



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

A Resolution Entitled: “Fiscal Year “2011” Continuing General Fund Budget Resolution”

- 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 (l) 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**, Article VI, Section 5 (c) of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council has the power to administer any funds or property within the exclusive control of Tribes and to make expenditures from available tribal funds for public purposes of the Tribes; and
- WHEREAS**, The Tribal Business Council has the authority and is required by law to adopt an Annual General Fund Operating Budget each Fiscal Year in order to appropriate and expend its federal and general funds; and
- WHEREAS**, The Tribal Business Council has been operating under a Fiscal Year 2010 Budget in the amount of \$40,0000.00 which was adopted pursuant to Resolution 09 -156 VJB which approved the FY010 Budget ; and
- WHEREAS**, The Tribe operates on a Fiscal Year with FY011 beginning on October 1st, 2010.
- WHEREAS**, The Tribal Business Council has not yet adopted a Fiscal Year 2011 General Fund Budget due to time constraints but intends to prepare and adopt such budget within the next sixty days and has held several meetings addressing the FY “2011” budget with its Treasurer and Finance staff and is in the budget formulation process at this time ; and





WHEREAS, The Tribal Business Council has authorized the operation of the Tribe and appropriations and expenditures from the General Fund in prior years including in 2010 based on a continuing budget resolution to operate under the prior fiscal year budget when the Tribal Business Council has not had the opportunity to complete and adopt a new fiscal year budget; and

WHEREAS, The Tribe has available to it, in the amount of \$40,000,000.00 FY "2010" and for FY "2011" the amount of \$35,000,000.00; and

WHEREAS, The Tribal Businesses Council has determined that it would be prudent and in the best interests of the Tribes to adopt a Continuing Budget Resolution for FY2011 authorizing the tribe operate under the Tribe's 2010 General Fund Budget until the Tribal Business Council has had the opportunity to formulate and adopt the Tribes FY 2011 General Fund Operating Budget.

NOW THEREFORE BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes hereby adopts this Continuing Budget Resolution whereby the Three Affiliated Tribes shall be authorized to operate in FY "2011" pursuant to the Tribes 2010 General Fund Budget which was adopted pursuant to Resolution 09-156 VJB until such time as a FY "2010" Budget can be formulated and adopted; and

BE IT FINALLY RESOLVED that the Tribal Business Council shall formulate and adopt the FY "2011" Budget no later than forty five (45) days of the date of adoption of this resolution.

CERTIFICATION


I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort 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 28th day of September, 2010; 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 28th day of September, 2010.

ATTEST:


Secretary, V. Judy Brugh
Tribal Business Council


Chairman, Marcus D. Levings
Tribal Business Council

