

Resolution No. 92-022-JTR

RESOLUTION
OF THE
GOVERNING BODY
OF THE
THREE AFFILIATED TRIBES
OF THE
FORT BERTHOLD INDIAN 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 5 (d), 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 EPA 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 Richard A. DuBey, Stoel Rives Boley Jones and Gray Law Firm and deems it advisable and beneficial to the interests of the Tribes to enter into said proposed contract effective February 1, 1992 to provide special environmental legal counsel to the Three Affiliated Tribes; and

THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
TRIBAL CHAMBERS

Regular Council Meeting
March 12, 1992

- PRESENT: Wilbur D. Wilkinson, Chairman; Titus Hall, Vice Chairman; Roger Bird Bear, Treasurer; John J. Rabbithead; Austin Gillette, Councilmember; Jim Mossett, Councilmember and LaVerne Brady, Recording Secretary.
- ABSENT: Theodore Lone Fight in at 11:13 AM.
- OTHERS: Tillie Walker, Charles N. Blake, III., Edmund White Bear, Sr., Ken Danks, John Danks, Maurice Danks, Don Morgan, Natural Resources Administrator; Rose Crow Flies High, Celeste Witham, Headstart Director Emerson Chase, Daniele J. Henry, Gaming Commission Member; Cletus Medicine Crow, Gaming Commission Member; Joe Walker, Tax Commissioner; Arnold Grady, Karen Stevens, Theodora Starr, Alva Rose Wilkinson, Elgin Crows Breast, Merval Hall, Dennis Burr, Chief Executive Officer and Perry Brady, Sargeant at Arms
- ITEM 01: CALL TO ORDER:
Meeting called to order at 10:54 AM.
- ITEM 02: ROLL CALL:
Roll called by Secretary Rabbithead. Quorum Established. Opening Prayer by Hazel Blake.
- ITEM 03: RESOLUTION: LAW FIRM CONTRACT: #92-022-JJR
This resolution pertains to employing legal counsel. Resolution read by Secretary Rabbithead.
- Discussion: Chairman Wilkinson stated it was my understanding this law firm was to be paid out of funds obtained through EPA. Response was yes. Resolution to reflect EPA where it says tribal funds on the last be it further resolved.
- Chairman Wilkinson entertains motion to approve with this notation.
- Treasurer Bird Bear made motion to approve resolution, seconded by Secretary Rabbithead.

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Dubey Legal Contract

NOW THEREFORE BE IT RESOLVED, The Tribal Business Council has reviewed and considered the proposed Contract between the Three Affiliated Tribes and Mr. Richard A. DuBey, Stoel Rives Boley Jones and Gray Law Firm, One Union Square, 600 University St., Seattle, Washington 98101-3197, (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.

BE IT FURTHER RESOLVED, That, as provided in Clause 2.7 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 EPA 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 constitutes a quorum, 6 were present at a Special meeting thereof duly called, noticed, convened, and held on the 12th day of March, 1992; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 5 members, 1 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman (voting) (not voting)

Dated this 12th day of March, 1992

John R. Kallitsoff
Secretary, Tribal Business Council

Attest:

William D. Welburn
Chairman, Tribal Business Council