



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

*A Resolution entitled "Approval of Rural Development Loan of \$1.8 million for Tribal Justice Center"*

**WHEREAS,** The 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,** For many years the Tribe has operated a Tribal Court system and has placed offenders convicted in the Tribal courts of violation of the Tribal criminal laws in jails operated by the City of New Town, Mountrail County or other facilities owned and operated largely by non-Tribal jurisdictions;

**WHEREAS,** The United States, acting through the Bureau of Indian Affairs, has paid for the leasing or rental of jail space for offenders convicted in Tribal court, but has never actually owned or operated its own facilities for the purposes of housing those convicted of violating Tribal criminal laws; and

**WHEREAS,** The Tribe has obtained a grant from the Department of Justice that will partially pay for the construction of a 36 bed fully secured facility, complete with kitchen, recreation center, small courtroom, administrative offices and jail cells that will house both juvenile and adult offenders that will be owned by the Three Affiliated Tribes and operated by the Bureau of Indian Affairs, which totals approximately \$5.3 million, from both Tribal and other sources (hereinafter the "Project"); and

**WHEREAS,** The Tribe has preliminarily been found to be eligible for a \$1.85 million long term loan at a favorable interest rate of approximately 5% for 40 years from the Rural Development Agency of the United States Department of Agriculture, to be paid back from operating revenues of the new Criminal Justice Center which will assist the Tribe to complete the Project; and

**WHEREAS,** The Tribe must complete all the documentation necessary to show eligibility for this loan, and is prepared and able to provide such documentation to USDA in accordance with its regulations, and is prepared to enter into such agreements with USDA as may be necessary to obtain the funds, and is further prepared to comply with the terms of such agreements in accordance with USDA regulations for such loans.

**NOW THEREFORE BE IT RESOLVED,** that the Tribal Business Council hereby approves the application for a loan with the Rural Development program of the United States Department of Agriculture for the completion of the Tribal Justice Center described herein in the amount of \$1.85 million, on the terms as described herein, including a 40 year amortization of the loan, and an interest rate of approximately 5%, and further approves all corporate resolutions required by USDA in order to receive said loan, including, but not limited to, those hiring an architect and engineer and counsel for the Project; and



**NOW THEREFORE BE IT FURTHER RESOLVED**, that the Tribal Business Council hereby authorizes the Chairman, Vice-Chairman, Secretary or Treasurer of the Tribal Business Council to execute, on behalf of the Three Affiliated Tribes any and all documents that may be necessary to obtain this loan as described herein.

**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 members were present at a Regular Meeting thereof duly called, noticed, convened and held on the 28<sup>th</sup> day of April 2003; that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 6 members, 0 members opposed, 0 abstained, 0 members not voting; and that said Resolution has not been rescinded or amended in any way.

Chairman  Voting [ ] Not Voting

Dated this 28<sup>th</sup> day of April, 2003.

**ATTEST:**

Daylon Spotted Bear  
Daylon Spotted Bear  
Acting Executive Secretary  
Tribal Business Council

Tex G. Hall  
Tex G. Hall  
Chairman  
Tribal Business Council