



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

*A Resolution entitled, "Authorization to for MHA Holding Company to Negotiate a Line of Credit up to \$400,000."*

**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,** The Tribal Business Council through Resolution 03-061 created and incorporated MHA Enterprises, Inc. by granting a corporate charter to said corporation; and

**WHEREAS,** MHA Enterprises, Inc. was incorporated for the purpose of acquiring, developing, operating and maintaining business enterprises both on and off the Fort Berthold Reservation; and

**WHEREAS,** Section 4 (f) of said Articles of Incorporation authorizes MHA Enterprises, Inc. to make contracts and guarantees and incur liabilities, borrow money at such rates of interest as the Corporation may determine, and secure its obligations by mortgage or pledge of all or any of its property, franchises, and income; and

**WHEREAS,** MHA Enterprises, Inc. has requested authorization from the Tribal Business Council to negotiate a line of credit up to \$400,000.00 to use as capital for business development purposes; and

**WHEREAS,** MHA Enterprises, Inc. is in the process of developing a business plan which will include a strategic plan for future business development as required by Section 7.2 of said Articles of Incorporation; and

**WHEREAS,** the Tribal Business Council desires to authorize MHA Enterprises, Inc. to obtain a \$400,000 line of credit and to utilize the anticipated proceeds from the Tribe's Gas Tax as collateral for said line of credit; and

**WHEREAS,** the Tribal Business Council desires to see a business plan from MHA Enterprises, Inc.

**NOW THEREFORE BE IT RESOLVED,** that the Tribal Business Council of the Three Affiliated Tribes hereby authorizes MHA Enterprises, Inc. through its Chief Executive Officer to negotiate a line of credit up to \$400,000.00 with a financial institution; and

**04. REQUEST FOR FRU-CON BUILDINGS:**

Councilman Phelan moved for approval to write a letter to Kam Green with Fru-Con requesting the buildings constructed for the bridge project after completion. Councilman Wells seconded the motion.

VOTE: 5 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

**05. CONSTRUCTION AND OMR DOLLARS; FBRW REPORT-Texx Lone Bear**

Councilman Phelan moved for approval to direct legal counsel to research both construction and OMR dollars regarding the Tribes position is on the major water program and to prioritize the Tribe above wildlife. Councilman Wolf seconded the motion.

VOTE: 5 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

**06. MIS ADMINISTRATOR; MIS-Brandon Hand**

Councilman Wells moved for approval to hire Brandon Hand permanent as the MIS Administrator. Councilman Packineau seconded the motion.

VOTE: 5 Ayes, 0 Nay, 0 Abstentions, 0 Not voting. Motion carried.

**07. LOREN WHITE HORN-CHESAREK EDUCATIONAL LOAN:**

Councilman Wells moved for approval to award Loren White Horn the maximum amount of \$4,000 educational loan, with a 2% repayment. Councilman Gillette seconded the motion.

VOTE: 5 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

**08. RESOLUTION NO. 04-004-RP; MHA HOLDING COMPANY-**

*[Scott Wilson will draft resolution]*

Councilman Wells moved for approval to authorize the Chief Executive Officers to negotiate with various financial institutions for a line of credit of \$400, 000 to be repaid with 2004 State and Tribal Motor Fuel Tax refund money, and draft a realistic business plan for the Council to review. Councilman Packineau seconded the motion.

VOTE: 5 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.

**09. RESOLUTION NO. 04-005-JRP; TRIBAL HOUSING DIVISION; SELECTION COMMITTEE:**

Councilman Wells moved for approval of a Resolution entitled, "Selection of Military Homes," deletion of "air force base military homes," and add "to develop a sub-committee which is the Natural Resource Committee for the selection of the military units." "Patti Kay Fredericks, in place of Laurie Pembington who will be an alternate. Councilman Packineau seconded the motion.

VOTE: 6 Ayes, 0 Nays, 0 Abstentions, 0 Not voting. Motion carried.



**BE IT FURTHER RESOLVED**, that said loan and line of credit shall be submitted to the MHA Enterprise, Inc. Board of Directors for approval in accordance with Section 8 of MHA Enterprise's Articles of Incorporation; and

**BE IT FURTHER RESOLVED**, that the Tribal Business Council of the Three Affiliated Tribes hereby authorizes the 2004 motor fuel tax refund proceeds to be obligated towards the payment of said line of credit; and

**BE IT FINALLY RESOLVED**, that the Tribal Business Council hereby directs the MHA Enterprises, Inc. to prepare a business plan for the Council to review.

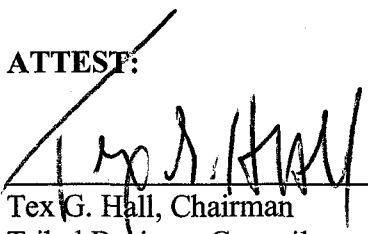
**CERTIFICATION**

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Forth Berthold Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum, 5 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 8<sup>th</sup> day of January, 2004; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 5 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 8<sup>th</sup> day of January, 2004.

  
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Randy Phelan, Secretary  
Tribal Business Council

ATTEST:  
  
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Tex G. Hall, Chairman  
Tribal Business Council