

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

- WHEREAS, This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under 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, The Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to manage all economic affairs and enterprises of the Three Affiliated Tribes on behalf of the Tribes and of the enrolled members thereof; and
- WHEREAS, The Three Affiliated Tribes Tribal Business Council recognizes that the Four Bears Complex is an important Tribal asset that should be wisely and prudently administered for the benefit of the Three Affiliated Tribes and its members; and
- WHEREAS, A dispute has arisen regarding the delivery of electric power to the Four Bears Complex; and
- WHEREAS, McKenzie Electric Cooperative, Inc., of Watford City, North Dakota alleges that the Tribes have entered into an agreement with it on October 15, 1971, that obligates the Tribes to pay as guarantors and sureties for the delivery of any electric power service to the Four Bears Complex, said agreement being attached hereto as Document A; and
- WHEREAS, McKenzie Electric Cooperative alleges that a debt of \$27,000.00, more or less, for electric power service delivered to the Four Bears Complex exists; and
- WHEREAS, McKenzie Electric Cooperative alleges and asserts that the Three Affiliated Tribes are liable for the payment of that debt which was created in whole by the delivery of electric power service in the behest of Mr. Mike Fahy of Patriots, Inc.; and
- WHEREAS, The Three Affiliated Tribes have been advised and believe that they are not liable as a matter of judicial fact for the payment of such debt for any reason, including the existence of the agreement referred to as Document A; and
- WHEREAS, Raymond Cross, a Tribal attorney, and Alyce Spotted Bear, Chairman of the Tribal Business Council, met, on June 18, 1984, with the Board of Directors of McKenzie Electric Cooperative, Inc., in Watford City, North Dakota; and
- WHEREAS, The Board of Directors of McKenzie Electric Cooperative, Inc. has agreed to release the Tribes from any alleged liability arising from the execution

or performance of the document described as Document A in exchange for the Tribes' release of McKenzie Electric Cooperative from liability in the execution or performance associated with the document described as Document A; and

WHEREAS, The Three Affiliated Tribes Business Council has been advised that it is in the best interests of the Tribes to enter into such an agreement conditioned upon the approval by the Secretary of the Interior of such mutual release,

NOW, THEREFORE, BE IT RESOLVED, That the Three Affiliated Tribes Tribal Business Council hereby agrees to the release of any and all claims arising, in law or in equity, occasioned by the execution or the terms of that agreement denoted as Document A, such a release of McKenzie Electric Cooperative, Inc. and the Three Affiliated Tribes being conditioned on the approval of the Secretary of the Interior of the mutual release agreement between the parties.

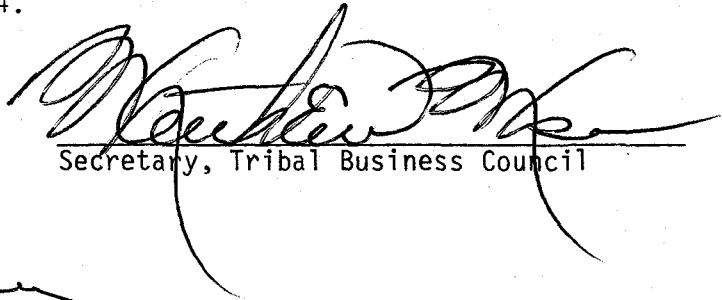
BE IT FURTHER RESOLVED, That Alyce Spotted Bear is authorized to execute such agreements on behalf of the Three Affiliated Tribes Tribal Business Council after review of these documents.

CERTIFICATION

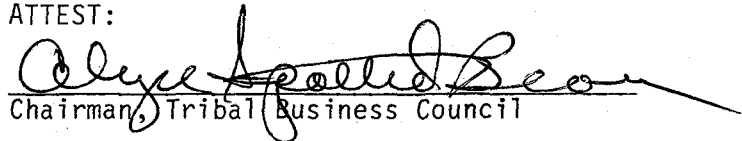
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 11 members of whom 7 constitutes a quorum, 10 were present at a REGULAR Meeting thereof duly called, noticed, convened, and held on the 19 day of JUNE, 1984; that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 10 members, — members opposed, — members abstained, — members not voting, and that said Resolution has not been rescinded or amended in any way.

Dated this 19 day of JUNE, 1984.

Chairman (Voting) (~~Not Voting~~)

  
Secretary, Tribal Business Council

ATTEST:

  
Chairman, Tribal Business Council