

**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,** On August 11, 1997, the Three Affiliated Tribes directed to the US Army Corps of Engineers ("Corps") a formal request that the Corps grant to the Tribes a public park and recreation lease for the Mossett Bay/Charging Eagle Bay Area ("Charging Eagle"); and
- WHEREAS,** On March 5, 1998, the Corps directed notice to the Tribes that the Corps intended to conduct an Environmental Assessment of Charging Eagle ("EA"), the results of which would provide guidance to the Corps in its determination as to the ultimate disposition of Charging Eagle; and
- WHEREAS,** In April 1999, the Corps finalized the EA which identified the preferred alternative disposition of Charging Eagle as constituted by the prospective issuance to the Tribes of a public park and recreation lease with the mobile homes situated at Charging Eagle included in the lease; and
- WHEREAS,** In the formal comments on the initial draft of the EA submitted to the Corps in January 1999, the Tribes, in fact, designated their favored alternative disposition of Charging Eagle as constituted by the issuance of a lease to the Tribes with the mobile homes included; and
- WHEREAS,** The Tribal Business Council has reaffirmed its intent to enter into a lease of Charging Eagle with the mobile homes included and to enter into a third-party concessionaire agreement with the Mossett family for the purpose of managing Charging Eagle on behalf of the Tribes; and
- WHEREAS,** The Tribal Business Council has additionally determined that the Tribes should request that the Corps issue the prospective lease for the maximum term authorized by governing law, to-wit: a term of twenty-five (25) years;

NOW, THEREFORE, BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes hereby formally requests that the US Army Corps of Engineers enter into a public park and recreation lease with the Three Affiliated Tribes for the Charging Eagle Bay Area, which lease would include mobile home management and a term of twenty-five (25) years.

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, 6 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 19th day of August, 1999; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 6 members, 0 members opposed, 0 members abstained, 0 not voting, and that said Resolution has not been rescinded or amended in any way.

Dated this 19th day of August, 1999.

Daylon Spotted Bear
Secretary, Tribal Business Council

ATTEST:

[Signature]
Chairman, Tribal Business Council