



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

*A Resolution entitled, "Approval of Letter of Credit from Community First National Bank and Pledge of Security."*

**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 Council has previously chartered Fort Berthold Development Corporation ("FBDC") as a fully Tribally owned corporation whose primary business is building, construction and modification, primarily on the Fort Berthold Reservation; and

**WHEREAS**, FBDC obtained a letter of credit from Community First National Bank, Dickinson, North Dakota ("Community First") in the amount of \$100,000 to secure a line of credit in the amount of \$100,000 from Minot Builders, Inc., Minot, North Dakota; and

**WHEREAS**, FBDC needs to renew its active letter of credit with Community First in the amount of \$100,000 with an interest rate on funds advanced against the letter of credit of four percent (4%) secured by a Certificate of Deposit of Tribal funds in the amount of \$100,000 in order for work in progress and other contracts FBDC has obtained to continue; and

**WHEREAS**, the Tribal Business Council believes and understands that FBDC will be in a position to repay the line of credit from contracts and projects it has in hand or will receive in the near future; and

**WHEREAS**, the Tribal Business Council understands that except as mentioned above, the advances from the line of credit with Minot Builders made to FBDC pursuant to this Resolution will generally not be made unless FBDC has in hand, written contracts assuring FBDC of a source of repayment of the funds advanced, but no assignment of FBDC's right to receive funds under any contract it has executed or which it anticipates executing should be required to receive an advance from Minot Builders; and

**NOW, THEREFORE BE IT RESOLVED**, that for the benefit of Fort Berthold Development Corporation, the Tribal Business Council of the Three Affiliated Tribes hereby agrees to the renewal of the current letter of credit by Fort Berthold Development Corporation in the amount of One Hundred Thousand Dollars (\$100,000) and directs Community First Bank to reissue CD #6420306906 pledged as security for the letter of credit for the Minot Builders line of credit for an additional twelve (12) months; and



**FURTHER, BE IT RESOLVED**, that the Tribal Chairman, Vice Chairman or Treasurer are hereby authorized to execute any and all such documents as may be needed to perfect the loan or loans being obtained on behalf of FBDC pursuant to this Resolution.

**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 a Regular Meeting thereof duly called, noticed, convened and held on the 9<sup>th</sup> day of October, 2003, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 5 members, 1 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 9<sup>th</sup> day of October, 2003.

Randy Phelan  
Executive Secretary, Randy Phelan  
Tribal Business Council

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