

ROSEBUD SIOUX TRIBE  
Resolution No. 2000-01

- WHEREAS, the Rosebud Sioux Tribe is a federally recognized Indian Tribe organized pursuant to the Indian Reorganization Act of 1934 and all pertinent amendments thereof; and
- WHEREAS, the Constitution and By-Laws to the Tribe provide that the Tribal Council has the authority and responsibility to govern the Tribe; and
- WHEREAS, the Constitution and By-Laws of the Tribe provide that the Tribal Council has the power to adopt Resolutions for the economic advancement of the Tribe; and
- WHEREAS, by Resolution No. 98-203 adopted by the Rosebud Sioux Tribal Council on August 19, 1998, the Tribal Council determined it was in the best interest of the Tribe to lease the Tribe's lands for the development of the Rosebud Farms Pork Production Facility in Mellette County, South Dakota; and
- WHEREAS, upon execution of the legal documents authorizing the lease of the tribal lands, as set forth therein for the purpose set forth above, a lawsuit was instituted in the United States District Court at Pierre, South Dakota to halt the project for a variety of reasons, including but not limited to the fact that a full Environment Impact Study has not been conducted to adequately explore the environmental ramifications of such project to the land, people and culture of the Rosebud Sioux Tribe; and
- WHEREAS, at the present time Judge Kornmann has not entered a final ruling on the various issues framed by the lawsuit, leaving the possibility open that the project may be halted by court action; and
- WHEREAS, the actual operation of the Rosebud Farms Pork Production Facility has raised various questions about the actual, in fact environmental impact of the facility the significance of which could not have been or was not anticipated, including but not limited to the smell and odor associated with the facility; and
- WHEREAS, it appears that the Rosebud Farms Pork Production Facility is being expanded and additional lands of the Rosebud Sioux Tribe are being affected; and
- WHEREAS, the Rosebud Sioux Tribal Council pursuant to the Rosebud Sioux Tribal Constitution and by-laws has the power and authority to protect the health, safety, welfare and economic good of its people and lands; and

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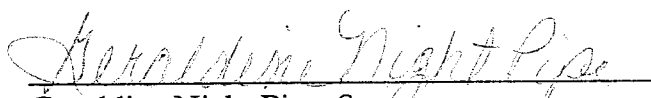
THEREFORE BE IT RESOLVED, that the Rosebud Sioux Tribal Council hereby determines the following with regard to the Rosebud Farms Pork Production Facility; (1) the legality of the contracts and leases entered into with Bell Farms be reviewed by legal counsel and a report submitted to the Council within a reasonable time; (2) that a full Environmental Impact Study be conducted and completed by the Bureau of Indian Affairs on the entire facility; (3) that no further expansion of the facility be undertaken by Bell Farms until after exploring with the Tribal Council and it's Attorney's the options of (1) and (2) above; (4) that a report be submitted to the Council on the costs associated with and likely to result if the Tribe were to withdraw from the agreements entered into with Bell Farms; (5) that the Council explore the possibility of withdrawing from pending litigation involving the facility after a report by legal council on ramifications and consequences; and (6) that a non-binding referendum of the people be undertaken regarding the acceptance or not of the Pork Production Plant.


BE IT FURTHER RESOLVED, that the Rosebud Sioux Tribal Council hereby directs the President of the Rosebud Sioux Tribe to undertake the necessary action to carry out the directions set forth in this Resolution.

CERTIFICATION

This is to certify that the above Resolution No. 2000-01 was duly passed by the Rosebud Sioux Tribal Council in session on January 5, 2000, by a vote of Fourteen (14) in favor, None (0) opposed and None (0) not voting. The said resolution was adopted pursuant to authority vested in the Council. A quorum was present.

A T T E S T :

  
Geraldine Night Pipe, Secretary  
Rosebud Sioux Tribe

  
William Kindle, President  
Rosebud Sioux Tribe