

Resolution #95-237-DSB**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 5(a) of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to manage all economic affairs and enterprises of the Tribes; and
- WHEREAS,** The National Indian Gaming Commission recently informed the Three Affiliated Tribes that the former Tribal Administration, approximately one year ago, had submitted to the Commission for review and approval a proposed gaming management agreement between the Three Affiliated Tribes and Little Soldier Casino, Inc.; and
- WHEREAS,** The Commission further informed the Tribes that it had not yet commenced its review of the identified management agreement and inquired as to whether the Tribes, at this point, continue in their intent to secure Commission review of the agreement; and
- WHEREAS,** The present Tribal Administration, on June 14, 1995, via Resolution #95-132-DSB, placed a moratorium on further consideration of any proposals for the establishment of additional Class III gaming facilities within the Fort Berthold Reservation for a period of nine(9) months from the date of said Resolution or until such time as the issues pending under the Four Bears Casino & Lodge Management Agreement have been resolved to the satisfaction of the Tribal Business Council, should such resolution be achieved prior to the expiration of said nine(9)-month period; and
- WHEREAS,** It is the considered judgment of the Tribal Business Council that, in conformity with the intent of the moratorium established by Resolution #95-132-DSB, the Three Affiliated Tribes should forthwith withdraw the previous request that the National Indian Gaming Commission review the proposed gaming management

MANDAN, HIDATSA, & ARIKARA NATION

Three Affiliated Tribes • Fort Berthold Indian Reservation

HC3 Box 2 • New Town, North Dakota 58763-9402



TRIBAL BUSINESS COUNCIL
(701) 627-4781
Fax (701) 627-3805

September 30, 1994

CHAIRMAN
Wilbur D. Wilkinson

VICE CHAIRMAN
Ivan Johnson
Margaree
(701) 789-3377

SECRETARY
John "Jack" Rabbithead, Jr.
Parshall/Lucky Mound
(701) 882-3841

TREASURER
Roger Bird Bear
Four Bears

COUNCIL MEMBER
Aurita Gillette
White Shield
(701) 743-4244

COUNCIL MEMBERS
Jan Moffett
Twin Buttes
(701) 838-4403

COUNCIL MEMBER
George Fast Dog
New Town / Little Shell
(701) 627-3484

Chairman
National Indian Gaming Commission
1850 "M" Street NW - Suite 250
Washington, DC 20036

Dear Sir:

I have enclosed for your review and approval, a Management Agreement between Little Soldier Casino, Inc. and the Three Affiliated Tribes approved by the Tribal Business Council September 29, 1994.

The proposed casino will be managed and operated by Dale Little Soldier, an enrolled member of the Three Affiliated Tribes and the operation will be developed to meet the existing "Gaming Compact" between the Three Affiliated Tribes and the State of North Dakota.

Little Soldier Casino, Inc. was granted a Gaming License in February 1994, authorizing all negotiations and procedures with final documents to be approved by the National Indian Gaming Commission.

This casino will be located on the Beaver Creek Bay on the southern half of the Fort Berthold Indian Reservation. The resources that are available in this area will provide an excellent location for the development of a first class entertainment and recreation complex. Including gaming operations, Little Soldier Casino, Inc. proposed development will include a 50-room hotel, individual log cabins, marina, gas station/ convenient store designed to retain the existing market and attract new tourism to the area and not compete with the existing casino located in New Town, North Dakota.

Approval of this Management Agreement will greatly enhance the development of the reservation, providing an estimated 100+ jobs for the tribal members, develop infrastructure to include, water, sewage/utilities to the area and generate more revenues to the Tribe for future economic and social programs.

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Therefore, we request approval of the Management Agreement for Little Soldier Casino, Inc. and the Three Affiliated Tribes.

Sincerely,

Wilbur D. Wilkinson
Wilbur D. Wilkinson, Chairman
Mandan, Hidatsa & Arikara Nation

Attachment/Enclosure

MANDAN, HIDATSA AND ARIKARA NATION
THREE AFFILIATED TRIBES

RESOLUTION NO.

A RESOLUTION TO APPROVE A GAMING
MANAGEMENT AGREEMENT UNDER THE PROVISIONS OF IGRA

WHEREAS, the Tribal Council is empowered, under Article VII, Sections 1, 3, and 5 of the Revised Constitution and Bylaws of the Three Affiliated Tribe "to negotiate with and approve or disapprove contracts with...private persons or with corporate bodies"; to "establish procedures for the conduct of all tribal government and business operations"; to "promote and protect the health, peace, morals, education, and general welfare of the tribe and its members"; and to "do such acts of a governmental and public nature as are not prohibited by applicable laws," and

WHEREAS, the Three Affiliated Tribes, under the Indian Gaming Regulatory Act ("IGRA," Public Law 100-497), is authorized to operate Class II and Class III gaming activities on tribal lands within the Tribe's jurisdiction in accordance with a tribal-state gaming compact, and

WHEREAS, a tribal-state gaming compact was signed by Wilbur Wilkinson, Tribal Chairman and North Dakota Governor George Sinner on October 7, 1992 and approved by the Department of the Interior effective December 03, 1992, and

WHEREAS, it is the opinion of the Tribal Council that Little Soldier Casino, Inc. has submitted the superior proposal for Class II and Class III gaming activities, and that Little Soldier Casino, Inc., is well experienced in gaming and construction activities, and

WHEREAS, this Resolution has been reviewed and approved by the Committee on Economic Development of the Tribal Council, now therefore be it

RESOLVED, that the Tribal Council does hereby approve the Gaming Management Agreement with Little Soldier Casino, Inc. in substantially the form as that attached, subject to the approval of the Agreement by the National Indian Gaming Commission, and be it further

RESOLVED, that the Tribal Council does hereby authorize the Chairman to sign and execute the Agreement and the UCC Financing Statements and Promissory Notes described therein, and does hereby

authorize the Chairman to make any technical changes as may be necessary, and be it further

RESOLVED, that the Tribal Council does hereby authorize the Tribal Chairman and the Secretary/Treasurer to take such other and further actions as may be necessary to obtain approval of and implement the Management Agreement.

CERTIFICATION

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, 5 were present at a special meeting thereof duly called, noticed, convened and held on this 1st of Sept, 1994; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 5 members, 0 members opposed, 0 members abstained 0 members not voting and that said Resolution has not been rescinded or amended in any way.

Dated this 1st day of Sept, 1994.

John J. Rahlström Jr.
Secretary, Tribal Business Council

ATTEST;

William A. Washington
Chairman, Tribal Business Council

agreement with Little Soldier Casino, Inc.;

NOW, THEREFORE, BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes hereby requests that the National Indian Gaming Commission forthwith withdraw from its review process the previously-submitted, proposed gaming management agreement between the Three Affiliated Tribes and Little Soldier Casino, Inc. and return to the Three Affiliated Tribes all documentation included in such previous submission.

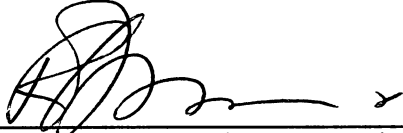
C E R T I F I C A T I O N

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 22nd day of November, 1995; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 6 members, 0 members opposed, 0 members abstained, 1 not voting, and that said Resolution has not been rescinded or amended in any way.

Dated this 22nd day of November, 1995.

Daylon Spotted Bear
Secretary, Tribal Business Council

ATTEST:



Chairman, Tribal Business Council