

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;
- 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;
- WHEREAS, Article VI, Section 5(1) of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to adopt resolutions regulating the procedure of Tribal agencies;
- WHEREAS, Neil D. Standish a tribal member was prosecuted in Federal District Court with the locus of the crime being in New Town, North Dakota within the exterior boundaries of the Fort Berthold Indian Reservation;
- WHEREAS, Neil D. Standish, defendant in the above entitled case, was convicted in a jury trial in Federal District Court before the Honorable Judge Patrick A. Comny on the 12 day of November, 1992;
- WHEREAS, Neil D. Standish's attorney Lynn Boughey filed a notice of appeal in this case appealing to the eighth circuit court of appeals on the 16 day of November, 1992;
- WHEREAS, Lynn Boughey appellant's attorney and Cameron Hayden United States attorney have stipulated in writing to allow the Three Affiliated Tribes to file an amicus brief in the above entitled case;
- WHEREAS, A copy of this signed stipulated agreement is attached;
- WHEREAS, Lynn Boughey for and on behalf of his client is basing his appeal on the grounds of (1) lack of jurisdiction and (2) unfair trial;

WHEREAS, Lynn Boughey in support of his lack of jurisdiction argument will argue that the New Town case was incorrectly decided or that Judge Patrick A. Comny should have at least granted an evidentiary hearing regarding this matter;

WHEREAS, Time is of the essence with appellants brief due on or before the 20 day of January, 1993 and the appellee's brief due within 10 days thereafter;

WHEREAS, The Northeast quadrant boundary issue is being raised once again and this issue is of grave importance to the Three Affiliated Tribes of the Fort Berthold Reservation;

WHEREAS, The Three Affiliated Tribes should become involved to the maximum extend possible and this would be by filing an amicus brief in the ongoing appeal.

WHEREAS, The Northeast quadrant boundary issue is also being raised in the Duncan Oil and Reservation Telephone Cases both these cases being handled by a Special Washington Counsel Hobbs, Straus, Dean & Wilder.

NOW THEREFORE BE IT RESOLVED, THAT, the firm of Hobbs, Straus, Dean & Wilder are instructed to file an amicus in the foregoing entitled case for and on behalf of the Three Affiliated Tribes of the Fort Berthold Indian Reservation.

FURTHER BE IT RESOLVED, that the firm coordinate this effort with local in-house counsel, Urban J. Bear Don't Walk who together shall take whatever steps are necessary to file the amicus and if permitted to make oral argument for and on the behalf of the Tribe.

Councilman Fast Dog inquired about any upcoming projects that would utilize the Nishu Road.

Chairman Wilkinson said the BIA has it on their plan and they want to know if the Tribe is interested in contracting it, or if they should do it themselves. Chairman Wilkinson then further explained the intent is to create jobs for our tribal members, especially in the White Shield area.

Councilman Gillette then replied that the Tribal Council should first review the BIA's plan.

Chairman Wilkinson added that if the Tribe doesn't contract it, they will do it anyway by opening it up to a competitive bid.

Councilman Gillette mentioned that roads in other segments needing to be repaired could be fixed with that money.

Secretary Rabbithead reminded the Council of the jobs that this contract would bring to tribal members.

Chairman Wilkinson then asked if it was the wish of the Tribal Council not to contract.

Motion failed due to lack of second.

ITEM 07: RESOLUTION/Contract Enrollment Office: 93-04 JJR  
Resolution introduced by Chairman Wilkinson.

Chairman Wilkinson entertained a motion to approve.

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

Vote: 3 for, 1 opposed, 1 not voting. Motion carried.

ITEM 08: RESOLUTION/Amicus to be filed by Hobbs & Strauss on behalf of Standish Case: 93-05 JJR  
Resolution read by Secretary Rabbithead.

Chairman Wilkinson entertained a motion to approve.

Councilman Gillette made a motion to approve, seconded by Councilman Fast Dog.

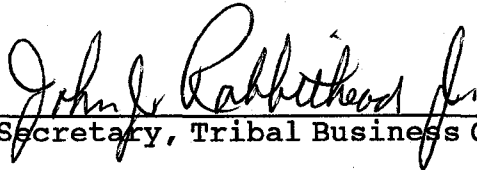
Vote: 5 for, 0 opposed. Motion Carried.

ITEM 09: RESOLUTION/Four Bears Child Care Center Contract

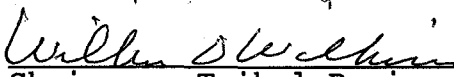
C E R T I F I C A T I O N

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, 5 were present at a Special Meeting thereof duly called, noticed, convened, and held on the 2 day of February, 1993; 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 2<sup>nd</sup> day of February, 1993.

  
Secretary, Tribal Business Council

ATTEST:

  
Chairman, Tribal Business Council