

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 thereof; and
- WHEREAS, North Dakota ranchers suffered heavy losses of livestock due to a severe snow storm during the winter of 1975; and
- WHEREAS, The Three Affiliated Tribes' Indian ranchers were instrumental in formulating and securing a storm damage proposal with the full support of their respective Tribal governments from the Economic Development Administration of United States Commerce; and
- WHEREAS, In November 1975, a Economic Development Administration grant of \$3,000,000.00 was awarded to a Consortium of individual Indian Tribes from (3) states including the Three Affiliate Tribes; and
- WHEREAS, The eligible 13 tribes including the Three Affiliated Tribes shared an equitable interest in the grant proceeds; and
- WHEREAS, The grant purpose was to relend the grant funds at low interest rates of 3% per year to individual Indian ranchers to replace their cattle losses and continue as viable agricultural enterprises; and
- WHEREAS, The original grant called for repayments of these loans made by the individual borrowers as a method to provide the capital for an Indian owned agricultural lending institution; and
- WHEREAS, In March 1976, the Economic Development Administration and the 13 Tribes including the Three Affiliated Tribes entered into a contract with the American Indian National Bank, Washington, D.C. to process the individual loans and to service those loans including technical assistance for a fee; and
- WHEREAS, In April 1976, the grant was increased by \$550,000.00 and amended to include the Oglala Sioux and Sisseton-Wahpeton Sioux Tribes to the Consortium for a total of 15 Tribes; and

#92-29-JJR
(Minutes)

THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
TRIBAL CHAMBERS

Regular Council Meeting
April 9, 1992

PRESENT: Wilbur D. Wilkinson, Chairman; Titus Hall, Vice Chairman; John J. Rabbithead, Jr., Secretary; Roger Bird Bear, Treasurer; Austin Gillette, Councilmember; Jim Mossett, Councilmember and LaVerne Brady, Recording Secretary.

ABSENT: Theodore Lone Fight, III., in at 11:25.

OTHERS: Delores Sand, Enrolled Member; Kate Gill, Viola Grinnell, Kathy Samuels on behalf of Native American Film Festival; Willard Yellow Bird on behalf of the Indian School Board Association; Edith McNamara, Enrollment Clerk; ElMarie Conklin, Legal Attorney; John Danks, Enrolled Member; Holly Windy Boy, Thomasina Mandan on behalf of FBCC Student Senate; Marie Wells, Enrolled Member; Tillie Walker, Enrolled Member; Dr. Verlee Sayler, Enrolled Member; Pliga Young Bird Bordeaux, Enrolled Member; Virgil F. Chase, Sr. Enrolled Member; Felicia Felix Fox, M, R, & I Coordinator; Mark Swanberg, Scheer Construction; Magdaline Young Bear, M, R & I Assistant Coordinator; Kyle Baker, Environmental Specialist; Charles Moran, Growth & Development Specialist; Darice Clark, Mental Health Coordinator and Perry Brady, Sergeant at Arms.

ITEM 01: CALL TO ORDER:
Meeting called to order at 10:59 AM.

ITEM 02: ROLL CALL:
Roll called by Secretary Rabbithead.
Quorum established. Prayer by Perry Brady.
Moment of silence for tribal member involved in a serious car accident.

ITEM 03: RESOLUTION/ENROLLMENT: Resolution #92-029-JJR.
Resolution read by Secretary Rabbithead pertains to all eligible applicants for enrollment with the tribe. Names of applicants read and attached.

Chairman Wilkinson entertains motion to approve.

Councilman Gillette made a motion to approve, seconded by Secretary Rabbithead.

Vote: 6 for, 0 opposed. Motion Carried.

- WHEREAS, In February 1977, the grant was once again amended, increasing the amount by \$2,593,650.00 for a total amount of \$6,143.650.00; and
- WHEREAS, In February 1978, the Consortium Board of Directors authorized funds which were not loaned to individual Indian ranchers of the fifteen reservation to be loaned to nine individual Tribes in three states in the amount of \$900,000.00 at 1% over extended repayment terms; and
- WHEREAS, In 1978, American Indian Cattlemen's Credit Consortium was re-incorporated in the District of Columbia as a non-profit corporation named the American Indian Agricultural Credit Consortium, Inc.; and
- WHEREAS, Simultaneously, U.S. Department of Commerce, EDA, amended the original grant to change the grantee from a Consortium of Tribes to the non-profit corporation, the American Indian Agricultural Credit Consortium, Inc., with the 15 original Tribes remaining as the Board of Directors; and
- WHEREAS, Additionally, in 1978, the Economic Development Administration approved a plan of operation for the non-profit corporation to relend funds previously collected on the original loans; and
- WHEREAS, The Board of Directors of the non-profit corporation, American Indian Agricultural Credit Consortium, Inc., "realized" that the original loans were not being serviced by the lending agent, American Indian National Bank, and began negotiations with the Bank to return the entire loan portfolio to the American Indian Agricultural Credit Consortium, Inc.; and
- WHEREAS, Prior to transferring the grant to the American Indian Agricultural Credit Consortium, Inc., the U.S. Department of Commerce-EDA conducted a final exit audit of the grantee, American Indian National Bank. The audit concluded the grant had been administered satisfactorily to this point; and
- WHEREAS, Upon converting as the grantee, the Board of Directors of American Indian Agricultural Credit Consortium, Inc. has been and is believed to be the same Board of Directors for the Indian Credit Corporation; and
- WHEREAS, Since December, 1991, the Indian Credit Corporation, a for profit company, has been dissolved; and

- WHEREAS, The plan of dissolution of assets are unclear and vague; and
- WHEREAS, The present ownership of assets and operation status of the American Indian Agricultural Credit Consortium, Inc. is undeterminable and unclear; and
- WHEREAS, The American Indian Agricultural Credit Consortium, Inc. and the Indian Credit Corporation, it's subsidiary, has grossly mismanaged the assets of the original 15 Tribes including the Three Affiliated Tribes; and
- WHEREAS, By affidavit of enrolled members of the Three Affiliated Tribes state that the American Indian Agricultural Credit Consortium, Inc. and Indian Credit Corporation have failed to provide agricultural technical assistance to Indian borrowers; and
- WHEREAS, Has failed to provide adequate lending and counseling services to the members of the Three Affiliated Tribes; and
- WHEREAS, The irresponsible management of American Indian Agricultural Credit Consortium, Inc. and Indian Credit Corporation has short and long term devastating impacts on the agricultural economy of the Fort Berthold Reservation and it's Tribal members; and
- WHEREAS, The American Indian Agricultural Credit Consortium, Inc. and Indian Credit Corporation are under present investigation by the Office of the Inspector General; and
- WHEREAS, The assets of Three Affiliated Tribes and it's enrolled members are being subjected to lawsuits, foreclosures, and collections; and
- WHEREAS, In the best interest of the Three Affiliated Tribes and it's enrolled membership, the Tribal Business Council shall conduct an investigation of the American Indian Agricultural Credit Consortium, Inc. and the Indian Credit Corporation's financial dealings with the Three Affiliated Tribes and its' enrolled members; and
- NOW, THEREFORE, BE IT RESOLVED, That the Three Affiliated Tribes enact a task force to investigate the financial dealings of American Indian Agricultural Credit Consortium, Inc. and the Indian Credit Corporation with the Three Affiliated Tribes and its' enrolled members; and
- BE IT FURTHER RESOLVED, That the Three Affiliated Tribes, Business Council appoint John "Jack" Rabbithead, Jr., as the Chairperson of a task force committee of three (3); and

THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
TRIBAL CHAMBERS

Special Council Meeting
April 3, 1992

PRESENT: Wilbur D. Wilkinson, Chairman; Titus Hall, Vice-Chairman; John J. Rabbithead, Jr., Secretary; Roger Bird Bear, Treasurer; Austin Gillette, Councilmember; James Mossett, Councilmember; Ted Lone Fight, III, Councilmember; Linda Little Soldier, Recording Secretary.

ABSENT: None

OTHERS: Diane Cohen, Attorney with Fredericks, Pelcyger, Hester and White; Urban Bear Don't Walk, Tribal Attorney; Terrance Walters, Supt, Ft. Berthold; Solly Danks; Gerald White, former board member of AIACC & ICC; John Danks, Sr; John Danks, Jr.; Kenneth Danks; James Danks; Ty Hall; Elgin Crows Breast, Staff Assistant; Keith Bear; Delvin Foote; Maurice Danks; Christen Rhod, Denmark.

ITEM 01: CALL TO ORDER:
The meeting was called to order at 9:12 AM.

ITEM 02: ROLL CALL:
Roll called by Secretary Rabbithead.
Quorum established.

ITEM 03: RESOLUTION/FORT BERTHOLD RANCHERS VS AMERICAN
INDIAN AGRICULTURAL CREDIT CONSORTIUM: #028-JJR.

Chairman Wilkinson stated the topic of the meeting was a resolution submitted by the Danks' family to be considered. Secretary Rabbithead read the resolution.

Gerald White was called to the table for his comments on the Resolution. Mr. White commented that since the company doesn't exist, he is no longer a board of director member. Further, that in the resolution, it read there was no technical assistance but that to his knowledge, there were field representatives; namely, Anson Baker, Gideon Riley Jim Altonhofen, J.D. Coleman - they had serviced contracts, loan packaging, etc.

Austin Gillette read a letter from Anson Baker regarding his position from 1983-85 as loan officer. Mr. White informed that he was appointed by the Tribal Business Council back in the 1980's to fill

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AIACC & ICC

Kenneth Danks and James Mossett, committee members; and

BE IT FURTHER RESOLVED, That the task force committee shall have all powers including but not limited to issuing subpoenas necessary to conduct a thorough investigation of the financial dealings of the American Indian Agricultural Credit Consortium, Inc. and Indian Credit Corporation with the Three Affiliated Tribes and its' enrolled membership.

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 3rd day of April, 1992; that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 6 members, 0 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 3rd day of April, 1992

John J. Rahlstedt Jr.
Secretary, Tribal Business Council

ATTEST:

William D. Wilkins
Chairman, Tribal Business Council