

**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,** Since July 15, 1993, the Three Affiliated Tribes has owned and operated the 4 Bears Casino and Lodge at which Class III gaming, or casino style gaming is conducted pursuant to a Tribal-state gaming Compact approved by the Secretary of Interior on December 11, 1992 pursuant to the Indian Gaming Regulatory Act (IGRA), 25 United States Code Sections 2701 et seq.; and
- WHEREAS,** Patrons to the 4 Bears Casino and Lodge largely come from North Dakota, and surrounding states and provinces, and spend varying amounts of money on the gaming and other entertainment available at the Casino; and
- WHEREAS,** A small percentage of patrons can and sometimes have developed an "addiction" to gaming activities which can cause such persons severe personal and financial problems; and
- WHEREAS,** Persons with such "gaming addiction" problems can be counseled and treated for their addiction, if such programs are available and the person wants to be helped; and
- WHEREAS,** The Indian Nations in North Dakota that conduct Class III gaming activities in this state are aware of the problems of gaming addiction among the patrons of their casinos and desire to combine together to provide funding for additional gaming addiction counseling services; and
- WHEREAS,** The Mental Health Association of North Dakota, with headquarters in Bismarck, North Dakota, is and has been a reputable provider of mental health services to North Dakota citizens for more than 25 years, and is willing to provide a one-year program of services, pursuant to the attached budget, if funding can be provided by the Indian Nations in the total amount of \$82,851; and

- WHEREAS,** Representatives of each of the five Indian Nations that conduct Class III gaming in North Dakota have met and agreed to bring this proposal to each of their respective Tribal Councils for further consideration, it being understood that the Standing Rock Sioux Tribe is willing to pay \$30,000 towards the total budget, and each of the other four other Indian Nations would contribute 1/4 of the remaining amount, or \$13,212.75 per Nation;
- WHEREAS,** Funds from each of the four Indian Nations besides the Standing Rock Sioux Tribe will not be needed until after October 1, 1998; and
- WHEREAS,** A draft Memorandum of Understanding (MOU) between the Mental Health Association and the five Indian Nations setting forth the basic terms of the arrangement has been prepared and is attached; and
- WHEREAS,** The basic terms of the MOU include the purpose of the Memorandum; acceptance of the proposed scope of activities and acceptance of the proposed budget; the amounts to be contributed by the Indian Tribes, with the understanding that provision of the services contemplated in the budget is dependent on the Tribal contributions; quarterly payment schedule; provision for regular reports to the Indian Nations regarding the counseling services being provided; a provision requiring an audit of the expenditure of the funds, which may be satisfied if the audit is conducted along with any other audit which may be conducted of Mental Health Association activities; a provision that the contributions of the Tribes are voluntary; and a provision that the duration of the MOU is one year, including the understanding that negotiations for any renewal will be conducted separately;
- NOW, THEREFORE BE IT RESOLVED,** that the Tribal Business Council of the Three Affiliated Tribes hereby authorizes the expenditure, in Fiscal Year 1999 which commences October 1, 1998, of a total of \$13,712.75 to the Mental Health Association of North Dakota for mental health services to persons who have gaming addiction or similar problems in accordance with the attached budget and Memorandum of Understanding, to be paid out in installments in accordance with whatever schedule is established upon negotiations between the Mental Health Association and the North Dakota Indian Tribes, but in no event, not earlier than October 1, 1998; and
- NOW, THEREFORE BE IT FURTHER RESOLVED,** that the Tribal Business Council of the Three Affiliated Tribes hereby authorizes the Chairman of the Three Affiliated Tribes to execute a Memorandum of Understanding (MOU) between the Mental Health Association of North Dakota and the Three Affiliated

Tribes, in substantially the form as attached hereto for the provision of services for which funds are being contributed, it being understood that the signing of the Memorandum of Understanding does not bind the Three Affiliated Tribes to contribute funds to the Mental Health Association of North Dakota, but is binding on the parties in the event such funds are contributed as between the parties to the MOU.

### 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, 7 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 14<sup>th</sup> day of August, 1998; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 6 members, 0 members opposed, 0 members abstained, 1 members not voting, and that said Resolution has not been rescinded or amended in any way.

Dated this 14<sup>th</sup> day of August, 1998.

Daylon Spotted Bear  
Secretary, Tribal Business Council

ATTEST:

[Signature]  
Chairman, Tribal Business Council