

RES. NO. 93-138-TJR

A RESOLUTION ENTITLED " A RESOLUTION TO ADOPT AND APROVE A CHARTER FOR A TRIBAL CORPORATE ENTITY NAMED MANDAN, HIDATSA AND ARIKARA PROPANE COMPANY AND FOR OTHER PURPOSES".

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 benefits 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 expenditures from available Tribal funds for the public purposes of the Tribes; and

WHEREAS, The Tribal Business Council has granted high priority to the development of Tribal economic welfare of the Tribes and employment opportunities for their enrolled members resident on the Fort Berthold Reservation; and

WHEREAS, The government of the Three Affiliated Tribes has recently identified certain potential business ventures in which the Tribes could engage and has deemed advisable and necessary the creation of a business corporation which would be wholly owned by the Three Affiliated Tribes for the purpose of facilitating the engagement in such business ventures; and

WHEREAS, The Tribal Business Council has considered the proposed Tribal business venture for such a Tribally owned business corporation to be known as Mandan, Hidatsa and Arikara Propane Company (MHAPC) and has determined that a charter should be granted to the proposed company;

NOW, THEREFORE BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes, pursuant to its Constitutional authority, hereby grants to Mandan, Hidatsa and Arikara Propane Company a business corporation charter.

Regular Council Meeting
October 14, 1993
Page six

ITEM 10: RESOLUTION/FEED GRAIN PROGRAM: Reso #93-137-JJR.
Resolution read by Secretary Rabbithead. This resolution pertains to providing some relief to reservation ranchers by providing free feed grain.

Chairman Wilkinson entertained motion to approve.

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

Vote: 5 for, 0 opposed. Motion Carried.

ITEM 11: ~~RESOLUTION/PROPANE COMPANY BY LAWS: #93-138-JJR.~~
Chairman Wilkinson explained the intent to purchase Vision Energy to be named Mandan, Hidatsa & Arikara Nation Propane Company, Incorporated.

Information was passed out earlier and several of the councilmembers made trips on this issue.

Chairman Wilkinson entertained motion to approve.

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

Vote: 4 for, 0 opposed, 2 not voting.
Motion Carried.

ITEM 12: INDIRECT COST UPDATE:
Mr. Gary Bloomberg, Finance Consultant stated to the Tribal Business Councilmembers "we're reaching the point in needing to submit a proposal for the next FY period for indirect, specifically on rate limitations, positions and salaries." He explained rate limitations and Council involvement was needed by both Mr. Bloomberg and Treasurer Bird Bear on the issue.

It was questioned if discussion was made with both Treasurer Bird Bear and Comptroller Wells and it was suggested that a recommended document be prepared for the Councilmen to analyze and then recommendations be submitted on this document.

93-138-JJR

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, 7 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 14th day of October, 1993; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 4 members, 0 members opposed, 0 members abstained, 2 members not voting, and that said Resolution has not been rescinded or amended in any way.

Dated the 14th day of October, 1993.

John J. Rabbithead, Jr.
Secretary, Tribal Business Council

ATTEST:

William J. Williams
Chairman, Tribal Business Council