

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, The Three Affiliated Tribes has entered into multiple contracts/grants awards that are categorized as special revenues with the federal government for the purpose of providing services to the Tribe and/or it's members; and
- WHEREAS, these contracts/grants awards are cost reimbursement awards that require the Tribe to incur expenditures prior to the federal government allowing the Tribe to recognize revenues; and
- WHEREAS, cash flow requirements necessary to carry out these activities requires the Tribe to have cash reserves or a line of credit; and
- WHEREAS, the Tribe and First International Bank of Watford City has reached an understanding that First International Bank of Watford City will provide to the Tribe a revolving line of credit in the amount of \$750,000 that will be secured by the assignment of all federal monies for the purpose of carrying out contracts/grant awards that are administered as special revenue will be deposited into First International Bank of Watford City; and
- WHEREAS, should the Tribe decide to change where they deposit their contract/grant receipts, the Tribe must first retire the outstanding balance of this revolving line of credit at First

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ITEM 10: REPORT BY COMPTROLLER:

Marcus Wells, Comptroller reported the first subject is the line of credit with First International which was approved. The Fiscal Year has been changed to September 30, and all the bills should be paid by the 15th. There was a line approved on May 18 on which the dockets were collateralized but it was not the terms the tribe set it up on. The income has been assigned from the federal programs to this, so it ensures that all the bills would be paid timely. Now a resolution is called for to waive the sovereign immunity. This would be a means to make sure the payability is there and it will be paid back by September 30.

ITEM 11: ~~RESOLUTION/WAIVER OF SOVERIGN IMMUNITY:~~  
~~Resolution #93-106-JJR.~~ Resolution read by  
Chairman Wilkinson.

There was a question on the Small Loan Program.

Treasurer Bird Bear made motion to approve resolution, seconded by Secretary Rabbithead.

Chairman Wilkinson acknowledged motion and second.

Discussion on Aid to Tribal Government resolution and shortfalls of Indirect.

Vote: 3 for, 2 opposed, 1 not voting.  
Motion Carried.

Discussion on drawdown of monies electronically and why Aberdeen has put a hold on the monies.

ITEM 12: MARY ELK REQUEST:

It was explained that Mary has farm lease and will pay \$100.00 a month.

Councilman Fast Dog made motion to approve loan

International Bank of Watford City; and

WHEREAS, the Tribe and First International Bank of Watford City has reached an understanding that First International Bank of Watford City will provide a \$750,000 revolving line of credit and a \$1,000,000 short term loan secured by deposits; and

NOW, THEREFORE, BE IT RESOLVED, that the Tribal Business Council hereby waives their sovereign immunity for the purpose of obtaining this revolving line of credit and delegates the authority to Marcus Wells, Sr. , Tribal Comptroller and Frank Henry, Assistant Comptroller to negotiate and sign documents for the \$750,000 revolving line of credit and \$1,000,000 short term loan from First International Bank of Watford City.

#### 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 Regular Meeting thereof duly called, noticed, convened and held on the 17<sup>th</sup> day of August, 1993; that the foregoing resolution was duly adopted at such meeting by the affirmative vote of 4 members, 1 members opposed, 1 members abstained,        members not voting, and that said resolution has not been rescinded or amended in any way.

Dated this 17<sup>th</sup> day of August, 1993.

John J. Rabbithead Jr.  
Secretary, Tribal Business Council

Attest:

Will O'Neil  
Chairman, Tribal Business Council