

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 benefits of the Tribes and of the enrolled members thereof; and
- WHEREAS, The Natural Resources Committee of the Tribal Business Council approved the purchase of land described below; and
- WHEREAS, It has been determined that it is in the best interest of the Tribe to acquire the land; and
- NOW THEREFORE, BE IT RESOLVED, That the Three Affiliated Tribes Tribal Business Council approves the purchase of lands described below, exclusive of minerals, from:

John Sitting Crow :301-U466

for cash consideration of \$7,686.23, which is the fair market value, utilizing funds from the FmHA Land Purchase account and hereby authorizes the Chairman of the Tribal Business Council, its Secretary, and Superintendent of the Fort Berthold Agency, the Area Director, and the Commissioner of Indian Affairs to prepare all documents and to do all things necessary to transfer title of the lands to the United States of America in trust for the Three Affiliated Tribes of the Fort Berthold Indian Reservation, to wit.

- 49 SE1/4 5-149-91 containing 160 acres, selling an undivided 487/16380 interest, containing 4.76 acres, valued at \$451.92
- 434 W1/2SW1/4 10-149-91 containing 80 acres, selling an undivided 1/30 interest, containing 2.67, valued at \$253.33
- 569-A S1/2SW1/4SW1/4 36-147-90 containing 20 acres, selling an undivided 1/16 interest, containing 1.25 acres, valued \$106.25
- 1118 NW1/4SW1/4 36-147-90 containing 40 acres, selling an undivided 1/8 interest containing 5 acres, valued at \$475.00
- 1197 N1/2NE1/4 30-148-94 containing 80 acres, selling an undivided 1/16 interest, containing 5 acres, valued at \$475.00
- 1563 E1/2NE1/4 27-149-92 containing 80 acres, selling an undivided 1/26 interest containing 3.08 acres, valued \$292.31
- 508A N1/2 10-146-91 containing 320 acres, selling an undivided 1/36 interest containing 8.89 acres, valued \$844.44

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PETE FREDERICKS (CON'T)  
Council to approve one of the options.

Discussion on subleasing.

Vote: 3 for, 2 opposed. Motion carried.

ITEM 15: LAND SALES/1993 FmHA DOCKET FUNDS

Mr. Morgan recommended these go before the Natural Resources Committee. These will be acted upon at a Special Meeting on April 15, 1993, since the paperwork is not ready for presentation. The Bureau also needs a letter of intent before the appraisals are done.

Discussion on Rosella Mandan's land sale.

ITEM 16: LAND SALE/JOHN SITTING CROW #93-46-JJR

Mr. Sitting Crow is presently living at the Nursing Home and needs this land sale for payment to continue living there. The Nursing Home has given Mr. Sitting Crow and extension of 30 days based on this land sale.

Discussion on location of land and release of income from BIA and FmHA.

Chairman Wilkinson entertained a motion to approve. subject to Natural Resources Department assurance that Mr. Sitting Crow will get the FmHA release.

Councilman Fast Dog motioned to approve, seconded by Vice Chairman Johnson.

Vote: 7 for, 0 opposed. Motion carried.

ITEM 17: LAND SALE/ROSELLA Y. MANDAN #93-47-JJR

Secretary Rabbithead read a letter submitted by Mrs. Mandan.

Discussion on dollar amount and land location.

Councilman Mossett motioned for approval for the appraised value of the land. Motion seconded by

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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

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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.

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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

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J. Sitting Crow Land Sale

- 637A S1/2 34-149-92 containing 320 acres, selling an undivided 1/26 interest containing 12.31 acres, valued at \$1,169.23
- 1118A LTS3&4, E1/2SW1/4, SE1/4 19-148-94 containing 309.33 acres, selling an undivided 1/16 interest, containing 19.33 acres, valued at \$1,837.50
- 1132A LTS3&4, E1/2SW1/4, SE1/4 18-148-94 containing 308.79 acres, selling an undivided 1/16 interest, containing 19.30 acres, valued at \$1,781.25

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 constitutes a quorum, 7 were present at a Regular Meeting, thereof duly called, notice, convened, and held on the 8 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.

Chairman (voting) (not voting)

Dated this 8<sup>th</sup> day of April, 1993.

John J. Rabbithead Jr.  
Secretary, Tribal Business Council

Attest:

William S. Wich  
Chairman, Tribal Business Council