

Resolution No: 93-28-JJR

**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 and Bylaws of the Three Affiliated Tribes 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 tribal members thereof; and,

WHEREAS, The Three Affiliated Tribes Tribal Business Council recognizes the need for an adequate rural transportation system to provide access for the Tribal people; and

WHEREAS, The Tribal Business Council has determined that the Bureau of Indian Affairs should proceed with the construction of several highway projects on the Fort Berthold Reservation in order to accomplish the above cited public purposes; and

WHEREAS, The Tribal Business Council Department of Transportation must inform the Bureau of Indian Affairs of additional road priorities to be included on the existing Roads Systems; and

WHEREAS, The last Tribal Business Council Resolution expressing the Priorities for the Fort Berthold Reservation was Resolution #91-134JJR; and

WHEREAS, The Bureau of Indian Affairs has requested the Tribal Business Council to grant to the United States of America appropriate road rights-of-way easements across tribally owned trust land for these purposes; and

WHEREAS, The Three Affiliated Tribes Business Council has the legal and constitutional authority to make such grants of easements, subject to the necessary and appropriate reservation of rights as it sees fit to impose on such grants; and

NOW, THEREFORE, BE IT RESOLVED, that the following is the Tribal Business Council Updated Road Priority Schedule:

Priority #1	Construction of lake access roads
Priority #2	Route 223 4.5 miles grade & drain tourism & county

- Priority #3 Street/Curb and Gutter (Right-of-Way location and # of miles to be determined by Fort Berthold Housing Authority) presently not on BIA system.
- Priority #4 Lucky Mound grade & drain (# of miles to follow) 17.5 county
- Priority #5 Route 22 West paving 9.0 miles
- Priority #6 Route 20 8.1 miles paving
- Priority #7 Route #1 7 miles 4" overlay
- Priority #8 Route #2 5 miles 4" overlay
- Priority #9 Snow & Wells Roads 5.2 miles grade & drain oil field
- Priority #10 Route 30 (Fig. 4 Road) Paving 2.8 miles tourism & county
- Priority #11 Route 18 4 miles overlay

BE IT FURTHER RESOLVED, that Resolution #91-134-JJR is hereby rescinded and replaced by this Resolution,

BE IT FURTHER RESOLVED, the Three Affiliated Tribes Business Council, subject to the Reservation herein, approves the grants of road rights-of-way easements for the eleven (11) highway project priorities described above; and

BE IT FURTHER RESOLVED, that the Three Affiliated Tribes Business Council hereby reserves the following rights in the grant of these easements to the United States of America as specified herein:

1. The Three Affiliated Tribes Business Council must expressly approve in writing any assignment, conveyance, or transfer of any interest in these said easements by the United States of America to any third party.
2. The Three Affiliated Tribes must expressly approve in writing the relocation by any existing utilities of their service lines within the easements so granted to the United States of America and any affected utility must present sufficient evidence to the Tribes that it has complied with all applicable federal and tribal laws regarding the operation of its utility service on the Fort Berthold Reservation.
3. Upon the expiration of the term of the easements herein granted to the United States of America, or upon the violation of the terms and conditions of the easements so granted, the easement interests, including all improvements thereon, shall revert to the full ownership of the Three Affiliated Tribes.

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LINE OF CREDIT (CON'T)
come for this purpose.

Treasurer Bird Bear motioned to approve, seconded by Secretary Rabbithead.

Chairman Wilkinson acknowledged motion and second.

Vote: 6 for, 0 opposed. Motion carried.

ITEM 15: RESOLUTION/ROAD CONSTRUCTION CONTRACT #93-28-JJR
Treasurer Bird Bear presented this which establishes priority for our roads. Lake access roads will be the top priority. Treasurer Bird Bear asked for authorization from the Tribal Council to commit some of the line of credit funds for this development. Councilman Mossett explained we will work to collect it back through the roads contracts.

Chairman Wilkinson entertained motion to approve.

Councilman Mossett motioned to approve, seconded by Treasurer Bird Bear.

Councilman Mossett stated that the resolution would have to be sent to Aberdeen, informing them that as of today the Tribe wants to develop lake access roads as our number one priority. Treasurer Bird Bear mentioned the line of credit will be up to approximately \$400,000. It's not definite. Councilman Mossett has a plan which is to be discussed later with the Council members.

Vote: 5 for, 0 opposed. Motion carried.

ITEM 16: VIETNAM WAR VETERANS
Councilman Fast Dog mentioned the Vietnam Veterans are having a fund raising event. He requested of all Council members to play in a basketball tournament. The BIA will also be asked to play. More information will be given about this at a later date.

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 thereof duly called, noticed, convened, and held on the 1st day of March, 1993; 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.

Dated the 1st day of March, 1993.

John J. Rabbithead Jr.
Secretary, Tribal Business Council

ATTEST:

Wesley A. Weslin
Chairman, Tribal Business Council