

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 has been informed that the Bureau of Indian Affairs via memorandum and Fund Distribution Document that the Three Affiliated Tribes FY93 Special Education Contract Application for funding has been denied; and
- WHEREAS, The Bureau of Indian Affairs action is based on an internal planning meeting held Spring/1992 which resulted in a new Funding formula which limits funding to BIA agencies and BIA funded school districts; and
- WHEREAS, The Funding Formula established by the Bureau of Indian Affairs specifically disallows the Three Affiliated Tribes to continue to contract Special Education funding, which will in turn, curtail, if not completely stop, growth and progress in planning and implementation of policies designed to enhance Special Education for Tribal members, birth through adult; and
- WHEREAS, The Three Affiliated Tribes and Fort Berthold Reservation continues to be penalized contrary to the language and intent of P.L 93-638, as amended, for taking initiative in contracting all education functions, including Special Education;
- NOW, THEREFORE, BE IT RESOLVED, The Tribal Business Council of the Three Affiliated Tribes, hereby expresses its opposition to the Bureau of Indian Affairs' Funding Formula for P.L. 94-142 funds, specifically the elimination of funding for tribes which have already contracted these operations;

and License for Facility: 93-06 JJR  
Resolution read by Secretary Rabbithead.

Chairman Wilkinson entertained a motion to approve.

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

Vote: 5 for, 0 opposed. Motion Carried.

ITEM 10: RESOLUTION/Tax Commission Appointments & Escrow  
Agreement  
Resolution read by Secretary Rabbithead.

Chairman Wilkinson entertained a motion to approve.

Secretary Rabbithead made a motion to approve.

Assistant Tax Commissioner, Tom Needham, mentioned  
the Tax Department cannot do anything legally and  
effectively without a full tax commission. Mr.  
Needham also stated that without a full tax  
commission, the tax department is inoperable.

Motion fails due to lack of second.

Chairman Wilkinson inquired if Escrow Agreement is  
approved by the tax commission.

Mr. Needham replied that it is not, because there  
is no tax commission. Mr. Needham then introduced  
the Escrow Agreement. Mr. Needham further  
explained that an Escrow Agent should be involved  
to ensure that the bank controls the money, not the  
companies.

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

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

ITEM 11: RESOLUTION/Education Funding Formula: 93-07 JJR  
Resolution read by Secretary Rabbithead.

Chairman Wilkinson questioned about an existing 638  
contract.

Education Administrator, Bernadine Young Bird,  
replied that there is an existing contract for a  
three year term ending in 1995. Ms. Young Bird  
also mentioned schools have received funding, but  
not the administration.

Chairman Wilkinson entertained a motion to

approve.

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

Vote: 4 for, 0 opposed, 1 not voting. Motion  
carried.

ITEM 12: RESOLUTION/ Intertribal Court of Appeals  
Membership: 93-08 JJR  
Resolution read by Secretary Rabbithead.

Chairman Wilkinson entertained a motion to approve.

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

Vote: 5 for, 0 opposed. Motion carried.

ITEM 13: Tribal Business Council Budget  
Budgets introduced by Treasurer Bird Bear.

Chairman Wilkinson entertained a motion to approve.

Councilman Gillette questioned Out of Town Travel,  
Professional Services, and Donations. Councilman  
Gillette was opposed to the Donation line item with  
concerns about how much money there is to give  
away.

Treasurer Bird Bear assured there are sufficient  
funds for the Donation line item.

Secretary Rabbithead made a motion to approve,  
seconded by Treasurer Bird Bear.

Vote: 2 for, 2 opposed, 1 not voting. Motion  
failed.

ITEM 14: RESOLUTION/Little Shell Pow Wow: 93-09 JJR  
Resolution read by Secretary Rabbithead.

Chairman Wilkinson entertained a motion to approve.

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

Vote: 4 for, 0 opposed, 1 not voting. Motion  
carried.

ITEM 15: Discussion on Budget Resolution: 93-10 JJR  
Councilman Fast Dog inquired why the Donation line  
item was so high.

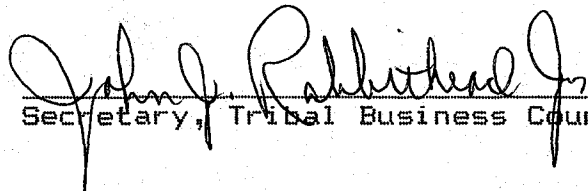
Treasurer Bird Bear suggested the Donation line

BE IT FURTHER RESOLVED, That the Tribal Chairman and Tribal Legal Department be authorized and directed to take all necessary actions to re-establish the right of the Three Affiliated Tribes to be considered in the funding formula established by the Bureau of Indian Affairs for P.L. 94-142, Part B supplementary funds.

## 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 4 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 2<sup>nd</sup> day of February, 1993.

  
Secretary, Tribal Business Council

ATTEST:

  
Chairman, Tribal Business Council