

**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 Tribal Business Council passed Resolution #95-180 DSB awarding the LCM Corporation, wholly owned by the Tribes, the contract to construct water treatment plants and related appurtenances at both Mandaree and White Shield, pursuant to a grant given to the Tribes by the Bureau of Reclamation (BOR) under the U.S. Department of Interior (the "Project"); and

**WHEREAS,** The BOR, which is funding the Project, has strong reservations about awarding the contract to LCM because of LCM's present status in a Chapter 11 bankruptcy, and because of its lack of experience in this area; and

**WHEREAS,** LCM has not been able to find a capable chief executive officer due to its uncertain future, which would be essential to completion of the Project; and

**WHEREAS,** There is substantial risk to completion of the overall Project, which has been a priority for the Tribes for several years and represents a major improvement to the infrastructure of the Tribes, if LCM were to be awarded the Project; and

**WHEREAS,** Despite the passage of Resolution #95-180, no contract between LCM and any other subcontractors has been signed for the Project because of the uncertainty of LCM's status in bankruptcy;

**NOW THEREFORE BE IT RESOLVED,** That the Tribal Business Council does hereby amend Resolution 95-180 DSB such that LCM is no longer authorized to enter into any contract for the Project; and

**THEREFORE BE IT FURTHER RESOLVED,** That the Tribes are hereby authorized to assume the role of Prime Contractor for the Project; and

**THEREFORE BE IT FURTHER RESOLVED**, that the Tribal Chairman or Vice-Chairman or their designees are hereby authorized to enter into negotiations for any sub-contracts necessary for the completion of the Project with such firms and entities as have been approved by the BOR or the Tribes to complete the Project.

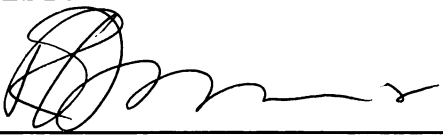
**C E R T I F I C A T I O N**

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 Regular Meeting thereof duly called, noticed, convened, and held on the 9<sup>th</sup> day of November, 1995; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 5 members, 0 members opposed, 0 members abstained, 2 not voting, and that said Resolution has not been rescinded or amended in any way.

Dated this 9<sup>th</sup> day of November, 1995.

*Suslin Bivette*  
Acting Secretary, Tribal Business Council

ATTEST:

  
Chairman, Tribal Business Council