

RESCINDED
DATE 01-30-97
NEW RES# 97-051-DSB

Resolution #97- 016-EH

**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 (the "Tribe") 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,** Pursuant to Resolution No. 96-213-DSB, the Tribal Business Council has previously established the powers and duties of a Board of Directors for the Tribe's gaming enterprise, which is to be known as the Three Affiliated Tribes Gaming Enterprise Board; and
- WHEREAS,** Pursuant to Resolution No. 96-213-DSB, the Tribal Business Council is to appoint the five (5) members of the Tribal Gaming Enterprise Board and establish their initial term of office.
- WHEREAS,** It is the intention of the Tribe that each member of the Three Affiliated Tribes Gaming Enterprise Board shall be afforded Directors and Officers insurance coverage, which will indemnify each and every member of the Board against all liability they may incur as a result of actions they may take as members of the Board of Directors, except such liability created by acts of the insured parties as may be excluded from coverage under the Directors and Officers insurance policy, where applicable; and
- WHEREAS,** The following five persons appear to be qualified to serve on the initial Board of Directors of the Three Affiliated Tribes Gaming Enterprise Board by reason of their experience and education: Eugene Voigt, a Tribal member; John Stone, Jr., a Tribal member; Al Nygaard, a Tribal member; Keith Soiseth, a non-Tribal member; and David Brendsel, a non-Tribal member;
- NOW, THEREFORE BE IT RESOLVED** that the Tribal Business Council of the Three Affiliated Tribes hereby appoints the following five persons to the initial Board of Directors of the Three Affiliated Tribes Gaming Enterprise Board: Eugene Voigt of Raub, North Dakota; John Stone, Jr. of Halliday, North Dakota; Al Nygaard of Bismarck, North Dakota; Keith Soiseth of New Town, North Dakota and David Brendsel, of Watford City, North Dakota; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, That the terms of office of the five above named individuals as board members of the Three Affiliated Tribes Gaming Enterprise Board shall be no more than six (6) months from the date of this Resolution, it being understood that within the above six month period, the Tribal Business Council will appoint a permanent Board of Directors, anything in Resolution 96-DSB-213 notwithstanding; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Board of Directors of the Three Affiliated Tribes Gaming Enterprise Board shall assume their duties as soon as Directors and Officers insurance coverage is obtained; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that each member of the Three Affiliated Tribes Gaming Enterprise Board shall be afforded Directors and Officers insurance coverage, which will indemnify each and every member of the Board against all liability they may incur as a result of actions they may take as members of the Board of Directors, except such liability created by acts of the insured parties as may be excluded from coverage under the Directors and Officers insurance policy, where applicable.

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 7 members of whom 5 constitute a quorum, 6 were present at a Special Meeting thereof duly called, noticed, convened, and held on the 27th day of January, 1997; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 3 members, 1 members opposed, 2 members abstained, 1 members not voting, and that said Resolution has not been rescinded or amended in any way.

Dated this 27th day of January, 1997.

Edna Hall
Secretary, Tribal Business Council

ATTEST:

[Signature]
Chairman, Tribal Business Council