



RESOLUTION OF THE GOVERNING BODY OF THE
THREE AFFILIATED TRIBES OF THE
FORT BERTHOLD INDIAN RESERVATION

A Resolution entitled, "Approval of Consultant Agreement between Horace Pipe and the Three Affiliated Tribes"

WHEREAS, This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act; and

WHEREAS, The Three Affiliated Tribes Constitution authorizes and empowers the Mandan, Hidatsa & Arikara Tribal Business Council to engage in activity on behalf of and in the interest of the welfare and benefit of the Tribes and of the enrolled members thereof; and

WHEREAS, The Tribal Business Council has already approved an application for a grant from the Economic Development and Finance Administration (EDA) to conduct a Front End Engineering and Design (FEED) study to design a new refinery of crude oil to be located within the Fort Berthold Reservation and has received the grant, along with another grant from the Bureau of Indian Affairs for further work on the project, such as a feasibility study, finding appropriate financing, determining the appropriate site, developing a marketing plan, etc.; and

WHEREAS, One of the key individuals who has assisted in obtaining the grants and helped structure the refinery project (hereinafter the "Project") has been Horace Pipe, a petroleum geologist who now works in the Washington, D.C. office of the Bureau of Indian Affairs as a legislative and technical liaison to the Energy and Mineral Resources Division of the Bureau of Indian Affairs; and

WHEREAS, The Tribal Business Council believes that Horace Pipe would be a valuable consultant to assist in the completion of the Project, by assisting in such things as: a feasibility study, siting of the Project, being a liaison with the Federal government on approvals necessary of the project, being a liaison with the engineering firm and construction firm selected to complete the project, ensuring that all tasks of the FEED study are completed in a timely way, being a technical advisor on the Project to the Tribal Business Council, and otherwise assising in completing and beginning operation of the Project; and

WHEREAS, A Consultant Agreement has been drafted in substantially the form as attached hereto, which compensates Mr. Pipe for Consultant services at a rate of \$70,000 per annum, with his work to commence on January 31, 2003, and which also includes a \$3,500 allowance for moving expenses from Washington, D.C. to New Town, North Dakota.

NOW THEREFORE BE IT RESOLVED, that the Tribal Business Council hereby approves the attached consultant agreement with Horace Pipe, and authorizes the Chairman of the Three Affiliated Tribes to execute the agreement on behalf of the Tribe.

CERTIFICATION

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 6 were present at Regular meeting thereof duly called, noticed, convened and held on the 8th day of January, 2003, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 6 members, 0 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman Voting. [] Not Voting.

Dated this 8th day of January, 2003.

Randy Phelan
Secretary, Randy Phelan
Tribal Business Council

ATTEST:
Tex G. Hall
Chairman, Tex G. Hall
Tribal Business Council