

**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,** Article VI, Section 3(a) of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to employ legal counsel, with the selection of counsel and the determination of the amount of attorney fees and related expenses being subject to the approval of the Secretary of the Interior or his authorized representative pursuant to 25 U.S.C. Section 476; and

**WHEREAS,** Article VI, Section 5(c) of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to administer any funds within the exclusive control of the Tribes and to make expenditures from available Tribal funds for the public purposes of the Tribes, including the payment of salaries and other compensation to Tribal officials and employees; and

**WHEREAS,** The Tribal Business Council has reviewed and considered the proposed contract between the Three Affiliated Tribes and Urban Bear Don't Walk and deems it advisable and beneficial to the interests of the Tribes to enter into said proposed contact;

**NOW, THEREFORE, BE IT RESOLVED,** That the Tribal Business Council of the Three Affiliated Tribes, pursuant to its Constitutional authority, hereby formally approves entry into the In House Counsel Contract between the Three Affiliated Tribes and Urban Bear Don't Walk ( a photostatic copy of which Contract is attached hereto and made part hereof), subject to the approval of the Secretary of the Interior or his authorized representative pursuant to 25 U.S.C. Section 476 as delegated by 10 BIAM 3.1.

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TAX COMMISSION (CON'T):  
taxation is concerned. The Cotton Petroleum Company VS New Mexico has already hurt us. If we go to court with this Possessory Interest Tax, we could hurt everybody in the US. Hopefully with our recommendations, we won't go to court.

There was a question on how many oil companies doing business on Fort Berthold. There wasn't any exact figures. Of the oil companies that did not respond, are they the ones that have substantial operations on Fort Berthold? Yes, three oil companies and three pipelines responded.

Mr. Walker explained we can implement the tax at the full rates/evaluations and could assess the the tax on the cooperatives and go to court. You can go with our recommendations and we believe our recommendations are down to a point where they will keep us out of court.

Vote: 2 for, 3 opposed, Chairman not voting.  
Motion failed.

ITEM 04: RESOLUTION/TRIBAL CHAIRMAN'S HEALTH BOARD: #91-153.  
This resolution explained by Secretary Rabbithead was tabled at the last meeting.

There were questions on issues of Santee Sioux of being the Prime Contractor, of how they would be running the whole thing and being an autonomous organization.

There was a problem with the last be it further resolved. The organization needs to be accountable back to the Tribes and not the autonomous entity under 638 provisions. They are requesting each tribe to pass a resolution authorizing the Santee Sioux to administer the contract.

Secretary Rabbithead made a motion to approve the resolution with the deletion of the last be it further resolved, seconded by Councilman Gillette.

Vote: 5 for, 0 opposed. Motion Carried.

ITEM 05: RESOLUTION/TRIBAL ATTORNEY'S CONTRACT: #91-154-JJR.  
Chief Executive Burr explained the contract was completed and all we need is the resolution.  
Mr. Urban Bear Don't Walk would start on October 1.

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RESOLUTION-ATTORNEY CONTRACT (CON'T):  
Secretary Rabbithead made a motion to approve contract on Mr. Bear Don't Walk, seconded by Vice Chairman Hall.

Discussion: Who would be the In House Attorney or Lead Attorney? Response was that Mr. Bear Don't Walk would be the Inhouse and Hobbs, Strauss and Wilder are the Lead Attorneys. Assisting Mr. Bear Don't Walk is ElMarie Conklin.

Mr. Bear Don't Walk was given the floor to give a brief report on his college background.  
Discussion on standard allowance for moving.

Vote: 5 for, 0 opposed, 1 not voting.  
Motion Carried.

ITEM 06: RESOLUTION/FORT BERTHOLD COMMUNITY COLLEGE: #91-155  
This resolution read by Secretary Rabbithead. Chairman Wilkinson explained and stated that earlier today, we met with Lakeside State Bank and we agreed that the Tribal Resolution, the Assignment of Income that they would approve a loan in the amount of \$60,000.00 for FBCC. This resolution will authorize the consumation.

Vice Chairman Hall made a motion to approve, seconded by Secretary Rabbithead.

Discussion: Is this out of Higher Education? No, 350G are all the same under the dockets. It was suggested for it to be paid off in two years and the line item should say Community College, not Higher Education. Otherwise, it will cut into our scholarship.

Resolution to reflect changes of Higher Education to Community College.

Vote: 5 for, 0 opposed. Motion Carried.

ITEM 07: FREDERICKS FAMILY:  
Councilman Mossett explained and stated last May, the family of Betty Fredericks came and their mother was dying of Stomach Cancer. They requested assistance from the Tribe, at that time, the Tribe agreed they would help her out with wake funds monies. I talked with Finance and they felt it would be better to take the money out of donations

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BE IT FURTHER RESOLVED, That, as provided in Clause 10 of the attached Contract, it is mutually understood and agreed to by the parties to the Contract that payment of compensation and expenses under the terms of the Contract shall be contingent upon the availability of Tribal funds throughout the term of the Contract.

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, 6 were present at a Special Meeting thereof duly called, noticed, convened, and held on the 2nd day of October, 1991; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 5 members, 0 members opposed, 0 members abstained, 1 members not voting, and that said Resolution has not been rescinded or amended in any way.

Dated the 2nd day of October, 1991.

John J. Rabbithead Jr.  
Secretary, Tribal Business Council

ATTEST:

William S. Walker  
Chairman, Tribal Business Council