

**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 Three Affiliated Tribes Lumber Construction Manufacturing Corporation, LCM, is a Tribally owned corporation; and
- WHEREAS,** The original project proposal was to house the total LCM operation in the existing Roping Arena building; and
- WHEREAS,** The Tribal Business Council received an inquiry from the N.D. Congressional Delegation expressing concern over the use of Federal BIA/U.S. Direct Loan funds to compete with or displace existing businesses, i.e. Stephen's Lumber Company of New Town; and
- WHEREAS,** The perception was that proceeding as planned could endanger the Tribe's receiving favorable consideration of JTAC legislation; and
- WHEREAS,** LCM was requested to consider the purchase of Stephen's Lumberyard thereby eliminating the competition concerns in an amicable manner; and
- WHEREAS,** The LCM Corporation is about to conclude a purchase agreement with Stephen's Lumber Company owners in New Town, N.D. enabling the property to serve as a storage facility and function as the retail center for LCM, with some construction to be ongoing at that site while the primary construction work and some limited storage will be located at the roping arena site; and
- WHEREAS,** The proposed purchase will protect the Tribe's JTAC Legislation interests; and

WHEREAS, The total number of jobs when LCM reaches full production is estimated to be in excess of seventy-five (75) individuals. Full production is expected to be achieved in late fall of 1990.

WHEREAS, The planned LCM purchase of the Stephen's Lumber Company has been proposed to take place as follows:

Sixty five Thousand dollars (\$65,000.00) will be made as the first of two payments on Stephens Lumber which will be made on May 1st., 1990. The second payment of Sixty Five Thousand dollars (\$65,000.00) payable in two installments of Thirty-Two Thousand Five Hundred Dollars (\$32,500.00) due on or before March 1, 1991 and again May 1, 1991 with interest of Nine Percent (9%) per annum on the unpaid balance, beginning in May 1, 1990.

WHEREAS, LCM has sufficient financial resources under its Business Plan to handle the first \$65,000 payment of this previously unanticipated purchase of Stephen's Lumber, but it will need assistance in ensuring the 2nd and 3rd Payments in 1991

NOW, THEREFORE, BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes hereby reserves and commits \$65,000 of FY 1991 Docket 350-G Business Development Line Item Funds to be utilized as a grant to Three Affiliated Tribes Lumber Construction and Manufacturing Corporation for the express purpose of making the final payments for the purchase of Stephen's Lumber Company.

BE IT FURTHER RESOLVED, that a copy of this Resolution will be forwarded to the Tribal Finance Office so that the Comptroller will be able to factor that into the Tribes 1991 Docket Budget Resolution.

C E R T I F I C A T I O N

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, 5 were present at a Special Meeting thereof duly called, noticed, convened, and held on the 25th day of April, 1990; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 5 members, 0 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Dated the 25th day of April, 1990.

Richard Jim M. Mossett
Secretary, Tribal Business Council

ATTEST:

Edward Gene Fisher
Chairman, Tribal Business Council