



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

A Resolution Entitled: "Approval of West Segment Economic Development Corporation purchase of 40 mobile homes from Watford City Homes, Inc. of Watford City, North Dakota, for \$1,392,640.00; Authorization for West Segment Development Corporation to drawdown FY2014 funds in the amount of \$1,392,640.00 for payment of its obligations for the purchase of 40 mobile homes"

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, Article VI, Section 5(1) 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 of the Reservation; and

WHEREAS, The Tribal Business Council passed Resolution No. 97-213-DSB, establishing a charter of the West Segment Development Corporation, a non-profit corporation, as attached hereto; and

WHEREAS, Article III of the Corporate Charter states as follows: Section B) To engage in any lawful activity in furtherance of the aforementioned purpose and have all the powers and rights conferred by the Three Affiliated Tribes pursuant to the grant of the Charter to the Corporation; C) To generate revenue, after costs of the corporation, for the establishment of or operation of social programs within the six segments located on the Fort Berthold Reservation; and

WHEREAS, Article IV, Section C of the Corporate Charter states: To purchase, take, receive, lease, take by gift, devise or bequest or otherwise acquire, own, hold, improve, use and otherwise deal in and with real or personal property, or any interest therein, wherever situated; and

WHEREAS, Article IV, Section D of the Corporate Charter states: To sell, convey, mortgage, pledge, lease, exchange, transfer, or otherwise dispose of all or any part of its property or assets; and



WHEREAS, The West Segment was or shall be appropriated \$1,392,640.00 for FY 2014 from the Tribal general fund for mobile home housing and real property development and is requesting to draw down these funds to purchase 40 mobile homes from Watford City Homes, Inc., of Watford City, North Dakota, for a purchase price of \$1,392,640.00, with down payment of 50% being required to be paid on or before July 14, 2014, to avoid a price increase of \$3,000.00 per home; and

WHEREAS, the Economic Development/Education Committee does not meet before the Tribal Business Council regular meeting of July 10, 2014; emergency circumstances exist regarding the subject matter of this Resolution in that the down payment of 50% of the purchase price must be paid on or before July 14, 2014 to secure the purchase at the stated price, after which time the price of each unit increases by \$3,000.00, or an additional total cost of \$120,000.00, and, further, the appropriation of funds herein was already approved by the Three Affiliated Tribes Tribal Business Council during its May, 2014 Budget Meeting; accordingly, it is appropriate that the policies and procedures as stated in Resolution No. 14-023-VJB be suspended for purposes of allowing this Resolution to be presented to the Three Affiliated Tribes Tribal Business Council for consideration without prior committee review.

THEREFORE BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes acknowledges and recognizes the benefit to the health and wellbeing of all tribal members at large and in this instance the West Segment community, and the inherent benefit therefore;

BE IT FURTHER RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes hereby approves the West Segment Economic Development Corporation purchase of 40 mobile homes from Watford City Homes, Inc., of Watford City, North Dakota, for a purchase price of \$1,392,640.00, with down payment of 50% being required to be paid on or before July 14, 2014; and further authorizes the West Segment Development Corporation Board of Directors to immediately drawdown the FY2014 allocated mobile home funding in the amount of \$696,320 to be paid to Watford City Homes, Inc. as down payment to secure the purchase at the stated price, and balance of \$696,320.00 immediately upon delivery and acceptance of the 40 mobile homes.

FINALLY BE IT RESOLVED, this appropriation is on a loan basis with a payback schedule to be attached.

(The remainder of this page is intentionally left blank)




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 10th day of July, 2014, 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.

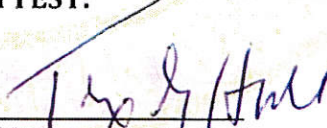
Chairman [] Voting. [] Not Voting.

Dated this 10th day of July, 2014.



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

ATTEST:



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