



RESOLUTION NO. 15- 067 -LKH

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

A Resolution entitled, "Financial Drawdown Policy for Approved Segment Budgets"

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 under said Act; and

WHEREAS, pursuant to Article III, Section 1 of the Constitution and By Laws of the Three Affiliated Tribes, the Tribal Business Council is the governing body of the Tribes; and

WHEREAS, pursuant to Article VI, Section 5 (l) of said Constitution, the Tribal Business Council has the power to adopt resolutions regulating the procedures of the Tribal Business Council and other Tribal agencies and Tribal officials on the Reservation; and

WHEREAS, The Three Affiliated Tribes adopts and approves an annual budget that includes specific funds for approved segment projects; and

WHEREAS, The authority to manage approved projects for each segment shall lie with the Tribal Business Council Representative for that segment; and

WHEREAS, The Segment Representatives have created segment Development Corporations that are delegated and authorized as the development entity to that segment's projects; and

WHEREAS, In order for the each of segment's projects to be managed effectively, it is imperative that the segments' have the ability to manage its approved budget in a more streamlined manner; and

WHEREAS, In order to manage those projects, the Segments and/or their Development Corporations require periodic drawdowns of their approved segment funds;

WHEREAS, The Tribal Business Council finds that financial drawdown policy is in the best interests of the Tribe and the approved segment projects.

NOW, THEREFORE BE IT RESOLVED, The Three Affiliated Tribes Tribal Business Council hereby approves a financial drawdown policy for the six segments and their approved projects pursuant to the current fiscal year budget; and



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BE IT FURTHER RESOLVED, Each of the Segments and/or its Development Corporation shall have in place the following prior to any drawdown request of its approved segment funds in any fiscal year:

1. Each Segment and/or approved Development Corporation shall have a Tribal Business Council Resolution designating the Segment and / or its approved corporate entity as the lawful development entity as approved by its Segment Representative;
2. Each Segment and/or approved Development Corporation shall have the following:
 - a. A corporate charter and bylaws;
 - b. A board approved financial policy for the processing and handling of funds;
 - c. Formal engagement of a Certified Public Accounting firm or individual to handling the accounting of its Segment Funds. The CPA Firm or individual shall remit quarterly reports to the Tribe;
 - d. Independent Bank Accounts in a FDIC insured institution where the Tribe is listed as a co-beneficiary of all Accounts; and

BE IT FURTHER RESOLVED, Each Segment and/or its approved Development Corporation shall be authorized to drawdown by written request funds in an amount no greater than forty percent (40%), unless a higher amount is approved pursuant to a separate appropriation, of its approved segment budget for the current fiscal year on or after the first day of each quarter of the fiscal year; and

BE IT FURTHER RESOLVED, The Segment's and/or its approved Development Corporation's request shall be in writing and shall be submitted to the Tribal Treasurer and Chief Financial Officer; and

BE IT FURTHER RESOLVED, provided said request is made on or after the first day of the quarter and in an amount no greater than forty percent (40%), unless a higher amount is approved pursuant to a separate appropriation, of its approved segment budget for the current fiscal year, the Tribal Treasurer and Chief Financial Officer shall not deny or delay any such request except for the specific reason of lack of available tribal funds; and

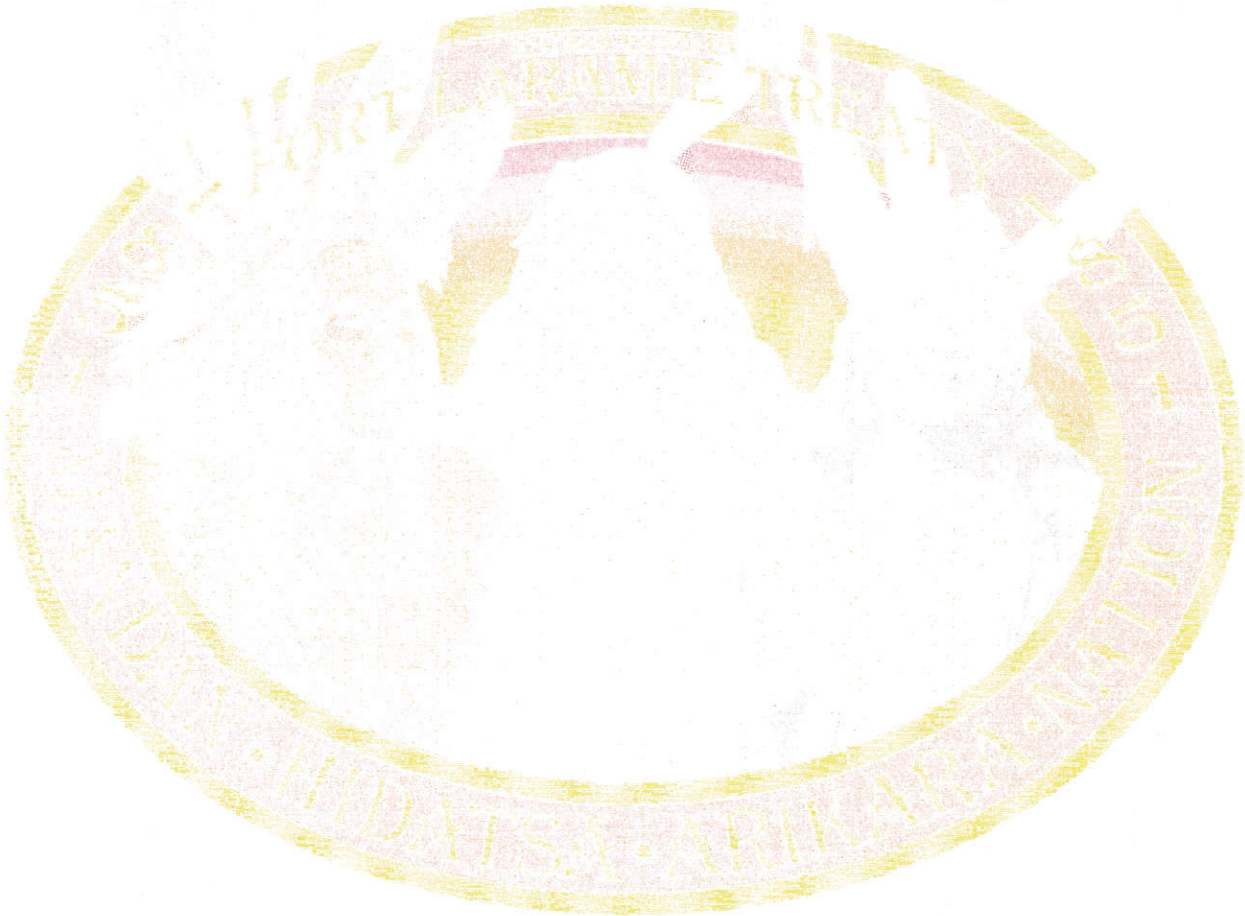
BE IT FURTHER RESOLVED, In any fiscal year, if any funds are not drawdown by the Segment and/or its Development Corporation, those funds shall be carried over to the next fiscal year to made available to the Segment for those previously approved projects or re-budgeted into alternative projects at the discretion of the Segment and/or its Development Corporation; and



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BE IT FURTHER RESOLVED, The Segment and/or its Development Corporations shall have the right to draw down all unrequested funds from prior quarters in the current fiscal year upon approval of this Resolution and compliance with the Financial Drawdown Policy terms and conditions; and

BE IT FINALLY RESOLVED, the Tribal Treasurer and Chief Financial Officer are authorized directed to carry out the full intent of this Resolution and Policy.





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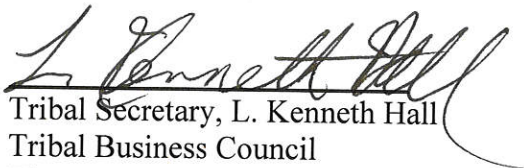
CERTIFICATION

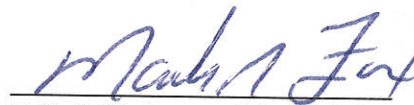
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum 7 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 16th day of April, 2015, that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 7 members, members opposed, members abstained, members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman [☒] Voting. [☐] Not voting.

Dated this 16th day of April 2015

ATTEST:


Tribal Secretary, L. Kenneth Hall
Tribal Business Council
Three Affiliated Tribes


Tribal Chairman, Mark N. Fox
Tribal Business Council
Three Affiliated Tribes