



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

A Resolution Entitled: *“Approval and Authorization for each of the Tribal Segments including the Office of the Chairman to utilize up to \$15,000,000.00 in Pledge of Accounts as collateral and for the Three Affiliated Tribes to serve as Guarantor for Loan(s) for the purposes of funding approved Construction Projects”*

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, Pursuant to Article VI, Section 5 (c) of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council has the power to administer any funds or property within the exclusive control of the Tribes to make expenditures from available Tribal funds for public purposes of the Tribes; and

WHEREAS, The Tribal Business Council considers and approves Construction and Infrastructure Projects that benefit the membership of the Three Affiliated Tribes; and

WHEREAS, In order to properly fund the approved construction and other projects that benefit the membership, it may be necessary to secure Construction Loans with qualified lenders to complete the projects; and

WHEREAS, The qualified lenders may require the Tribe to extend its credit as security for the loan(s) and for the Tribe to Guarantee the Construction Loans and said loans may require a pledge of accounts as necessary collateral for the Construction Loans; and

WHEREAS, The Tribal Business Council finds it beneficial for the Tribe and the Segments to secure Construction Loans and to act as the guarantor for said loans for approved tribal and segment projects including providing a pledge(s) of accounts to serve as collateral for the loans if required by the lender.



THEREFORE BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes approves the use of its credit and collateral in the form of a Pledge of Accounts in an amount not to exceed \$15,000,000.00 for each segment including the Office of the Chairman to serve as any required collateral for construction loan(s) to benefit the membership of the Three Affiliated Tribes; and

BE IT FURTHER RESOLVED, the Tribal Business Council approves the Three Affiliated Tribes to serve as Guarantor for any construction loan(s) secured by the Segments and the Office of the Chairman if so required by the lender; and

BE IT FURTHER RESOLVED, the approved Construction Loans may include a loan repayment plan where payments would be based and made exclusively out of future annual allocations for that segment with payments drawn directly out of each year's allocation prior to distribution to Segment; and

BE IT FURTHER RESOLVED, any construction loan utilizing the Tribe as Guarantor and a pledge of accounts shall only be used for projects reviewed and approved by the Tribal Business Council; and

BE IT FINALLY RESOLVED, that all loan(s) documents necessary for finalizing the loan(s) described herein shall be reviewed by the Tribal Legal Department and the loan documents shall require final approval by resolution by the Tribal Business Council of the Three Affiliated Tribes.

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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, 6 were present at a **Continuation** Meeting thereof duly called, noticed, convened and held on the **30th** day of **March**, 2016, 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 Voting. Not Voting.

Dated this 30th day of March, 2016.

ATTEST:

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

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