



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

*A Resolution entitled, "Amendment to Charter of White Shield Community Development Corporation, as previously authorized by Resolution No. 89-251-TL 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

**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,** The Tribal Business Council passed Resolution 89-251-TL on October 24, 1989, establishing a Charter for White Shield Community Development Corporation, a non-profit corporation, as attached hereto; and

**WHEREAS,** Article IV, Section D of the Charter for White Shield Community Development Corporation limits the amount that may be borrowed by the Corporation to a maximum of \$100,000 at any one time; and

**WHEREAS,** The White Shield Development Corporation is seeking funding for an economic development enterprise from the United States Department of Agriculture that will include a loan and grant in excess of \$100,000, to be secured by the building and enterprise, and that will provide a substantial benefit to the White Shield Community; and

**WHEREAS,** In order to secure the loan, the Charter of the White Shield Development Corporation needs to be amended; and

**WHEREAS,** The original Charter did not state that the sovereign immunity of the Three Affiliated Tribes cannot be waived by actions of the White Shield Development Corporation, including the borrowing of funds on behalf of the Corporation.

**NOW THEREFORE BE IT RESOLVED** that the Tribal Business Council hereby amends the Charter of the White Shield Development Corporation by replacing Article IV, Section D of the Charter with the following:

"D. To make contracts and incur liabilities, borrow money at such rates of interest as the Corporation may determine, issue notes, bonds or other obligations, and secure any of its obligations by mortgage or pledge of any or all of its property, enterprises, franchises or income, provided, however, that the total of







indebtedness incurred by the Corporation shall not exceed the value of its property, enterprises, franchises or income; and provided further that any indebtedness incurred by the Corporation does not, in any manner, constitute a waiver of the sovereign immunity of the Three Affiliated Tribes.”

**NOW THEREFORE BE IT FURTHER RESOVED** that the Tribal Business Council hereby authorizes an Amended Charter for the White Shield Community Development Corporation to be issued that reflects the Amendment made in the Corporation’s Charter as stated herein.

**CERTIFICATION**

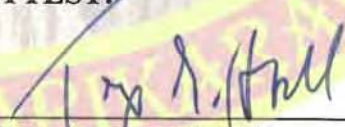
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 7 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 14<sup>th</sup> day of April, 2011, 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 14<sup>th</sup> day of April, 2011.

**ATTEST:**

  
Executive Secretary, V. Judy Brugh.  
Tribal Business Council

  
Chairman, Tex G. Hall  
Tribal Business Council

