

**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 Three Affiliated Tribes Tribal Business Council recognizes the need for an adequate rural transportation system to provide access for the Tribal people; and
- WHEREAS,** The Tribal Business Council has determined that the Bureau of Indian Affairs should proceed with the construction of several highway projects on the Fort Berthold Reservation in order to accomplish the above cited public purposes; and
- WHEREAS,** The Tribal Business Council Department of Transportation must inform the Bureau of Indian Affairs of additional road priorities to be included on the existing Roads System; and
- WHEREAS,** The last Tribal Business Council Resolution expressing the Priorities for the Fort Berthold Reservation was Resolution #89-249-TL; and
- WHEREAS,** The Bureau of Indian Affairs has requested the Tribal Business Council to grant to the United States of American appropriate road rights-of-way easements across tribally owned trust land for these purposes; and
- WHEREAS,** The Three Affiliated Tribes Business Council has the legal and constitutional authority to make such grants of easements, subject to the necessary and appropriate reservation of rights as it sees fit to impose on such grants; and

**NOW, THEREFORE, BE IT RESOLVED,** that the following is the Tribal Business Council updated Road Priority Schedule:

- Priority #1 Route 223 4.5 miles grade & drain tourism & county
- Priority #2 Street/Curb and Gutter (Right-of-Way location and # of miles to be determined by Fort Berthold Housing Authority) Presently not on BIA system.
- Priority #3 Lucky Mound grade & drain (# of miles to follow) 17.5 county
- Priority #4 Route 22 West paving 9.0 miles
- Priority #5 Route 20 8.1 miles paving
- Priority #6 Route #1 7 miles 4" overlay
- Priority #7 Route #2 5 miles 4" overlay
- Priority #8 Snow & Wells Roads 5.2 miles grade & drain oil field
- Priority #9 Route 30 (Fig. 4 Road) Paving 2.8 miles tourism & county
- Priority #10 Route 18 4 miles overlay

**BE IT FURTHER RESOLVED,** that Resolution #89-249-TL is hereby rescinded and replaced by this Resolution,

**BE IT FURTHER RESOLVED,** the Three Affiliated Tribes Business Council, subject to the Reservations herein, approves the grants of road rights-of-way easements for the ten (10) highway project priorities described above; and

**BE IT FURTHER RESOLVED,** that the Three Affiliated Tribes Business Council hereby reserves the following rights in the grant of these easements to the United States of America as specified herein:

1. The Three Affiliated Tribes Business Council must expressly approve in writing any assignment, conveyance, or transfer of any interest in these said easements by the United States of America to any third party.
2. The Three Affiliated Tribes must expressly approve in writing the relocation by any existing utilities of their service lines within the easements so granted to the United States of America and any affected utility must present sufficient evidence to the Tribes that it has complied with all applicable federal and tribal laws regarding the operation of its utility service on the Fort Berthold Reservation.

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ITEM 06: RESOLUTION/CHR VEHICLES: Resolution #132-JJR.  
This resolution needed Council's approval although  
it was already approved by IHS.

Councilman Gillette made a motion to approve on the  
rental of CHR vehicle on the condition of review by  
the CEO and after the terms are negotiated out,  
seconded by Councilman Mossett.

Vote: 5 for, 0 opposed. Motion Carried.

ITEM 07: RESOLUTION/MATURE CONTRACTS STATUS: Res. # 133-JJR.  
Chief Executive Officer Burr presented this reso-  
lution explaining we have some contracts that have  
been in effect for longer than the required time.  
This resolution would eliminate the fact of having  
to write proposals and all we have to do is change  
the scope of work and send in the budget so the  
contracts will run continuously and will be eligi-  
ble for maturity.

Discussion: These contracts include Social Services  
Realty, Fish & Game and Criminal Justice. Question  
on if we could do one for IHS.

Councilman Gillette made a motion to approve, secon-  
ded by Treasurer Bird Bear.

Vote: 5 for, 0 opposed. Motion Carried.

ITEM 08: RESOLUTION/ROADS PRIORITY LISTING: Res #134-JJR.  
Councilman Mossett presented this list as prepared.  
Deletions: tourism and county.

Priorities are

1. Charging Eagle Bay.
2. All segments curbing
3. Lucky Mound
4. Route 20 & 22 west/Twin Buttes
5. Route 1/White Shield
6. Snow-Wells Road.
7. Figure 4/Mandaree
8. Route 18/Four Bears

Discussion was on Snow-Wells road and Figure 4.  
It was felt that Road Construction should be con-  
tracted also.

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ROADS PRIORITY LIST (CON'T):  
Councilman Mossett made a motion to approve, seconded by Councilman Gillette.

Vote: 5 for, 0 opposed. Motion Carried.

ITEM 09: RESOLUTION/VETERANS: Res. #135-JJR  
Councilman Mossett presented resolution stating he had a letter from the Twin Buttes Parks and Recreation people working with veterans and that a directive had come from Washington DC nominating Patrick Hayes to the Native American Coordinating Council so what this Council would do is to help identify services available to veterans. The plan is to do a questionnaire and get some monies from BIA for the survey. All this information will come to the Tribal Veterans Service Officer after completion.

Discussion was on the Veterans Service Officer to do this so he will be fully aware of what's happening.

The Veterans Service Officer was asked to do this but so far he hasn't so Councilman Mossett has taken the steps to go ahead and work with the Parks and Recreation but once it is done, everything will be turned over to his office.

Councilman Mossett made a motion to approve, seconded by Treasurer Bird Bear.

There was a question on the function of Ronald Rabbithead. Councilman Mossett stated Ron has done follow up on things he has initiated and he has placed Veterans Service Representatives in each district on two days out of the month. Ron is working with the State. Councilman Mossett stated he is going to write a letter for the Chairman's signature.

Vote: 4 for, 1 opposed. Motion Carried.

ITEM 10: RESOLUTIONS/MATERIAL RESOURCES: Res. #136-JJR.  
Home Improvement Priority listing for FY'91 presented by Charmaine Driver, Acting HIP Director. The deadline is this week, otherwise contract will be lost. The listing was explained.

Discussion was on monies available and could this program buy a trailer house for an elderly woman.

3. Upon the expiration of the term of the easements herein granted to the United States of America, or upon the violation of the terms and conditions of the easements so granted, the easement interests, including all improvements thereon, shall revert to the full ownership 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 20th day of August, 1991; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 5 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 20th day of August, 1991.

John J. Pallithorpe  
Secretary, Tribal Business Council

ATTEST:

William D. Weibum  
Chairman, Tribal Business Council