



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

A Resolution entitled, "Fort Berthold Housing Authority Security Agreement to Achieve Loan from BNC National Bank via a United States Housing and Urban Development, Native American Housing Assistance and Self-Determination Act, Title VI Loan Guarantee for Renovation and New Construction Projects."

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

WHEREAS, Article VI, Section 3 of the Constitution of the Three Affiliated Tribes specifically grants the Tribal Business Council the authority to negotiate with the federal government on behalf of the Tribe; and

WHEREAS, Article VI, Section 5 (c) authorizes the Tribal Business Council to administer any property or funds within the exclusive control of the Tribes and to make expenditures from available tribal funds for public purposes of the Tribes; and

WHEREAS, The United States Department of Housing and Urban Development (HUD) has made access to funds available by providing a loan guarantee through the Native American Housing Assistance and Self-Determination Act (NAHASDA) section Title VI for the amount of \$3,645,000 to complete a reservation wide 120 unit renovation project (exterior window and doors, and bathrooms), a new construction project of 5 duplexes in Mandaree and 10 single units in Mandaree; and

WHEREAS, The Fort Berthold Housing Authority is the Tribally Designated Housing Entity; and

WHEREAS, The Three Affiliated Tribes has determined that Fort Berthold Housing Authority is in good standing financially it would be in the best interest of the Fort Berthold Housing Authority to apply to the HUD's Title VI Loan Guarantee in agreement with the BNC National Bank for the amount of \$3,645,000 dollars; and



RESOLUTION NO. 06-~~87~~-NH

WHEREAS, The BNC National Bank requires a cash deposit in their financial institution specifically for the purpose of additional security for the aforementioned projects to achieve the \$3,645,000 loan; and

WHEREAS, Pursuant to Resolution No. 00-87-DSB, the Tribal Business Council authorized the Treasurer and JTAC Economic Recovery Fund to the Fort Berthold Housing Authority for the fundamental housing needs of the enrolled members of the Three Affiliated Tribes; and

WHEREAS, The Tribal Business Council passed by motion on March 10, 2005 to change the an annual commitment to a one time contribution of \$1,000,000 to be allocated from FY-06 for \$500,000 and FY-07 for \$500,000; and

WHEREAS, Pursuant to Resolution No. 05-57-NH, passed on March 14, 2005, the Tribal Business Council rescinded Resolution No. 00-87-DSB and appropriating the \$500,000 in JTAC funds "that was previously allocated to the Fort Berthold Housing Authority pursuant to Resolution No. #00-87-DSB to the Tribal Housing Division; and

WHEREAS, The Three Affiliated Tribes has contributed approximately \$250,000 of the \$500,000 for FY-06 making the total remaining balance due to the Fort Berthold Housing Authority approximately \$750,000; and

WHEREAS, Resolution No. 05-57-NH conflicts with the Tribal Business Council's motion of March 10, 2005 and the Fort Berthold Tribal Housing Authority needs a formal resolution to clarify the Tribal Business Council has indeed committed to appropriating \$1,000,000 to the Fort Berthold Housing Authority for Fiscal Years 2006 and 2007; and

WHEREAS, The Tribal Business Council desires to clarify this matter and provide the Fort Berthold Housing Authority with the confirmation it is seeking.

NOW THEREFORE BE IT RESOLVED, that the Tribal Business Council hereby authorizes that \$750,000 remaining from the \$1,000,000 contribution to the Fort Berthold Housing Authority per its March 10, 2005 motion be directly deposited in monthly installments in monthly installments of \$50,000.00 for the next 15 months in an account at the BNC National Bank specifically designated for security for the \$3,645,000 loan for the aforementioned projects and the Title VI Loan Guarantee.



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, 7 were present at a TBC Meeting thereof duly called, noticed, convened and held on the 8th day of June, 2006, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 7 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 June, 2006.

ATTEST:

[Signature]
Executive Secretary, Nathan Hale
Tribal Business Council

[Signature]
Chairman, Tex G. Hall
Tribal Business Council

