Twin Buttes (304), Mandaree (442), and Four Bears (320) Total= 1,064 to get a difference of 1,529 persons which can be divided by 3 to get 154 for subtraction from each of the delinquent communities previous year population figures; and

WHEREAS, The new population figures and percentages for FY 1990:

North Segment	729	-154	=	575	23%	(FY 89= 729/28.9%)
South Segment			=	404	16%	(304/12.1%)
Mandaree Seg.			=	714	28%	(444/17.6%)
Northeast Seg.	338	-154	=	185	8%	(338/13.4%)
East Segment	386	-154	=	232	9%	(386/15.3%)
Four Bears			=	<u>411</u>	<u>16%</u>	(320/12.7%)
Total				2,521	100%	

WHEREAS, Certain of the communities have received loans or advances on their 1990 CD funds, or received an excess amount of 1989 Funds by mistake,

NOW, THEREFORE, BE IT RESOLVED, that until they have provided ALL of their required headcount and audit information, the Communities shall be eligible to receive only the fraction or proportion of the Docket 350-C&D Community Development Funds that is comparable to the amount of audit information they currently have delivered minus any obligations or advances,

FURTHER BE IT RESOLVED, that the Communities shall be required to to utilize the attached Request/Notification Form to request Fiscal Year 1990 Docket 350-C&D Community Development Funds

FURTHER BE IT RESOLVED, that the Twin Buttes Community has submitted the required headcount and bookkeeping information and has no obligations against its CD funds so it may, at any time, request a draw down of its allocation of:

16% Of Population x \$103,862 = \$16,618.00

FURTHER BE IT RESOLVED, that the Mandaree Community has submitted the required headcount and bookkeeping information so it may, at any time, request a drawdown of its allocation minus its loan payment made to First International Bank Of Watford City by the Three Affiliated Tribes:

28% Of Population x \$103,826 = \$29,081.00
- Loan Payment(Ck#74193) 5,052.36
Available \$24,028.64

FURTHER BE IT RESOLVED, that the Four Bears Community has submitted its required headcount and part, 4/9ths, of its bookkeeping information therefore it may request a drawdown of 4/9ths of its allocation minus its loan payment made to Lakeside State Bank of New Town by the Three Affiliated Tribes:

16% of Population x \$103,862 = \$16,618.00
-Loan Payment(Ck#74044+P.C.) 3,078.09
Remaining \$13,539.91

times 4/9 or .44 for amount of required information submitted
\$13,539.91 x .44 = \$ 5,957.56
Available Now

The 5/9ths or \$7,596.43 balance remaining may not be drawn down by the Community until the required 1983-85 bookkeeping information is submitted, nor may loans or advances be made against this balance or 1991 CD funds.

FURTHER BE IT RESOLVED, that the North Segment Community has not submitted its required headcount and has submitted only 1/9th of its required bookkeeping information therefore it may request a drawdown of 1/9th of its allocation minus its loan payment made to the Lakeside State Bank of New Town by the Three Affiliated Tribes:

23% of Population x \$103,862 =	\$23,888.00
-Loan Payment	<u>3,058.84</u>
	Remaining \$20,829.16
Times 1/9 or .11 for amount of required information submitted	
\$20,829.16 x .11	= \$ 2,291.21
	Available Now

The balance of \$18,537.95 remaining may not be drawn down by the Community until the required headcount information and the required 1983-88 bookkeeping information is submitted, nor may loans or advances be made against this balance or 1991 CD funds.

FURTHER BE IT RESOLVED, that the Northeast Segment Community has:

- not submitted its required headcount
- submitted only 1/9th (1987-88) of its required bookkeeping records
- was delinquent in submitting its Peoples Bank & Trust loan papers and documentation for its \$2,500 loan which resulted in the Three Affiliated Tribes not being able to pay off the loan in a timely manner (Total Payoff \$2,745.75)
- received excess 1989 CD funds in the amount of \$1,452.51 which will be subtracted from the 1990 funds

8% of Population x \$103,862 =	\$ 8,309.00
- Overpayment from 1989	<u>1,452.51</u>
	\$ 6,856.79
- Loan Payment (Check #75380)	<u>2,745.75</u>
	Remaining \$ 4,111.04

Times 1/9 or .11 for amount of required information submitted	
\$4,111.04 x .11	= \$ 452.21
	Available Now

The 8/9ths balance or \$3,658.83 remaining may not be drawn down by the Community until the required headcount information and the required 1983-86/88-89 bookkeeping information is submitted, nor may loans or advances be made against this balance or 1991 CD funds.

FURTHER BE IT RESOLVED, that the White Shield Segment has:

- not submitted its required headcount
- submitted only 3/9ths of its required bookkeeping information
- received a \$5,000 advance drawdown
- received excess 1989 CD funds in the amount of \$2,704.79

9% of Population x \$103,862 =	\$ 9,348.00
-Overpayment from 1989	2,704.79
	\$ 6,643.21
-Advance Payment	\$ 5,000.00
Remaining	\$ 1,643.21

times 1/3 or .33 for amount of required information submitted	
\$1,643.21 x .33	= \$ 542.26
	Available Now

The 6/9ths or \$1,100.95 balance remaining may not be drawn down by the Community until the required headcount information and the required 1983-89 bookkeeping information is submitted nor may loans or advances be made against this balance for 1991 CD funds

REQUEST AND NOTIFICATION FORM
FOR
FISCAL YEAR 1990 DOCKET 350-C&D
COMMUNITY DEVELOPMENT FUNDS

REQUEST

I, _____ (print name), hereby request the amount of Docket 350-C&D Community Development Funds authorized by Resolution #90- _____ for the _____ Community and certify that the following statements or instructions are understood and will be complied with:

1. The Community shall not receive the balance of the FY 90 CD Funds authorized by Resolution until ALL of the Required Audit Information for Community Development Funds FY 1983-FY 1989, US Revenue Sharing Funds FY 1983-1985, and headcount information is received.
2. The following FY 1990 (January 1, 1990 through December 31, 1990) Audit and Recordskeeping Information shall be required prior to the disbursement of the Fiscal Year 1991 Docket 350-C&D Funds:
 - A. Community Meeting Minutes
 - B. Bank Statements
 - C. Bank Reconciliations
 - D. Cash Receipt Records
 - E. Cash Disbursement Records(These should be provided no later than January 15, 1991 so that they may be made available to the Tribe's Auditors)
3. Community Census List Requirements are:
 - A. Conduct a Head Count restricted to Enrolled Tribal Members Residing within the Community
 - B. Prepare 26 Sheets of Paper to compile your lists on. At the top-middle of each sheet you should write the Name of the Community and the appropriate letter of the Alphabet. The 1st Sheet would have " _____ " Community and "A" at the top, and so on, through the 26th Sheet which would have the Community Name and "Z" at the top.
 - C. Each resident enrolled member's Full Name shall be entered upon one of the sheets, alphabetically by last name, in the following manner:
Last Name, First Name

- D. Additionally, once each sheet listing is complete, the names listed on that sheet should be placed in alphabetical order.
- E. One copy of this 26 Page Document shall be submitted to the Secretary of the Tribal Business Council prior to October 15, 1989.

4. The Names, Addresses, and Telephone Numbers of each of the Community Officers are:

5. Signature _____

Date _____

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 constitute a quorum, 5 were present at a Special Meeting thereof duly called, noticed, convened, and held on the 25th day of April, 1990; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 4 members, 1 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Dated the 25th day of April, 1990.

(Acting) Jim M. Maseto
 Secretary, Tribal Business Council

ATTEST:

Edward Gene Fisher
 Chairman, Tribal Business Council