

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 member thereof; and

WHEREAS, The Bureau of Reclamation, by virtue of the Memorandum of Understanding (MOU) No. 8-AG-60-00580 of 6. Allowable Cost, Section (a). "The BOR may incur reasonable costs as are necessary for the performance of its oversight role and functions as are authorized herein. **These costs will include the applicable portions of salaries and benefits of its staff, travel, per diem as specified by law, associated indirect costs, and any expenses allotted to the inspection or approval of work performed by the Tribe.** The BOR will retain such costs authorized hereunder out of Federal funds appropriated and **shall furnish the Tribe a quarterly account of such costs incurred.** The costs of BOR administration, review, and approval for non-construction items, such as designs and specifications, shall not exceed 10 percent of funds provide to the Tribe, and for oversight of construction shall not exceed 4 percent of the funds provided to the Tribe."

WHEREAS, The Bureau of Reclamation currently submits a quarterly report of expenditures and transfer of funds. However, pursuant to the MOU, the account of such costs does not specify in detail costs incurred for the above mentioned items and associated indirect costs, and any expenses allotted to the inspection or approval of work performed by the Tribe.

WHEREAS, The Three Affiliated Tribes believes such detailed information will greatly assist the Tribe, as Contractor, in performing the oversight functions of planning, organizing, directing and controlling the financial aspects of MR&I Phase I.

WHEREAS, The informed participation of the Tribes throughout the completion of the MR&I water project is essential to the express statutory intent of Pub.L. 99-294.

NOW THEREFORE BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes hereby request a detailed breakdown of the Bureau of Reclamation's costs for the performance of their duties as specified in accordance with MOU No. 8-AG-60-00580.

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, 7 were present at a General Meeting thereof duly called, noticed, convened, and held on the 14th day of February, 1991; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 7 members, 0 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Dated the 14th day of February, 1991.

John J. Rabbithead Jr.
Secretary, Tribal Business Council

ATTEST

William S. Williams
Chairman, Tribal Business Council

General Council Meeting

February 14, 1991

Page eight

M, R, & I (CON'T):

Felicia Felix, further stated that "because the contract is 638, there is certain regulations we have to follow."

Elgin Crows Breast stated that "the tribe received \$100,000 for Cultural Resource Studies, at that point, through the Natural Resources Administrator, the money was given to HKM, who in turn, subcontracted that money out to archeological firms. We, as tribal people should have been able to keep that money with us and subcontract ourselves. We could start an office with \$30,000.00, hire an Office Manager and Secretary. We need to look into these."

Paul Goodiron informed the general public that when you go to Federal Court-Washington DC or the State Capitol--when you deliver documentation or data, these organizations already know you but what they want is verification from someone in the expert category. HKM is still in that category in being an expert and when the people in DC look at the documentation, they know this. It's not just made up by any firm trying to make a dollar. When they see this, they are more apt to accept this.

Vote: 7 for, 0 opposed. Unanimous--Motion Carried.

#2 Resolution deals with authorizing the Bureau of Reclamation to give us a financial detailed breakdown of their costs.

Councilman Gillette made a motion to approve authorization, seconded by Councilman Hall. Resolution #91-36.

Vote: 7 for, 0 opposed. Unanimous--Motion Carried.

ITEM 05: NORTH SEGMENT GROCERY STORE:

Chairman Wilkinson explained we've established an Economic Development Committee. "Their job is to assist the segments to put together a business for individuals of the segment or the tribe itself. What we're putting together is to purchase the Jack & Jill store here and set it up as a business owned by North Segment Community. We're seeking to finance this project through the Small Business Administration."

ITEM 06: ROADS CONTRACT:

Chairman Wilkinson explained "The previous Council authorized the contracting of the BIA Roads Program. We made a commitment to you people that before we went ahead with any 638 contract, we would get input from you first. Councilman Mossett will give a report on the Roads Program Contract."

Councilman Mossett stated "the contract was just getting the