



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

A Resolution entitled, “Approving the Non-Profit Charter to the Fort Berthold Communications Enterprise”

WHEREAS, The Mandan Hidatsa and Arikara Nation (“MHA Nation” or “Nation”) 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 Nation 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 Nation; and

WHEREAS, The Tribal Business Council previously granted a nonprofit corporate charter to the Fort Berthold Communications Enterprise, under which charter the Enterprise has continuously operated a Tribally-owned FM radio station, among other charitable and educational activities; and

WHEREAS, It is the intent of the Three Affiliated Tribes to continue the operation of the Tribally-owned FM radio station under the nonprofit charter issued to the Enterprise, and to have the same qualify for exemption from federal income taxation as an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the “Code”); and

WHEREAS, It is the intent of the Three Affiliated Tribes to issue an amended and restated nonprofit charter to the Enterprise under which the Enterprise will continue to operate the public FM radio station and other nonprofit public education and media activities as may be approved by the Enterprise Board of Directors; and

WHEREAS, It is the intent of the Three Affiliated Tribes to adopt such nonprofit charter retroactively to the date that the Fort Berthold Communications Enterprise received its broadcast license from the Federal Communications Commission, to affirm its continued operation as a nonprofit public radio broadcast company, consistent with the original nonprofit charter issued to the Enterprise;



NOW THEREFORE BE IT RESOLVED, that, pursuant to its Constitutional power and authority, the Tribal Business Council of the Three Affiliated Tribes hereby grants an Amended and Restated Nonprofit Charter to the Fort Berthold Communications Enterprise, effective as of October 31, 1984, under which charter the Tribally-owned FM radio station will be managed and operated, a true and correct copy of which charter is attached hereto.

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, 7 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 9th day of July, 2015, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 7 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 9th day of July, 2015.

ATTEST:

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

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