

Resolution #93- 62-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 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; and

**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; and

**WHEREAS,** Dale Filkowski has sued the Tribe in U.S. District Court to have the Tribe's TERO Ordinances declared void, Docket No. Al-93-49; and

**WHEREAS,** The Tribe wants the law firm of Hobbs, Straus, Dean & Wilder to handle the litigation of behalf of the Tribe.

**NOW THEREFORE BE IT RESOLVED,** That the law firm of Hobbs, Straus, Dean & Wilder is requested to handle the aforesaid litigation on behalf of the Tribe, and to coordinate closely with in house counsel, Urban J. Bear Don't Walk.

**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 seven (7) members of whom five (5) constitute

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STANDISH (CON'T)

develop an Alien and Sedition Act. Treasurer Bird Bear stated that we need to address this ourselves. This is why he had requested the development of this Act.

If Mr. Standish pushes this issue, we could lose the Northeast Quadrant.

Discussion on banishment.

Councilman Gillette motioned to have Vice Chairman Johnson and Councilman Fast Dog make arrangements with a tribal elder to go speak with Neil Standish. Motion seconded by Secretary Rabbithead.

Chairman Wilkinson acknowledged motion and second.

Vote: 7 for, 0 opposed. Motion carried.

ITEM 08: DALE FILKOWSKI vs. THREE AFFILIATED TRIBES  
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This resolution pertains to the law firm of Hobbs, Straus, Dean & Wilder to handle the litigation on behalf of the Tribe in the case of Filkowski vs. Three Affiliated Tribes.

Mr. Bear Don't Walk explained that Dale Filkowski is suing the TERO and Marcus Wells, Jr., individually. Mr. Filkowski was attempting to achieve Indian status under the TERO Ordinance, but was not able to do so. It was not Indian owned or Indian operated.

Mr. Bear Don't Walk discussed this case. Marcus Wells, Jr. further explained the circumstances of this case.

Chairman Wilkinson entertained a motion to approve the resolution.

Councilman Gillette motioned to approve, seconded by Councilman Fast Dog.

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FILKOWSKI (CON'T)

Vote: 5 for, 0 opposed. Motion carried.

ITEM 09: LCM ISSUE CONTINUED

Mr. John Fox stated the M,R&I Project, or 523 project requested report won't be done until later. These reports will be given to the councilmen when it is put together.

Lonnie Burr explained this report was given to HKM. Everything was in order to get the draw down. They are waiting on this.

Chairman Wilkinson stated the 523 is being processed now. Chairman Wilkinson further stated that the Fort Berthold Housing Authority advanced to LCM of the 522 project money, \$1,140,279.26. The project completion reports show that none of the projects have been completed.

Lonnie Burr stated some of the houses have been completed, and others will be done within two weeks. Many more are to be started soon.

LCM workers explained that 522 is a conventional construction contract. They have one year, ending August 18, to construct thirty (30) homes. On these contracts, they are paid on percentages. They get paid for what is in place, not on the completed unit.

Discussion on Housing threats and the LCM lay-offs.

Discussion on the M,R&I money.

Vice Chairman Johnson requested a copy of the M,R&I financial statement from Don Morgan.

ITEM 10: DISCUSSION ON BUDGET

Chairman Wilkinson discussed the Tribal Budget. Chairman Wilkinson explained that we are entitled to the money, it just needs to be collected. This is where the problem lies, in the collecting of this money.

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a quorum, 5 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 13<sup>th</sup> day of May, 19 93; that the foregoing resolution was duly adopted at such meeting by the affirmative vote of 5 members, 0 members opposed, 0 members abstained, 0 not voting, and that said resolution has not been rescinded or amended in any way.

Dated this 13<sup>th</sup> day of May, 19 93.

John J. Rabbithead Jr.  
Secretary, Tribal Business Council

ATTEST:

William O. Wilson  
Chairman, Tribal Business Council