



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

A Resolution Entitled: “*Authorization to Establish a Separate Bank Account for the Funds Received by the BIA Pursuant to the PL 93-638 Contract and Annual Funding Agreement CTA04T30166 for Adult and Juvenile Detention Services and Directing the Tribes Finance Department to Take All Action Necessary to Establish the Same*”.

WHEREAS, This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act and having adopted a Constitution and By-laws pursuant to said Act; and

WHEREAS, Article III of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council is the governing body of the Tribes; and

WHEREAS, The Constitution of the Three Affiliated Tribes 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, Article VI, Section 5 (c) of the Constitution of the Three Affiliated Tribes provides the Tribal Business Council has the power to administer any funds within the exclusive control of the Tribes to make expenditures from available Tribal funds for public purposes of the Tribes; and

WHEREAS, The Tribe has entered into a P.L. 93-638 Contract (Contract # CTA04T30166) with the Bureau of Indian Affairs, Law Enforcement Service District 1, for the purpose of providing adult and juvenile detention services on the Fort Berthold Indian Reservation through the Gerald “Tex” Fox Justice Center (Justice Center); and

WHEREAS, Pursuant to said Contract, the Tribe receives its funding under said contract, pursuant to its Annual Funding Agreement with the BIA in an annual lump sum payment; and

WHEREAS, Section E, Section 2 (C) of said Contract provides that funds advanced under the Contract may only be used for purposes authorized by the Contract and that all funds advanced shall be placed in an appropriate savings, checking or investment accounts that are insured by an agency of instrumentality of the United States; and

WHEREAS, The funds advanced pursuant to Contract #CTA04T30166 are currently deposited into the Tribes federal bank account at Bank of the West along with other federal program funds;



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WHEREAS, The funds advanced pursuant to Contract #CTA04T30166 are currently deposited into the Tribes federal bank account at Bank of the West along with other federal program funds;



WHEREAS, The Tribes Judicial Committee, which has oversight authority over the Justice Center passed a motion on February 16th, 2006 to approve the Justice Center's request to establish a separate bank account for the Justice Center 93-638 contract funds to ensure that those funds will be secured and will be used only for Contract purposes; and JM.

WHEREAS, The Tribal Business Council finds that it is in the best interests of the Tribe and the Justice Center to establish a separate bank account for the Justice Center's federal funds so that those funds may be secured and used only for the purposes of the contract.

NOW THEREFORE BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes pursuant to its constitutional authority hereby authorizes that establishment of an appropriate bank account at an institution insured by an agency or instrumentality of the United States for deposit of all funds received under BIA Contract CTA04T30166 and hereby directs the Tribes Finance Department to take all necessary action to establish said account in accordance with the terms and conditions of this Resolution.

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, 6 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 24th day of April, 2006; 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 24th day of April, 2006.

ATTEST:

Secretary, Nathan Hale
Tribal Business Council

Chairman, Tex G. Hall
Tribal Business Council



WHEREAS, The Tribes Judicial Committee, which has oversight authority over the Justice Center passed a motion on February 16th, 2006 to approve the Justice Center's request to establish a separate bank account for the Justice Center 93-638 contract funds to ensure that those funds will be secured and will be used only for Contract purposes; and

WHEREAS, The Tribal Business Council finds that it is in the best interests of the Tribe and the Justice Center to establish a separate bank account for the Justice Center's federal funds due to the unique nature of the Justice Center and its operation requirement to be continuously open and operational so that those funds may be secured and used only for the purposes of the contract.

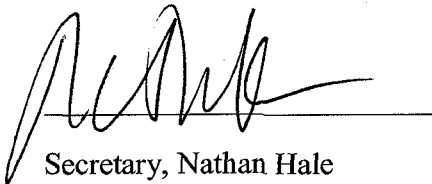
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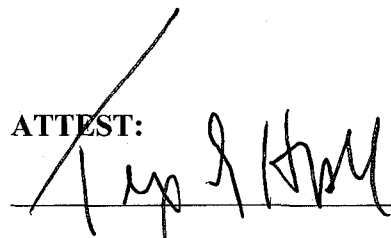
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Dated this 24th day of April, 2006.


Secretary, Nathan Hale
Tribal Business Council

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Chairman, Tex G. Hall
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