

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 and Bylaws of the Three Affiliated Tribes authorizes and empowers the Tribal Business Council to engage in activities for the welfare and benefit of the Tribes and tribal members; and

WHEREAS, The position of Associate Tribal Judge has been advertised: and

NOW, THEREFORE BE IT RESOLVED, that William L. Strate is selected as Associate Tribal Judge of the Three Affiliated Tribes:

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 15th day of February, 1991; that the foregoing Resolution was duly adopted at such meeting by an affirmative vote of 5 Members, — Members opposed, — Members abstaining, — Members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman

(Voting)	Not Voting
<u>John J. Rabbithead, Jr.</u>	
John J. Rabbithead, Jr., Secretary Tribal Business Council	

ATTEST:

Wilbur D. Wilkinson
Wilbur D. Wilkinson, Chairman
Tribal Business Council

General Council Meeting
February 14, 1991
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ITEM 22: TRIBAL MEMBER REQUEST:

Eagle Plume Mandan, Sr. asked for the floor. He explained his situation. As of this time he has spoken to the states attorney, Wade Enget, as they are in the process of closing out papers on taxes and there is a question of reverting his land back to trust status. He needs \$6,000 to pay these back taxes and if it is given to him, it will be paid back in six years through his lease income.

Discussion: This happened back in 1984. They were on a similar case in Supreme Court. He was told to meet at the next Credit Committee Meeting and in the meantime, to file an application from the Small Loan Program office.

Marie Wells stated that her lots were taxable and it was possible to put his lots back in trust.

Mr. Mandan stated he talked to Mr. Fitzsimmons on this already and it wasn't possible, until the taxes were paid.

He was directed to contact Ambrose Hosie, Credit Officer and to work something out through the Small Loans Program.

ITEM 23: TWIN BUTTES CHARTER RESOLUTION: #91-42.

A Charter from the Twin Buttes Parks & Recreation. Secretary Rabbithead read the resolution.

Councilman Mossett made a motion to approve, seconded by Councilman Rabbithead.

Vote: 6 for, 0 opposed. Motion Carried.

ITEM 24: WRAP UP:

Chairman Wilkinson stated "we have been authorized \$60,000 for EDA. The Three Affiliated Tribes has been on the black list for a number of years. It's just reopening that door with them where we can get funds. The second issue is the corpland battle with the Engineers. We have our attorneys in Wash, DC--Hobbs, Strauss and Wilder who are preparing a position paper for us. We have been asked by the Governor of ND to participate in the lawsuit that ND and SD has against the Corps of Engineers. We have been working with the Governor on Senate Bill 2058. There's 1.4 million dollars in there for Indian owned businesses, should the bill become state law. On our Education Department, we have a consultant working on our Tribal Education Code. We've got a lot of legal issues: 1). Breach of Trust-litigation funds that we will be

**CHARTER
OF THE
TWIN BUTTES PARKS AND RECREATION ASSOCIATION**

Pursuant to the authority granted by the Constitution of the Three Affiliated Tribes, the Tribal Business Council of the Three Affiliated Tribes has granted this Charter to a nonprofit corporation known as the Twin Buttes Parks and Recreation Association.

ARTICLE I

The name of the Corporation shall be the Twin Buttes Parks and Recreation Association.

ARTICLE II

The period of duration of the Corporation shall be perpetual.

ARTICLE III

The purposes for which the Corporation is organized and chartered are as follows:

A. To establish alcohol and drug free activities oriented to social and recreational activities for all age groups for the purpose of promoting greater self esteem of community members of the Twin Buttes Segment of the Fort Berthold Reservation.

B. To engage in any lawful activity which enhances the operation of parks and recreation facilities and the services provided thereby.

C. To secure funding from within or without the Community for the purpose of promoting and improving the health and social and economic well-being of the members of the Twin Buttes Community.

D. To generally engage in any lawful activity in furtherance of the aforementioned purposes and to have all the powers and rights conferred by the Three Affiliated Tribes pursuant to the grant of this Charter to the Corporation.

ARTICLE IV

The Corporation shall have the following powers which it may exercise consistent with the purposes for which it has been organized and chartered:

A. To sue and be sued, complain, and defend in its corporate name.

B. To purchase, take, receive, lease, take by gift, devise, or bequest, or otherwise acquire, own, hold, improve, use and otherwise deal in and with real or personal property, or any interest therein, whenever situated.

C. To sell, convey, mortgage, pledge, lease, exchange, transfer, or otherwise dispose of all or any part of its property and assets.

D. To make contracts and incur liabilities, borrow money at such rates of interest as the Corporation may determine,

issue its notes, bonds, or other obligations, and secure any of its obligations by mortgage or pledge of all or any of its property, franchises, and income; provided, however, that any indebtedness incurred by the Corporation shall not exceed the amount of Two Hundred Fifty Thousand and 00/100 Dollars (\$250,000.00) at any one time.

E. To lend money for its corporate purposes, invest and reinvest its funds, and take and hold real and personal property as security for payment of funds so loaned or invested.

F. To elect and appoint officers and agents of the Corporation, and define their duties and fix their compensation.

G. To make and alter bylaws, not inconsistent with this Charter, for the administration and regulation of the affairs of the Corporation.

H. To make donations for the public welfare or for charitable, scientific, or educational purposes.

I. To generally have and exercise all powers necessary or convenient to effect any or all of the purposes for which the Corporation has been organized and chartered.

ARTICLE V

The Corporation is not organized for profit and shall have no capital stock.

ARTICLE VI

The provisions for the regulation of the internal affairs of the Corporation, including provisions for distribution of assets on dissolution or final liquidation, are as follows:

A. The purpose of the Corporation shall be exclusively charitable within the meaning of Section 501(c) (3) of the Internal Revenue Code.

B. Notwithstanding any other provision of the Charter, the Corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from federal income taken under Section 501(c) (3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law) or (b) by a corporation, contributions to which are deductible under Section 170(c) (2) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law).

C. Upon the dissolution of the Corporation, the Board of Directors shall, after paying or making provision for the payment of all of the liabilities of the Corporation, dispose of all of the assets of the Corporation exclusively for the purpose of the Corporation in such manner, or to such organization or organizations organized and operated exclusively for charitable, educational, religious, or scientific purposes as shall at that time qualify as an exempt organization or organizations under Section 501(c) (3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law), as the Board of Directors shall determine.

D. No part of any net earnings of the Corporation shall inure to the benefit of, or be distributed to its members, directors, officers, or other private person, except that the

Corporation shall be authorized and empowered to pay reasonable compensation for services rendered.

E. No substantial part of the activities of the Corporation shall be constituted by the carrying on of propoganda, or otherwise attempting to influence legislation, and the Corporation shall not participate in or intervene in (including the publication or distribution of statements) any political campaign on behalf of any candidate for public office.

ARTICLE VII

The name of the initial registered agent and the address of the initial registered office of the Corporation are as follows:

JIM MOSSETT
TRIBAL OFFICE
TWIN BUTTES ROUTE
HALLIDAY, NORTH DAKOTA 58636

ARTICLE VIII

The Corporation shall have membership, and any enrolled member of the Three Affiliated Tribes who has been a bona fide resident of the Twin Buttes Segment of the Fort Berthold Reservation for a period of at least six (6) months shall be eligible for membership in the Corporation.

ARTICLE IX

The number of Directors constituting the initial Board of Directors shall be five (5).

The names and addresses of the persons who are to serve as the initial Directors are as follows:

JIM MOSSETT, PRESIDENT
TWIN BUTTES ROUTE
HALLIDAY, NORTH DAKOTA 58736

_____, VICE PRESIDENT

_____, SECRETARY, TREASURER

_____, MEMBER

_____, MEMBER

ARTICLE X

The names and addresses of the incorporators of the Corporation are as follows:

JIM MOSSETT
TWIN BUTTES ROUTE
HALLIDAY, NORTH DAKOTA 58736

TOM SAGE
TWIN BUTTES ROUTE
HALLIDAY, NORTH DAKOTA 58736

ARTICLE XI

The initial bylaws of the Corporation shall be adopted by its Board of Directors, and the power to alter, amend, or repeal the bylaws or adopt new bylaws shall be vested in the Board of Directors. The bylaws may contain any provisions for the regulation and management of the affairs of the Corporation not inconsistent with this Charter.

ARTICLE XII

Amendments to this Charter may be made from time to time, in any and as many respects as may be desired, at any regular or special meeting of the Board of Directors called for said purpose provided that a quorum thereof is present at said meeting and that two-thirds (2/3) of the members present approve the adoption of the

respective proposed amendment; provided further that the respective
duly adopted amendment be approved by the Tribal Business Council
of the Three Affiliated Tribes.