



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

***A Resolution Entitled, "Approval of Tribal Economic Development Bond Application"***

- 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 of the Three Affiliated Tribes generally 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 III of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council is the governing body of the Tribes; and
- WHEREAS,** pursuant to the Federal Stimulus Act, Congress has made \$2 Billion available to tribes for the purpose of issuing tax free bonds ("Tribal Economic Development Bonds") to be used to finance an expanded list of potential types of projects that tribes have been previously unable to finance using tax free bonds; and
- WHEREAS,** the IRS pursuant to Notice No. 2012-48 is soliciting applications for allocations of the available amount (\$1.8 Billion) or national bond volume limitation authority (volume cap) for Tribal Economic Development Bonds; and
- WHEREAS,** the MHA Nation desires to apply to receive an allocation of Tribal Economic Development Bonds to be used to finance the Thunder Butte Petroleum Services, Inc.'s Clean Fuels Refinery; and
- WHEREAS,** the proposed allocation for Tribal Economic Development Bond for the Three Affiliated Tribes is Three Hundred Sixty Million Dollars (\$360,000,000) for the purpose of funding the Clean Fuels Refinery; and
- WHEREAS,** the Tribal Business Council of the Three Affiliated Tribes finds it to be in the best interest of the Tribes to apply for the allocation from the IRS for the purpose of funding the Clean Fuels Refinery.
- NOW THEREFORE, BE IT RESOLVED,** that the Business Council, at a duly called meeting with a quorum present, hereby authorizes and approves the Nation's application as attached for up to Three Hundred Sixty Million Dollars (\$360,000,000) allocation of Tribal Economic Development Bonds; and
- BE IT FINALLY RESOLVED,** that the Chairman is hereby authorized to take such further actions as are necessary to carry out the terms and intent of this resolution.






**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, 5 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 27<sup>th</sup> day of September, 2012, 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 27<sup>th</sup> day of September, 2012.

**ATTEST:**

  
Tribal Secretary V. Judy Brugh  
Tribal Business Council  
Three Affiliated Tribes

  
Tribal Chairman, Tex Hall  
Tribal Business Council  
Three Affiliated Tribes