

**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,** Article VI, Section 5(c) of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to administer the funds within the exclusive control of the Tribes and to make expenditures from available Tribal funds for the public purposes of the Tribes; and
- WHEREAS,** Linda F. Gourneau, a member of the Three Affiliated Tribes who has secured her M.D. degree and is presently providing medical services at the Minne-Tohe Health Center, has approached the Tribal Business Council with a formal request for a loan, the proceeds of which would be used to defray the costs of taxes and child care; and
- WHEREAS,** Linda F. Gourneau has submitted a proposed loan agreement, titled "Memorandum of Agreement" (which document is attached hereto), wherein Ms. Gourneau has set forth all of the considerations and requirements relating to the loan, including her express desire and intent to continue to provide medical services at the Minne-Tohe Health Center for the final two years of her service payback under the Indian Health Service's P.L. 94-437 contract services; and
- WHEREAS,** Based on its comprehensive review of the attached Memorandum of Agreement and in the interest of encouraging Tribal members with M.D. degrees to practice on the Fort Berthold Reservation for the benefit of their people, it is the considered judgment of Tribal Business Council that the loan request submitted by Linda F. Gourneau should be granted;
- NOW, THEREFORE, BE IT RESOLVED,** That the Tribal Business Council of the Three Affiliated Tribes hereby grants to Linda F. Gourneau a loan in the amount of Ten Thousand Dollars (\$10,000.00) and authorizes and directs the Chairman and

the Treasurer of the Council to execute on behalf of the Three Affiliated Tribes duplicate copies of the attached Memorandum of Agreement.


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 Special Meeting thereof duly called, noticed, convened, and held on the 24th day of May, 1996; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 6 members, 0 members opposed, 0 members abstained, 1 not voting, and that said Resolution has not been rescinded or amended in any way.

Dated this 24th day of May, 1996.

Daylon Spotted Bear
Secretary, Tribal Business Council

ATTEST:



Chairman, Tribal Business Council

MEMORANDUM OF AGREEMENT

THIS AGREEMENT, made and entered into this 24th day of May, 1996 by the Three Affiliated Tribes Tribal Business Council, acting for and on behalf of the Three Affiliated Tribes of North Dakota, and Linda F. Gourneau, M.D., HC3 Box 12, New Town, North Dakota.

WITNESSETH:

That the Three Affiliated Tribes Tribal Business Council, hereinafter referred to as the TRIBE, hereby contracts with Linda F. Gourneau, M.D., and the parties agree to the matters hereinafter mentioned:

1. That the TRIBE shall loan to Linda F. Gourneau, M.D. the sum of \$10,000 (ten thousand dollars), interest free, to be utilized to defray costs of taxes and baby care for the next year.
2. That Linda F. Gourneau, M.D. shall designate the Minnetohe Health Center on the Fort Berthold Indian Reservation as the site for the next year of her service payback under the Indian Health Service's P.L. 94-437 contract service.
3. That the Tribe shall grant loan forgiveness in the full

amount of \$10,000 (ten thousand dollars), provided that Linda F. Gourneau, M.D. maintains employment as a Medical Doctor at the Minne-Tohe Health Center on the Fort Berthold Indian Reservation throughout the next year of her service payback.

4. That Linda F. Gourneau, M.D. shall be permitted to accelerate full payment of any outstanding loan balance under this agreement at any time prior to the expiration of the agreement.
5. That this agreement shall be terminated without further obligation under the agreement on the part of Linda F. Gourneau, M.D. or her estate, in the event that she should be unable to fulfill the terms of this agreement due to circumstances beyond her control. Such circumstances shall include her death or physical or mental incapacity.
6. That this agreement shall be in force throughout the period from the date set forth hereinabove to the date on which Linda F. Gourneau, M.D. has fully satisfied her loan repayment obligation in accordance with Clause 8 hereinbelow, as read in its entirety.
7. That, in conformity with Clause 3 hereinabove, the loan repayment obligation shall commence only if the

employment of Linda F. Gourneau, M.D. at the Minne-Tohe Health Center should be terminated prior to expiration of the one (1)-year period commencing on the date set forth hereinabove.

8. That, subject to Clauses 3, 4, 5, and 7 hereinabove, Linda F. Gourneau, M.D. shall repay the loan proceeds to the Tribe as follows: equal quarterly payments shall be made in the amount of \$1,250 (one thousand, two hundred, fifty dollars), the first quarterly payment to be made on the 1st day of the fourth full month after the date on which the employment of Linda F. Gourneau, M.D. at the Minne-Tohe Health Center is terminated.

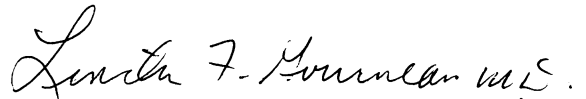
IN WITNESS WHEREOF, the parties have hereunto set their respective hands on the day and year first above written.

THREE AFFILIATED TRIBES

LINDA F. GOURNEAU, M.D.

BY: 

RUSSELL D. MASON, SR.
CHAIRMAN, TRIBAL BUSINESS COUNCIL


Linda F. Gourneau M.D.

BY: 

MARK N. FOX
TREASURER, TRIBAL BUSINESS COUNCIL