



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

A Resolution entitled, “Authorizing a Checking Account for the Three Affiliated Tribes Federally Chartered Section 17 Corporation”

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 having received a federally chartered corporation pursuant to section 17 of said Act; and

WHEREAS, The Constitution of the Three Affiliated Tribes of the Mandan Hidatsa and Arikara Nation (MHA Nation or 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, Article III Section 2 of the Constitution creates geographical segments within the Reservation; and

WHEREAS, The Tribal Business Council by Resolution 12-049-VJB authorized its federally chartered section 17 corporation to purchase excess water from Fort Berthold Rural Water and resell such excess water for commercial, industrial and other purposes as described in Resolution 12 – 049 – VJB; and

WHEREAS, The MHA Nation's Section 17 corporation operates under its corporate name “The Three Affiliated Tribes of the Fort Berthold Reservation” (the “Corporation”); and

WHEREAS, The MHA Nation's Section 17 corporation was established pursuant to federal law, 25 U.S.C. § 477, in order to allow the section 17 corporation to operate as a separate business arm of the MHA Nation and to separate the liabilities and assets of the tribal government from those of the corporation; and

WHEREAS, The MHA Nation's federally chartered section 17 corporation is established to engage in business that will further the economic well-being of the members of the Tribe; and



WHEREAS, The Corporation has received the first payment from the sale of excess water and has no checking account separate from the tribal governments; and

WHEREAS, The Tribal Business Council requires the Corporation to observe and follow corporate formalities, including but not limited to a separation of government and corporation funds, in order to avoid either party from being held responsible for the liabilities and assets of the other and to accurately account for the revenues generated by the section 17 corporation; and

WHEREAS, The MHA Nation Tax Department is tasked with administering and overseeing the purchase and sale of excess FBRW water and control of resulting funds until the Corporation has established a budget for operation.

NOW THEREFORE BE IT RESOLVED, The section 17 corporation is hereby authorized and directed to establish its own checking account with a federally insured bank, in which all revenues generated by the section 17 corporation shall be deposited, such revenues to be and accounted for and distributed in accordance with tribal law.

BE IT FURTHER RESOLVED, That the checking account shall list as authorized co-signatories the Chief Financial Officer of the MHA Nation and the Director of the MHA Nation Tax Department, provided that the C.F.O. and Director of the Tax Commission and any other authorized check signers shall carry errors and omissions insurance equal to the coverage provided for tribal check signers.

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.

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CERTIFICATION

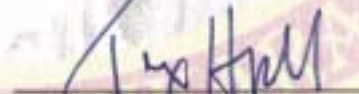
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 6 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 24th day of January, 2013, 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 24th day of January, 2013


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

ATTEST:


Tribal Chairman, Tex Hall
Tribal Business Council
Three Affiliated Tribes