

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, Article VI, Section 5(a) of 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; and
- WHEREAS, Article VI, Section 5(c) of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to administer any funds or property within the exclusive control of the Tribes; and
- WHEREAS, The Three Affiliated Tribes have granted high priority to the development of economic enterprises for the purpose of enhancing the economic welfare of the Tribes and employment opportunities for their enrolled members resident on the Fort Berthold Reservation; and
- WHEREAS, Active Generation, Inc., a Division of Dallas Cap and Emblem Manufacturing, Inc., which manufactures embroidered emblems and wearing apparel, has approached the Three Affiliated Tribes with a proposal to locate an expansion plant within the exterior boundaries of the Fort Berthold Reservation; and
- WHEREAS, In a series of meetings with officials and representatives of the Three Affiliated Tribes, both in Dallas, Texas and in New Town, North Dakota, officials of Active Generation, Inc., have proposed the creation of the Fort Berthold Holding Company in which the Three Affiliated Tribes per se, five (5) individual Tribal members, and Private Sector, Inc., would maintain ownership and management interests of thirty percent (30%), twenty-five percent (25%) and forty-five (45%) respectively; and
- WHEREAS, The proposed Fort Berthold Holding Company would own fifty percent (50%) of Tennessee plant and one hundred percent (100%) of the expansion manufacturing plant to be located within the exterior boundaries of the Fort Berthold Reservation and would execute a management agreement with Active Management, Inc. to manage the day to day operation of the manufacturing plants, which Reservation plant would initially employ approximately sixty (60) enrolled members of the Three Affiliated Tribes, including the five (5) individual Tribal owners of the Holding Company; and
- WHEREAS, The Tribal Business Council has been informed that both the Aberdeen Area Office and the Washington, D.C. Central Office of the Bureau of Indian

WHEREAS, Based upon the comprehensive presentations made and voluminous documentation submitted by Active Generation, Inc., to the Three Affiliated Tribes throughout the course of the series of meetings between the two entities, it is the considered judgment of the Tribal Business Council that the Fort Berthold Holding Company should be created as proposed, in view of the numerous benefits to the Three Affiliated Tribes derived as a direct result of the creation and functioning of such Holding Company and its manufacturing plant located on the Fort Berthold Reservation;

NOW, THEREFORE, BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes, pursuant to its Constitutional power and authority, hereby authorizes and directs the Legal Department to forthwith engage in negotiations with representatives of Active Generation, Inc. and draft a Tribal charter for the proposed Fort Berthold Holding Company, which charter shall be subsequently reviewed and approved by the Tribal Business Council.

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, 9 were present at a SPECIAL Meeting thereof duly called, noticed, convened, and held on the 3rd day of December, 1984; that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 9 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 (Voting) (Not Voting)

Dated this 3rd day of December, 1984.

John Chazy  
Secretary, Tribal Business Council

ATTEST:

Alyce Spotted Bear  
Chairman, Tribal Business Council