

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 people of the Three Affiliated Tribes amended their Constitution in July of 1986 providing for the removal of members of the Tribal Business Council, and

WHEREAS, Article V, Section 2 of the Three Affiliated Tribes Constitution provides that the Tribal Business Council may remove a member for cause by five (5) or more members voting for such removal, but before any vote is taken on the matter, such member shall be given an opportunity to answer any and all charges at a designated meeting of the Council, and the decision of the Tribal Business Council shall be final as to the removal or retention of such member, and

WHEREAS, Article V, Section 3 of the Three Affiliated Tribes Constitution provides that the Tribal Business Council shall, within one (1) year of the date of approval of this Section, enact an ordinance setting forth what constitutes cause for the removal of a Council member pursuant to Section 2 of this Article, and

WHEREAS, The Tribal Business Council still has not enacted an ordinance setting forth what constitutes cause for removal, and

WHEREAS, The Tribal Council has a duty and an ethical obligation to follow the Constitution and laws of the Three Affiliated Tribes, and

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BUDGET (CON'T)

Chairman Wilkinson has asked finance to track this money and find out what programs it was used to fund so they may be billed to refund it. The finance staff is to provide the '91, '92, and '93 contracts. The T-2, or general account, absorbed all the expenses of the other programs while they were waiting for their funding to come in.

Councilman Fast Dog mentioned that he was told of these problems about three months ago. Councilman Fast Dog further stated the Comptroller should have foreseen this before now.

Further discussion followed on the collecting of these monies. Chairman Wilkinson explained how the program money is drawn down for the programs.

ITEM 11: RESOLUTION/CODE OF ETHICS #93-63-JJR

Resolution read by Secretary Rabbithead.

This resolution pertains to Dickinson attorney, Christopher D. Quale, to draft an ordinance setting forth what constitutes cause for removal under title V, and establish a Code of Ethics, and that Councilman Fast Dog shall be an agent for the Tribal Council for the purpose of negotiating a contract with Mr. Quale. Mr. Quale will be hired upon the availability of funds.

Chairman Wilkinson inquired why the in-house attorney isn't doing this. Response was given that he was asked two months ago, but hasn't drafted anything yet.

Vice Chairman Johnson motioned to approve, subject to the availability of funds. Councilman Gillette seconded the motion.

Vote: 3 for, 2 opposed, 2 not voting. Motion carried.

ITEM 12: RESOLUTION/FINANCIAL INTEGRITY OF THREE AFFILIATED TRIBES

Resolution read by Secretary Rabbithead.

Resolution # 93-63-JJR

WHEREAS, It is the intention of the Tribal Business Council to establish an ordinance setting forth what constitutes cause for removal under Article V and establish a Code of Ethics.

NOW BE IT THEREFORE RESOLVED, That the Tribal Business Council retains Dickinson attorney, Christopher D. Quale, for the express purpose of drafting an ordinance setting forth what constitutes cause for removal under Article V of the Three Affiliated Tribes Constitution and a Code of Ethics.

BE IT FUTHER RESOLVED, That Mr. Quale shall be paid, upon the availability of funds, at a rate _____.

BE IT FURTHER RESOLVED, That North Segment Councilman, George Fast Dog, is appointed as an agent for the Tribal Council for the express purpose of negotiating a contract with Mr. Quale and obtaining from him for the Tribal Business Council, within forty-five (45) days, a draft ordinance setting forth cause for removal under Article V and draft a Code of Ethics.

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 a quorum, 7 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 13th day of May, 19 93; that the foregoing resolution was duly adopted at such meeting by the affirmative vote of 3 members, 2 members opposed, 0 members abstained, 2 not voting, and that said resolution has not been rescinded or amended in any way.

Dated this 13th day of May, 19 93.

John J. Rabbithead Jr.
Secretary, Tribal Business Council

ATTEST:

Chairman, Tribal Business Council