

**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,** Article IV, Section 3, of the Constitution of the Three Affiliated Tribes grants to the Tribal Business Council all necessary sovereign authority, both legislative and judicial, for the purposes of exercising the jurisdiction granted by the people in Article I of the Constitution; and
- WHEREAS,** The governing body of the Three Affiliated Tribes, in Resolution #93-28-JJR has set as the number one road priority, the construction of lake access roads; and
- WHEREAS,** The Dunn County Commissioners have expressed an interest in assisting with lake access road development, with funds accumulated from the taxes acquired from reservation roads; and
- WHEREAS,** The governing body of the Three Affiliated Tribes has determined that it is in the best interest of the Three Affiliated Tribes and the Fort Berthold Reservation to approve this cooperative effort; and
- NOW THEREFORE BE IT RESOLVED,** That the governing body of the Three Affiliated Tribes hereby grants the Dunn County Commissioners the authority to proceed with this in conjunction with the Bureau of Indian Affairs.

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LOAN REQUEST (CON'T):
seconded by Councilman Gillette.

Discussion on any current loans.

Vote: 4 for, 0 opposed, 2 not voting.
Motion Carried.

ITEM 13: STATUS OF SMALL LOAN PROGRAMS REPORT:
Marcus Wells, Comptroller reported that due to the most recent funerals, The program is in deficit.

Discussion regarding posting, audit, administration of billings by the banks of Minot/Watford City. This is only the handling of the paperwork as they have the sophistication of their computers. This would make everything up to date. Training was suggested for the Small Loan Program staff.

Treasurer Bird Bear made motion to approve the line of Credit for the Small Loan Program without the administration, seconded by Secretary Rabbithead.

Discussion: Policies of program.

Vote: 3 for, 2 opposed, 1 not voting.
Motion Carried.

ITEM 14: ~~RESOLUTION/SKUNK CREEK ROAD CONSTRUCTION:~~
~~Resolution *93-107-JJR.~~

James Danks was present and explained the County Board has agreed that any of the tax monies collected from the reservation are to be put back into the roads. This is the first time that any county has taken this type of action. Their main concern for many years was public access. The right of way and surveys are done. The funding which the tribe is expected to come up with is found through the County so all they want now is a resolution to the agreement. This is an opportunity as we help elect these county commissioners.
Discussion: Mahto bay, Indian Hills and McKenzie bay all want to be exempted from the JTAC Land

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ROAD CONSTRUCTION RESOLUTION (CON'T):
Discussion on Mahto Bay, Indian Hills and Mckenzie Bay all wanting to exempted from the JTAC Land Transfer. Resolution to be prepared by Abigail working along with Mr. Danks.

Vice Chairman Johnson made motion to approve the cost share on Skunk Creek Bay Road Construction Project with Dunn County Commissioners, seconded by Treasurer Bird Bear.

Vote: 6 for, 0 opposed. Motion Carried.

ITEM 15: ISSUE/JIM DANKS:
Mr. Danks stated he's working with the Buffalo Project and changing boundaries of the pasture as far as the extension is concerned. He was advised to work with Vice Chairman Johnson on the details.

ITEM 16: DISCUSSION:
This was regarding the conditional approval of loans.

ITEM 17: ALVA IRWIN REQUEST:
Alva who was present, requested for a loan in the amount of \$700.00. She stated she has a loan which is current and the payback will be through her leases.

Chairman Wilkinson entertained motion.

Councilman Fast Dog made motion to approve for \$500.00, seconded by Secretary Rabbithead.

Vote: 5 for, 0 opposed. Motion Carried.

ITEM 18: VIRGIL WHITE OWL REQUEST:
It was explained that Virgil got accepted at Syracuse University and looking for a school loan.

Councilman Fast Dog made motion to approve for \$500.00, seconded by Councilman Gillette.



United States Department of the Interior



BUREAU OF INDIAN AFFAIRS
Aberdeen Area Office
115 Fourth Avenue S.E.
Aberdeen, South Dakota 57401

ON REPLY REFER TO:

Branch of Roads
MC-307

SEP 05 1995

Orris M. Bang, Chairman
Dunn County Commission
P.O. Box 105
Manning, North Dakota 58642

Dear Mr. Bang:

On August 2, 1995, a meeting was held in the Commission Room in the Dunn County Courthouse for the purpose of discussing a jointly funded project to extend BIA Route No. 10 from its existing end point east 3.4 miles to Lake Sakakawea. Persons in attendance at the meeting included the following:

- Orris M. Bang, Chairman, Dunn County Commission
- Tim Stroh, Dunn County Commissioner
- Tex Appledoorn, Dunn County Commissioner
- Reinhard Hauck, Dunn County Auditor
- Jeff Sheets, Dunn County States Attorney
- Roger Dorval, County Consultant Engineer, Kadmas, Lee & Jackson
- Dave Leftwich, Secondary Roads Engineer, North Dakota Department of Transportation (NDDOT)
- Ted Danks, Transportation Planner, Three Affiliated Tribes
- Ralph Nordyke, Planning Specialist, Bureau of Indian Affairs (BIA), Aberdeen Area Office
- Galen Balster, Planning Engineer, BIA, Aberdeen Area Office
- Debi Biffert, Reporter, Dunn County Herald

Dunn County officials pledged \$6,000 in local funds towards the project. In addition, the Dunn County officials applied to the NDDOT for a Special Road Funds grant and have been awarded a grant for 60 percent of the project construction cost up to

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\$150,000. Dunn County officials are willing to administer the project, as the sponsor and recipient of the Special Road Funds grant.

The NDDOT will provide funding for 50 percent of the project construction cost up to a limit of \$150,000. In addition, NDDOT is willing to advertise the project for bids in a regularly scheduled NDDOT Highway Bid Letting to facilitate widespread circulation of the offering. The NDDOT will also make construction progress payments and in turn, bill funding participants for their cost share.

The Three Affiliated Tribes passed Resolution No. 93-107-JJR on August 17, 1993. Resolution No. 93-107-JJR grants the Dunn County Commission the authority to proceed with this in conjunction with the BIA.

We will provide the remaining funds needed for the project based on the preliminary anticipated total cost of \$305,000. We will also acquire right-of-way, add the road to the BIA Highway System, and provide maintenance on the new road.

Based on the discussion at the August 2 meeting, an interagency agreement has been drafted in accordance with commitments made by representatives of each agency. Three copies of the agreement are enclosed for your consideration. If the agreement is acceptable as drafted, please affix signatures of county officials on all three agreements and forward the signed agreements to Mr. Dave Leftwich with NDDOT in Bismarck, North Dakota.

When NDDOT officials have signed all three agreements, the agreements are to be forwarded to our Branch of Roads for signatures. When the agreements are signed by our officials, both Dunn County and the NDDOT will receive an original signed agreement.

If there are any questions, please call Galen Balster, Area Planning Engineer, at (605) 226-7645.

Sincerely,



Area Director

Enclosures

Resolution #93- 107-JJR

NOW THEREFORE BE IT FURTHER RESOLVED, That the governing body grants the Dunn County Commissioners the authority to proceed with the efforts in the construction work of the BIA Route 10, lake access road, (Skunk Bay) Township 149, Range 92, Dunn County.

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, 6 were present at a Regular meeting thereof duly called, noticed, convened, and held on the 17th day of August, 1993; that the foregoing resolution was duly adopted at such meeting by 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.

Dated this 17th day of August, 1993.

John J. Rabbithead Jr.
Secretary, Tribal Business Council

ATTEST:

Wilbur D. Wilkinson
Wilbur D. Wilkinson, Chairman