

Resolution No. 93- 65 - JJR

**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 benefit of the Tribes and of the enrolled members thereof; and

WHEREAS, the Tribal Business Council desires to promote beneficial economic activities and conserve the natural resources of the Fort Berthold Reservation; and

WHEREAS, the NDSU Extension Service recommends that native rangeland in North Dakota not be grazed earlier than June 1 and recognizing the fact that Indian livestock owners do not always have the resources to delay spring turn out; and

NOW, THEREFORE, BE IT RESOLVED, that the grazing season on range units grazed by Indian owned livestock not begin prior to May 15. The grazing season for non-Indian owned livestock shall not begin prior to June 1. (This does not pertain to range units permitted for year-long use.)

BE IT FURTHER RESOLVED, that exceptions to this can be made if a grazing management plan, approved by the Tribal Business Council and BIA Superintendent, is implemented by the permittee.

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RANGE ISSUE (CON'T)
the allotments to the unit. Motion was seconded by
Vice Chairman Johnson.

Chairman Wilkinson acknowledged motion and second.

Vote: 6 for, 0 opposed. Motion carried.

ITEM 21: DRAFT RESOLUTION/GRAZING DATES

This resolution deals with turning cattle out to the range units. Good range management provides that cattle should not be turned out prior to June first. This varies each year. The non-Indian operators should abide by the June 1 date. Some of the Indian operators who do not have the resources would then abide by the May 15 date for the Indian owned livestock.

Chairman Wilkinson entertained a motion to approve June 1 as the date for non-Indian operators and May 15 as the date for Indian operators to turn out cattle onto the units.

Discussion on June 1 as the turn out date for non-Indian cattle owners. Mr. Dreher stated he felt the non-Indian operators have more resources available to them.

Treasurer Bird Bear motioned to approve the dates, seconded by Vice Chairman Johnson.

Discussion on duration of grazing. Mr. Dreher mentioned they would be able to graze longer than November 1. They could run until the end of November. Councilman Gillette questioned how many operators were utilizing cross fence rotational grazing. Mr. Dreher stated possibly fifteen, maybe more that are doing some type of rotation.

Vice Chairman Johnson commented on the Tribe and the Bureau working on the utilization of cross fencing and spring development in the range units. Mr. Dreher stated he has asked for money before for these purposes, but he is unsure of where it can be

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acquired. An extra \$25,000.00 would help get some of these cross fences in place.

Vote: 5 for, 0 opposed. Motion carried.

ITEM 22: RESOLUTION/FENCING

This resolution pertains to the fencing of land which is removed from a range unit for personal use by individuals. This issue is not addressed in the current Grazing Resolution.

Mr. Dreher explained this is to prevent problems arising from individual landowners who do not like the permittee and those individuals who decide to put a homesite on their land in a range unit. Chairman Wilkinson mentioned this would not prevent a landowner from releasing a herd of cattle in the middle of someone's unit onto their own piece of land. Individuals cannot be prohibited from using their land, however, if it's in the middle of the range unit, the issue could get into a legality.

Chairman Wilkinson mentioned this would be alright, provided the Bureau provides the fencing materials. Myrna Jacobs mentioned that the stipulation could be added to homesite applications stating the individual must fence the homesite area, if it is located within a range unit. A question was raised on how someone could be "forced" to fence. Mr. Dreher replied this would be done the same way people follow a regulation. Chairman Wilkinson stated that it seems as if the Bureau is asking the Tribal Council to force its own members to fence. Mr. Dreher replied they do issue a letter requesting the fencing. He is asking for a resolution to back this up.

Discussion on Bureau providing fencing materials.

Chairman Wilkinson suggest to add onto the fourth Whereas, "As a result of land being removed by the landowners for personal use, or for homesite leases providing the Bureau of Indian Affairs provides the

CERTIFICATION

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council is composed of 7 members, of whom 5 constitutes a quorum, 5 were present at a Special Meeting, thereof duly called, noticed, convened, and held on the 26th day of April, 1993; that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 5 members, 0 members opposed, 0 members abstained, and 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman (voting) (not voting).

Dated this 26th day of April, 1993.

John J. Rabbithead Jr.
Secretary, Tribal Business Council

ATTEST:

William A. ...
Chairman, Tribal Business Council