

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 best interest of the welfare and benefit of the Tribes and of the enrolled members thereof; and
- WHEREAS, The Tribal Business Council supports the development of economic ventures designed to create employment and training opportunities for the benefit of the enrolled members of the Three Affiliated Tribes; and
- WHEREAS, The Tribal Business Council, by Resolution No. 96-53-DSB, elected to sanction its support of the development of an economic venture in the East Segment of the Fort Berthold Reservation; and
- WHEREAS, The Tribal Business Council further sanctioned its support, by Resolution Numbered 96-51-DSB, of the renovation and construction to the Ralph J. Wells Memorial Community Building in the White Shield Community to accommodate the Uniband Data Entry Satellite; and
- WHEREAS, The Tribal Business Council is aware of the need to capitalize on the opportunities with which the Three Affiliated Tribes may be faced during the negotiation and development process; and
- WHEREAS, The Tribal Business Council is aware of the need to effect the finalization of documents required in the commitment process of the project;

NOW, THEREFORE, BE IT RESOLVED That the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation authorizes the Chairman of the Tribal Business Council, or his designee, to execute in behalf of the Three Affiliated Tribes any and all

documents serving to expedite an otherwise time-consuming process in finalizing the Uniband Data Entry Satellite project for the East Segment of the Fort Berthold Reservation.

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 seven (7) members, of whom five (5) constitute a quorum, 7 were present at the Regular Meeting thereof duly called, noticed, convened and held on the 10th day of May, 1996; that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 7 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 10th day of May, 1996.

Daylon Spotted Bear
Secretary, Tribal Business Council

ATTEST:



Chairman, Tribal Business Council



TURTLE MOUNTAIN BAND OF CHIPPEWA INDIANS

P.O. BOX 900
BELCOURT, NORTH DAKOTA 58316

(701) 477-5198
FAX: (701) 477-6836

TO: RUSSELL "BUDDY" MASON

FROM: TWILA MARTIN-KEKAHBAH *tw*

DATE: FEBRUARY 11, 1996

RE: UNIBAND AGREEMENT

Enclosed is a copy of the Uniband agreement. We would like to do a press release on the signing of the agreement at the Minority Contractors Association Conference being held in Bismarck, February 21-23. Would you, Austin, and council to be there for the occasion. We will bind the agreement with the offering of Tobacco and an Eagle Feather, symbolizing our Two Nations trust and respect in this mutual venture.

I will be in Albuquerque this week, if you have any questions, contact my office, and I'll get back to you. Take care, I'll see you next week at the conference.

cc: Julie Desjarlais

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding is entered into this _____ day of _____, 1996, by and between the **TURTLE MOUNTAIN BAND OF CHIPPEWA INDIANS** ("Turtle Mountain"), an unincorporated federally recognized Tribe located in Belcourt, North Dakota, and **THE THREE AFFILIATED TRIBES** ("Three Affiliated Tribes"), consortium of federally recognized Tribes located in New Town, North Dakota.

RECITALS:

WHEREAS, Turtle Mountain owns an independently incorporated company known as Uniband, Inc. ("Uniband"), which corporation engages in the business of data entry services for various Federal agencies; and

WHEREAS, Uniband currently employs over 600 persons on the Turtle Mountain Indian Reservation, and an additional 350 persons at various remote locations throughout the United States; and

WHEREAS, Uniband is currently looking to establish another remote location where it would create a minimum of 40 data entry positions; and

WHEREAS, Three Affiliated Tribes is actively seeking economic development opportunities for the membership of its Affiliated Tribes, and desires to have Uniband establish a remote facility within the boundaries of the Three Affiliated Tribes reservation; and

WHEREAS, the Indian people in the State of North Dakota have never cooperated in an economic development effort which would benefit the Indian peoples of two separate tribes; and

WHEREAS, Turtle Mountain has invested substantial funds in the development and creation of Uniband and has a vested interest in protecting Uniband from direct competition; and

WHEREAS, Turtle Mountain and Three Affiliated Tribes wish to enter into an historic Memorandum of Understanding, establishing the terms and conditions upon which Turtle Mountain, through Uniband, may provide employment opportunities for members of the Three Affiliated Tribes, and expand its current operations without fear of future competition from Three Affiliated Tribes.

NOW THEREFORE BE IT RESOLVED that Turtle Mountain, through Uniband, is willing to enter into a defined term lease agreement with Three Affiliated Tribes, to establish a remote location on the Three Affiliated Tribes reservation, guaranteeing the creation of a minimum of 40 data entry positions for a time certain, under the following terms and conditions:

1. That Three Affiliated Tribes enter into a lease agreement with Uniband, upon terms acceptable to Uniband, for a facility

suitable for the operation of Uniband's data entry business, capable of supporting 40 workstations, and remodeled to standards acceptable to Uniband.

2. That Three Affiliated Tribes agrees to provide all necessary furnishings and equipment, including all computer hardware for 40 workstations, at no cost or expense to Uniband.

3. That such facility shall have the necessary utilities installed, including water and sewer, electric, and sufficient telephone lines for the conducting of Uniband's business.

4. That Uniband will expand its present business operations to the facility, to include at least 40 full time data processing employees or similar job roles and functions as are presently conducted in its primary operations site near Belcourt, North Dakota. Uniband will guarantee such positions and operations for a minimum term of two years.

5. Uniband retains the exclusive right to make all employment related decisions. Decisions relating to conditions of employment, training, hiring policies, promotion policies, and employment termination decisions shall all be exclusively the right of Uniband.

6. Turtle Mountain agrees that the Turtle Mountain Community College shall coordinate training of all employees employed at the new facility with the education officials of Three Affiliated Tribes, helping them establish a program on the Three Affiliated Tribes reservations to effectuate such training.

7. The parties agree that this Memorandum of Understanding, and any lease contemplated herein, shall be construed according to the laws of Turtle Mountain, and any disputes arising thereunder shall be adjudicated by the Tribal Court of Turtle Mountain. Three Affiliated Tribes agrees to consent to the jurisdiction of the Turtle Mountain Tribal Court for resolution of any such dispute.

8. During the duration of Uniband's operations on the Three Affiliated Tribes reservation, and for a period of two years after the termination of such operations on such reservation, Three Affiliated Tribes agrees not to engage in any business or association, directly or indirectly, nor attempt to engage in, and business or association that would directly or indirectly compete with Uniband.

9. In keeping with long-standing Native American tradition, Turtle Mountain, in offering this Memorandum of Understanding to Three Affiliated Tribes, does so accompanied by the offering of Sacred Tobacco and an Eagle Feather, symbolizing its intent to bind itself to the terms herein contained under sacred tradition, and that by accepting the Sacred Tobacco and Eagle Feather, Three Affiliated Tribes agrees to bind itself, based on those same sacred traditions, regardless of any subsequent determination by a court of law that this agreement or any portion thereof is legally unenforceable.

The parties hereto agree to work diligently to effect the timely performance contemplated herein.

Executed the day and year first above stated:

Turtle Mountain Band of Chippewa Indians

BY: _____
Twila Martin-Kekahbah
Its: Chairperson

Three Affiliated Tribes

BY: _____
Russell "Buddy" Mason
Its: Chairperson