



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

A Resolution Entitled: *“Approval and Authorization of Four Bears Segment Economic Development Corporation to procure a loan in the Amount of \$19,000,000 for Purposes of Construction of the “Thomas M (Johnny) Bird Veterans Memorial Hall and Four Bears Elder Assisted Living Facility”*

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, Pursuant to Article III, Section 1 of 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 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 Secretary of the Tribal Business Council Approved the Articles of Incorporation, Bylaws and Charter for the Four Bears Economic Development Corporation, of the Fort Berthold Reservation on March 31, 2015, as attached hereto (“FBEDC”); 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 power and rights conferred by the Three Affiliated Tribes pursuant to the grant of the Charter to the Corporation; Section 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, where 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 Four Bears Segment through the FBEDC has the opportunity to participate in a loan program, which provide low interest loans to native entities; and



WHEREAS, The loan to be authorized hereunder requires that the Three Affiliated Tribes extend its credit for security on the loan; loan repayment may be made exclusively out of future segment allocations for Four Bears Segment with payments drawn directly out of each year's allocation prior to distribution to Four Bears Segment; and

THEREFORE BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes extend its credit for security on the \$19,000,000.00 loan; loan repayment may be made exclusively out of future segment allocations for Four Bears Segment d/b/a Four Bears Economic Development Corporation with payments drawn directly out of each year's allocation prior to distribution to Four Bears Segment.

BE IT FURTHER RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes recognizes the prudent opportunity presented to Four Bears Segment by procuring a loan to provided funds in the amount of \$15,000,000 for completion of the Thomas M. (Johnny) Bird – Veterans Memorial Hall in accordance with the plans and specifications previously approved by the Tribal Business Council; and

BE IT FURTHER RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes also recognizes the opportunity and need for procurement of funds in the amount of \$4,000,000.00 for construction of the Four Bears Elders Assisted Living Facility that will be included in the overall \$19,000,000.00 loan to the Four Bears Segment; and

BE IT FURTHER RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes hereby authorizes Four Bears Segment to secure a loan in the amount of \$19,000,000 for completion of the Thomas M. (Johnny) Bird Veterans Memorial Hall in accordance with the plans and specifications previously approved by the Tribal Business Council and the proposed Four Bears Elders Assisted Living Facility project; and

BE IT FURTHER RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes authorizes the extension of its credit to Four Bears Segment to secure the loan of \$19,000,000.00, with the understanding that repayment shall be exclusively out of future allocations to Four Bears Segment, with each annual payment being withheld and directly on the loan obligation prior to each year's distribution to Four Bears Segment.

BE IT FINALLY RESOLVED, that all the documents necessary for procuring the loan described herein shall be reviewed and approved by the Tribal Business Council and the Three Affiliated Tribes Legal Department.

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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, 6 were present at a Regular Continuation Meeting thereof duly called, noticed, convened, and held on the 17th day of December 2015; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 5 members, 0 members opposed, 0 members abstained, 2 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman [X] voting. [] not voting.

Dated this 17th day of December 2015.

ATTEST:

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

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