

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

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 in the amount of \$500,000.00 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 Chairman and Treasurer 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; and

BE IT FURTHER RESOLVED, the Tribal Business Council hereby expressly waives the sovereign immunity of the Three Affiliated Tribes for the exclusive purpose of performance of the loan and associated security agreements to be entered into between the Three Affiliated Tribes and First International Bank.

THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
TRIBAL CHAMBERS

Special Council Meeting
April 26, 1993

PRESENT: Wilbur D. Wilkinson, Chairman; Ivan Johnson, Vice Chairman; John J. Rabbithead, Jr., Secretary; Roger Bird Bear, Treasurer; Austin Gillette, Council Member; George Fast Dog, Council Member; and Leigh Foote-Wolf, Recording Secretary.

ABSENT: Jim Mossett, Council Member.

OTHERS: None.

ITEM 01: CALL TO ORDER
Meeting called to order at 11:37.

ITEM 02: ROLL CALL
Roll called by Secretary Rabbithead. Quorum established.

ITEM 03: RESOLUTION/LINE OF CREDIT/FIRST INTERNATIONAL BANK
This resolution authorizes the Chairman and the Treasurer of the Three Affiliated Tribes to arrange the necessary lines of credit in order to pay the obligations and accounts payable of the Three Affiliated Tribes.

Treasurer Bird Bear explained this line of credit will be used to cover the costs of delayed contract monies and other such program funding sources. A projection of income was also attached to the resolution for presentation to the council. The primary source of collateral for this line of credit will be from the projected income from the gaming.

A question was raised on the waiver of sovereign immunity. This waiver is for the exclusive purpose of performance of the loan and associated security agreements to be entered into between the Tribe and the bank.

This line of credit will also take care of some of

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LINE OF CREDIT (CON'T)
the obligations such as Pouch Point.

Discussion on land sales.

Discussion on employees who are not on any budget line item. Treasurer Bird Bear will issue a memorandum to Personnel for a list of these employees.

Chairman Wilkinson entertained a motion to approve the Line of Credit Resolution.

Treasurer Bird Bear motioned to approve, seconded by Secretary Rabbithead.

Discussion on Budget Meetings. It was determined that the Council will meet on the budget each Monday.

Vote: 6 for, 0 opposed. Motion carried.

ITEM 04: REQUEST/TOM BIRD BEAR
Treasurer Bird Bear requested assistance for his brother for law school. He has three weeks left. The request is for \$1200.00.

Chairman Wilkinson entertained a motion to approve.

Councilman Fast Dog motioned to approve, seconded by Secretary Rabbithead.

Vote: 4 for, 1 opposed, 1 not voting. Motion carried.

ITEM 05: DALE McGRADY REQUEST/LCM
Treasurer Bird Bear stated Dale McGrady has approached him and requested to assume responsibility of LCM.

Discussion on management of LCM. A suggestion was made by Councilman Fast Dog to open LCM on Saturdays, as Saturday is a business day. If LCM does open on Saturdays, they would possibly make more money.

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, 6 were present at a Special Meeting thereof duly called, noticed, convened and held on the 26th of April, 1993; that the foregoing resolution was duly adopted at such meeting by the affirmative vote of 6 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 26th day of April, 1993.

John J. Rabbithead Jr.
Secretary, Tribal Business Council

Attest:

William O. Welburn
Chairman, Tribal Business Council