

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 that there is a need for change of authority currently governing the control of the Wahpeton Indian School, a Bureau of Indian Affairs operated school; and
- WHEREAS, The Wahpeton Indian School Board is the lawfully designated local school board to make decisions and execute documents for and on behalf of the Wahpeton Indian School; and
- WHEREAS, The Wahpeton Indian School Board has considered alternative methods to improve school operations which included consideration of Public Law 93-638, as amended and Public Law 100-297 and the lawful authority under those laws to transfer all BIA education functions and responsibilities to the Board by contract or grant to operate the Wahpeton Indian School; and
- WHEREAS, The Wahpeton Indian School has determined that in the best interest of the children receiving educational services from the Wahpeton Indian School that the school board request grant status under Public Law 100-297.
- BE IT FURTHER RESOLVED, That the Secretary of the Interior or his authorized representative provide the Wahpeton Indian School Board with technical assistance to operate the Wahpeton Indian School under grant status; and
- NOW, BE IT FURTHER RESOLVED, As a condition of approval that the enrolled members of the Fort Berthold Reservation not be displaced from their employment and their salary remain the same; and

Regular Council Meeting
April 8, 1993
Page four

AIHEC (CON'T)

Fort Totten is offering a curriculum for Gaming Management. Councilman Gillette suggested we use this curriculum at our Fort Berthold Community College to train the employees for our Casino. Chairman Wilkinson mentioned that it is planned to utilize FBCC for the training of these employees for the gaming establishment.

ITEM 10: RESOLUTION/ATTORNEY FEES FOR DUNCAN OIL #93-44-JJR
This resolution is for the authorization of the Legal Department to submit an application for legal fees to defend the litigation in the Duncan Energy Case.

Chairman Wilkinson explained this case and two other cases, the Standish and the RTC case, are trying to take the Northeast Quadrant away from the Tribe. Some of the Councilmen will be meeting with the Justice Department in Washington D.C. to intervene in these cases in support of the Northeast Quadrant being part of the reservation and remaining as part of the reservation. The BIA has litigation money available, we need to prepare a proposal for attorney fees, expert witness fee, and also revisit the 1910 mineral studies. The reason we need this mineral study, is to assert ownership on the oil and gas development in the Northeast Quadrant. The purpose of this resolution, therefore, is to request these monies for said purposes.

Chairman Wilkinson entertained a motion to approve.

Vice Chairman Johnson motioned to approve, seconded by Secretary Rabbithead.

Vote: 6 for, 0 opposed, 1 not voting.

ITEM 11: RESOLUTION/WAHPETON INDIAN SCHOOL #93-45-JJR
Resolution read by Secretary Rabbithead.
This resolution pertains to the transfer of school and school board control to authority to PL 100-297. This is a resolution in support of this action. This resolution changes the BIA operated

Regular Council Meeting
April 8, 1993
Page five

WAHPETON (CON'T)

school to a Tribally operated school which will then operate under grant status.

An inquiry was made of how this will benefit the Three Affiliated Tribes and how we will be represented on the school board. Mr. Bob Hall, Superintendent of the Wahpeton School, replied the board consists of the tribes who represent the high five of students enrolled in the school. Of these high five, the respective Tribes appoint their representatives to the board. The school currently represents twenty-two tribes.

The school is incorporated under Red Lake because in the past ten years, they have had the highest enrollment, and they are the closest in location. Mr. Hall further explained the only oversight Red Lake has over the school is monitoring the charter.

One reason the school would like this changed is because they don't have their own procurement system, they must order through the Bureau and this takes too long. Also the payroll goes through the Bureau. BIA quarterly reports will be submitted to the Tribes. With this change, only federal employees will be replaced, none of our people working will be removed. However, the Tribes basically have no authority except through the school board, but to complete this action, eighty percent of the Tribes of the children served must pass resolutions in support.

Chairman Wilkinson suggested two additions to the resolution as a condition of approval. The first addition is that none of our enrolled members be displaced and their pay remain the same. The second addition is representation on the school board. Mr. Hall commented this will have to be taken back to the school board and they will have to amend themselves for the school board position.

Chairman Wilkinson entertained a motion to approve the resolution as presented with the two additions.

Regular Council Meeting
April 8, 1993
Page six

WAHPETON (CON'T)

Councilman Mossett motioned for approval with the additions, seconded by Councilman Fast Dog.

Vote: 7 for, 0 opposed. Motion carried.

ITEM 12: LAND TRADE/RICHARD WHITE BEAR

Don Morgan, NRD Administrator, stated none of these have gone before the Natural Resources Committee. Normally transactions go there first for discussion. Paperwork needs to be done on these before a final resolution is prepared. On this land trade, there is no paperwork in the BIA.

No action on this land sale today.

ITEM 13: LAND TRADE/HOWARD, GLORIA, & BEVERLY WILKINSON
#93-55-JJR

Only a letter of intent is needed to proceed with this land trade. These sections are of equal value. Councilman Gillette mentioned this land trade has been in the Natural Resources office for about four years, and this trade would consolidate the land and be beneficial to the Wilkinson's operation.

Chairman Wilkinson entertained a motion to approve.

Councilman Gillette motioned to approve, seconded by Councilman Mossett.

Vote: 7 for, 0 opposed. Motion carried.

ITEM 14: PETE FREDERICKS LAND ISSUE

Mr. Fredericks gave a brief on documents presented. Mr. Fredericks requested Section 14 and forty acres of Section 23 be replaced into Range Unit 24, which is his current unit. Mr. Fredericks ranch is located in Unit 23.

Discussion on impact of operations pending on this land dispute.

Chairman Wilkinson entertained a motion to move

Reso # B-45-JJR

NOW, THEREFORE BE IT FURTHER RESOLVED, That Fort Berthold has a representative on the Wahpeton Indian School Board.

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, 7 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 8th day of April, 1993; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 7 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 8th day of April, 1993.

John J. Rabbithead Jr
Secretary, Tribal Business Council

ATTEST:

Chairman, Tribal Business Council