

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, The Constitution of the Three Affiliated Tribes provides in Article IV for elections of the members of the Tribal Business Council and in Article III, Section 5, for the appointment of officers of the Tribal Business Council; and
- WHEREAS, The election of November 3, 1998 resulted in an existing, seated member of the Tribal Business Council being elected Chairman of the Tribal Business Council, thus creating a vacancy in the Mandaree Segment and leaving the Tribal Business Council with six officially seated members; and
- WHEREAS, Following the election, when the Council met for the first official meeting to elect officers pursuant to the Article III, Section 5, a deadlock resulted which was resolved by the Chairman, acting upon the advice of legal consultant and tribal member Thomas Fredericks of Denver, Colorado, voting twice, once as the Mandaree representative and once as the Chairman of the Tribe, to appoint a seventh member to the Council to the vacant Council seat representing the Mandaree Segment; and
- WHEREAS, As a result of that action, three Council members initiated a lawsuit in Tribal Court, engaging Don Bruce of Belcourt, North Dakota as legal consultant; and
- WHEREAS, During the next few weeks, as the court matter was heard and a decision awaited, both legal consultants advised the respective factions of the Tribal Business Council, and with Mr. Fredericks further advising the faction which included the Chairman on certain issues affecting the Three Affiliated Tribes; and
- WHEREAS, The matter concerning the double vote of the Chairman was decided in the Chairman's favor in a decision of the Fort Berthold Tribal Court, while at the same time the court ruled that except in the emergency created by the Constitutional mandate to select the officers of the Tribal Business Council, a quorum of five persons of the Council was necessary to conduct Tribal business; and

WHEREAS, During the next two months, and during which period the Council did not conduct official business where a quorum was present, Thomas Fredericks continued to advise the Chairman and others concerning matters of importance to the Tribe; and

WHEREAS, Both Don Bruce and Thomas Fredericks have submitted bills to the Tribal Business Council for consultant services they rendered to members of the Tribal Business Council acting in their official capacities as elected Tribal representatives; and

WHEREAS, Payment of a portion of the consultant service's fees of Don Bruce and Thomas Fredericks for services rendered during this period will help to bring closure to this difficult period in the political affairs of the Three Affiliated Tribes;

NOW, THEREFORE BE IT RESOLVED, that the Tribal Business Council authorizes payment to Don Bruce in the amount of \$15,000 as payment in full for consultant services Mr. Bruce provided to the Three Affiliated Tribes and members of the Tribal Business Council and further the Tribal Business Council authorizes payment to Thomas Fredericks in the amount of \$20,000 as payment in full for consultant services Mr. Fredericks provided to the Tribe and members of the Tribal Business Council for the period of November 6, 1998 to February 11, 1999, it being understood that this payment represents the final and only payment to be made to Don Bruce and Thomas Fredericks for services rendered during the period stated.

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 15th day of July, 1999; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 4 members, 1 members opposed, 2 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Dated this 15th day of July, 1999.

Dayton Spotted Bear
Secretary, Tribal Business Council

ATTEST:

[Signature]
Chairman, Tribal Business Council