



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

A Resolution entitled, "Appointment of Executive Officers Authorized of the Tribal Business Council as of May 7, 2009 and Authorizing Signatory Authority to Chairman Marcus D. Levings and the Treasurer of the Three Affiliated Tribes"

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, The Constitution and By-laws of the Three Affiliated Tribes was adopted by membership of the Tribes on May 15th, 1936 pursuant to the Indian Reorganization Act of 1934 and duly approved by the Secretary of Interior; 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, Article VI, Section 5 (1) of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council has the power to adopt resolutions regulating the procedure of the Tribal Business Council and other Tribal agencies and Tribal officials on the Reservation; and

WHEREAS, The Tribal Business Council has authority according to the terms of said Constitution to elect a Vice-Chairman, Secretary, and a Treasurer from among its members; and

WHEREAS, The Tribal Business Council wish to adopt the express requirement that except where specifically provided by Tribal Council Resolution or the Constitution and Bylaws, all contracts, agreements and official documents that are entered into by the Tribe shall require the signatures of the Tribal Chairman and the Tribal Council Secretary; and

WHEREAS, The Tribal Business Council wish to adopt a formal prohibition on the retroactive ratification of any contracts, agreements and official documents that are not formally approved by Tribal Council Resolution and do not meet the signature requirement as provided by Tribal Council Resolution and the Constitution and Bylaws; and

NOW THEREFORE BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes hereby puts all entities on Notice that the officers of the Tribal Business Council are:

1. Marcus D. Levings, Chairman
2. Mervin Packineau, Treasurer



- 3. Frank Whitecalfe, Vice Chairman
- 4. V. Judy Brugh, Secretary

BE IT FURTHER RESOLVED, that these individuals shall serve in these office until their terms expire or they are otherwise replaced; and

BE IT FURTHER RESOLVED, that the Tribal Business Council hereby authorizes the Chairman and Secretary of the Tribe, as may be necessary, to execute any documents needed to authorize the officers of the Tribal Business Council as appropriate signatures; and

BE IT FURTHER RESOLVED, that the Tribal Business Council hereby adopts the following formal requirements, pursuant to its authority under Article VI, Section 5 (1) for all contracts, agreements and official documents entered into by the Three Affiliated Tribes, effective immediately:

- 1. Except where otherwise authorized by Tribal Council Resolution or by the Constitution and Bylaws of the Three Affiliated Tribes, all contracts, agreements and official documents entered into by the Three Affiliated Tribes shall require the signatures of the Tribal Chairman and the Tribal Council Secretary; and
- 2. There shall be an absolute prohibition on the retroactive ratification and/or approval of any contract, agreement or official document that has not been previously approved by Tribal Council Resolution and signed by the appropriate officials as provided in the previous section.

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 14th day of May, 2009, 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 14th day of May, 2009.

V. Judy Brugh
Executive Secretary, V. Judy Brugh.
Tribal Business Council

ATTEST:

Marcus D. Levings
Chairman, Marcus D. Levings
Tribal Business Council