



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

**A Resolution entitled, “Authorization to enter into an Agreement with BARR Engineering and Environmental Consultants to provide Phase 2 Air Quality and Consulting Services for the Clean Fuels Refinery Project.”**

**WHEREAS,** The Mandan Hidatsa and Arikara Nation (“MHA Nation” or “Tribes”) having accepted the Indian Reorganization Act of June 18, 1934 (“IRA”), and the authority under said Act and having adopted a Constitution and By-Laws pursuant to said Act; and

**WHEREAS,** The Constitution of the MHA Nation 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, Section 1 of the Constitution of the MHA Nation 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 MHA Nation provides that the Tribal Business Council has the power to adopt resolutions regulating the procedure of the Tribal Business Council; and

**WHEREAS,** Article VI, Section 5(c) of the Constitution of the MHA Nation specifically authorizes and empowers the Tribal Business Council to administer funds within the exclusive control of the Tribes and to make expenditures from available Tribal funds for public purposes for the Tribes; and

**WHEREAS,** Thunder Butte Petroleum Services, Inc. has negotiated a contract (the “Contract”) with BARR Engineering and Environmental Consultants (BARR) to provide Phase 2 air quality and consulting services for the Refinery Project (the “Project”); and

**WHEREAS,** BARR will: 1) develop air emissions inventory to reflect the pending facility configurations; 2) develop an air dispersion modeling analysis; 3) providing other assistance as requested by Thunder Butte; and

**WHEREAS,** The Tribal Business Council finds it in the best interests of the MHA Nation to keep the Project moving forward.

**NOW THEREFORE BE IT RESOLVED,** the Tribal Business Council hereby approves the contract, incorporated herein by reference and attached hereto, with BARR.



**BE IT FURTHER RESOVLED**, the Tribal Business Council hereby authorizes and appropriates the sum of Forty-two Thousand Five Hundred (\$42,500.00) for payment of services provided under the Contract.

**BE IT FURTHER RESOLVED**, the Tribal Chairman is hereby authorized to execute the Contract pursuant to the terms approved by 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, 5 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 10<sup>th</sup> day of October, 2013, 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 [**X**] Voting. [ ] Not Voting.

Dated this 10<sup>th</sup> day of October, 2013.

ATTEST:

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

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Chairman, Tex G. Hall  
Tribal Business Council  
Three Affiliated Tribes