

Resolution #92-096-JJR

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; 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 of the Fort Berthold Reservation in accordance with the terms of a chartered to be issued to them by the Secretary of the Interior; and
- WHEREAS, It has come to the attention of the Tribal Business Council of the Three Affiliated Tribes through the Treasurer that the payment of monies from various federal sources for the direct monies and the indirect monies for and on behalf of the various programs and departments of the Three Affiliated Tribes does not occur on a regular and timely basis, thus creating periods of time when the Three Affiliated Tribes has obligations or accounts payable which must be paid on a timely and regular basis but the Three Affiliated Tribes does not have sufficient funds to make these payments on a timely basis; and

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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; 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 of the Fort Berthold Reservation in accordance with the terms of a chartered to be issued to them by the Secretary of the Interior; and

WHEREAS, It has come to the attention of the Tribal Business Council of the Three Affiliated Tribes through the Treasurer that the payment of monies from various federal sources for the direct monies and the indirect monies for and on behalf of the various programs and departments of the Three Affiliated Tribes does not occur on a regular and timely basis, thus creating periods of time when the Three Affiliated Tribes has obligations or accounts payable which must be paid on a timely and regular basis but the Three Affiliated Tribes does not have sufficient funds to make these payments on a timely basis; and

WHEREAS, It has come to the attention of the Tribal Business Council of the Three Affiliated Tribes that the current practice of delaying payment of these obligations and accounts payable of the Three Affiliated Tribes until receipt of the monies from the various federal sources for direct and indirect cost hurts those companies and individuals to whom monies are owed and impedes the ability of the various programs and departments of the Three Affiliated Tribes to properly carry out their duties as prescribed by the Tribal Business Council; and

WHEREAS, It has come to the attention of the Tribal Business Council of the Three Affiliated Tribes that the creation of a line of credit at First International Bank of Watford City in the amount of \$300,000.00 for the purpose of allowing the Three Affiliated Tribes to timely pay its obligations or accounts payable; and

WHEREAS, It has come to the attention of the Tribal Business Council of the Three Affiliated Tribes that proper controls and conditions of repaying the line of credit needs to be established and to ensure that the monies to be received from the various federal sources will be allocated to repayment of principal of the line of credit, and that the interest expense, if any, shall come from the general Tribal account;

NOW, THEREFORE, BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes hereby delegates to the authority to the Comptroller of the Three Affiliated Tribes to arrange the necessary lines of credit under such terms and conditions so that the Three Affiliated Tribes has the funds necessary to pay its obligations and accounts payable.

WHEREAS, It has come to the attention of the Tribal Business Council of the Three Affiliated Tribes that the current practice of delaying payment of these obligations and accounts payable of the Three Affiliated Tribes until receipt of the monies from the various federal sources for direct and indirect cost hurts those companies and individuals to whom monies are owed and impedes the ability of the various programs and departments of the Three Affiliated Tribes to properly carry out their duties as prescribed by the Tribal Business Council; and

WHEREAS, It has come to the attention of the Tribal Business Council of the Three Affiliated Tribes that the creation of a line of credit at Lakeside State Bank in the amount of \$300,000.00 for the purpose of allowing the Three Affiliated Tribes to timely pay its obligations or accounts payable; and

WHEREAS, It has come to the attention of the Tribal Business Council of the Three Affiliated Tribes that proper controls and conditions of repaying the line of credit needs to be established and to ensure that the monies to be received from the various federal sources will be allocated to repayment of principal of the line of credit, and that the interest expense, if any, shall come from the general Tribal account;

NOW, THEREFORE, BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes hereby delegates to the authority to the Comptroller of the Three Affiliated Tribes to arrange the necessary lines of credit under such terms and conditions so that the Three Affiliated Tribes has the funds necessary to pay its obligations and accounts payable.

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 seven (7) members of whom 5 constitutes a quorum, 5 were present at a Special Meeting thereof duly called, noticed, convened and held on the 30th of September, 1992; 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 this 30th day of September, 1992.

John J. Rabbithead Jr.
Secretary, Tribal Business Council

Attest:

William & Wilkins
Chairman, Tribal Business Council