

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 VI, Section 3 of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to exercise all necessary sovereign authority - legislative and judicial - for the purpose of asserting the jurisdiction granted in Article I of the Consitution; and

WHEREAS, In the Three Affiliated Tribes Code of Laws, Chapter 27, Section 3, Subsection 3.1 discusses proprietary interest and Subsection 3.3 discusses Class III games that may be licensed for conduct on Tribal lands in accord with the Indian Gaming Regulatory Act, 102 Stat 2467, 25 U.S.C., 2701 et seq; and

WHEREAS, The Three Affiliated Tribes has entered into a Pari-Mutuel/Simulcast Racing Compact with the State of North Dakota, dated April 14, 1993.

NOW, THEREFORE, BE IT RESOLVED, That the Tribal Business Council, pursuant to its Constitutional authority, hereby formally approves the conduct of Pari-Mutuel/Simulcast Racing on Tribal lands, in accord with the terms and conditions of the Three Affiliated Tribes Pari-Mutuel/Simulcast Racing Compact with the State of North Dakota.

Special Council Meeting
August 26, 1993
Page eighteen

ENROLLMENT (CON'T)

Secretary Rabbithead motioned to approve the new enrollees, seconded by Councilman Fast Dog.

Vote: 6 for, 0 opposed, 1 not voting. Motion carried.

ITEM 19: RESOLUTION/ENROLLMENT RESCINDING LISA AND KRISTIN WILSON FROM RESOLUTION #93-97-JJR

Resolution read by Secretary Rabbithead. This resolution pertains to the rescinding of Lisa and Kristin from Resolution #93-97-JJR as they do not meet the required blood degree of 1/4.

Chairman Wilkinson questioned who made the mistake. Enrollment Clerk, Alisia J. Fox, explained these were done before she started working at Enrollment. As she was assigning numbers, she was also double checking the blood degrees and noticed these two were not eligible due to insufficient blood quantum.

Chairman Wilkinson stated the Tribal Council Secretary will have to check on this before any action is taken.

Mrs. Fox explained this was done by the previous enrollment clerk. These two individuals have not been notified or assigned numbers.

Secretary Rabbithead motioned to table this until it can be further researched, seconded by Vice Chairman Johnson.

Chairman Wilkinson acknowledged motion and second.

Vote: 7 for, 0 opposed. Motion carried.

ITEM 20: ~~RESOLUTION/PARI-MUTUEL/SIMULCAST RACING #93-113-JJR~~

~~Resolution read by Secretary Rabbithead.~~
This resolution pertains to the Tribal Business Council approving the conduct of Pari-Mutuel/Simulcast Racing on Tribal lands, in accordance with the terms and conditions of the Three Affiliated Tribes

Special Council Meeting
August 26, 1993
Page nineteen

PARI-MUTUEL (CON'T)
Pari-Mutuel/Simulcast Racing Compact with the State
of North Dakota.

Chairman Wilkinson entertained a motion to approve.

Vice Chairman Johnson motioned to approve, seconded
by Secretary Rabbithead.

This will authorize televised or live horse and dog
racing.

Vote: 6 for, 1 opposed. Motion carried.

ITEM 21: RESOLUTION/FOUR BEARS CASINO & LODGE MANAGEMENT
AGREEMENT ADDENDUM/ TERO FEE

Resolution read by Secretary Rabbithead.

This resolution pertains to an Addendum to be
applied to the Management Agreement of the Four
Bears Casino & Lodge Developments of the Three
Affiliated Tribes to include a TERO Fee of 2% in
all of its development.

Chairman Wilkinson stated this resolution would
violate the Management Agreement with Bruce H. Lien
Co. The Tribe waived the TERO Fee in accordance
with this agreement. The Tribe could be liable for
breach of contract. Chairman Wilkinson stated this
resolution is not in the best interest of the Three
Affiliated Tribes.

Councilman Fast Dog mentioned there is a resolution
that was passed to stop the TERO waivers. Chairman
Wilkinson stated the agreement was in place before
the resolution was passed. It cannot be retroac-
tive.

Discussion.

Marcus Wells Jr. stated the resolution is for the
approval for negotiation with Lien to see if they
would be in agreement with the TERO fee.

Vice Chairman Johnson mentioned the rest of the

93-113-JJR

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, 7 were present at a Special Meeting thereof duly called, noticed, convened, and held on the 26th day of August, 1993; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 6 members, 1 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Dated the 26th day of August, 1993.

John J. Rabbithead, Jr.
Secretary, Tribal Business Council

ATTEST:

Walter C. Wehner
Chairman, Tribal Business Council