

RESOLUTION NO. 93-88-JJR

A RESOLUTION ENTITLED THE CHAIRMAN OF THE TRANSPORTATION COMMITTEE JIM MOSSETT TO ENTER INTO A BINDING LEASE/PURCHASE AGREEMENT FOR HEAVY EQUIPMENT WITH MIDWEST INDUSTRIAL MACHINERY SAID AGREEMENT TO BE FINANCED BY AND THROUGH AG. CAPITAL COMPANY IN THE AMOUNT OF \$147,250.00 AND INTEREST OF \$24,786.77 AND FOR OTHER PURPOSES.

WHEREAS, This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act;

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 best interest of the welfare and benefit of the Tribes and of the enrolled members;

WHEREAS, the Roads Department of the Three Affiliated Tribes is in dire need of reliable heavy equipment; namely a Motor grader, a Scraper and Triple axle lowboy trailer;

WHEREAS, the Transportation Committee of the Three Affiliated Tribes which is chaired by Jim Mossett, invited a number of companies to submit written offers to the tribe to supply the foregoing mentioned heavy equipment;

WHEREAS, after soliciting written bids, the Transportation Committee did receive a minimum of three bids and from various heavy equipment companies and decided upon a lease/purchase agreement with Midwest Industrial Machinery, Minot, North Dakota to be financed by Ag. Capitol Company of Fargo, North Dakota;

WHEREAS, in the attached amortization schedule and the attached customer purchase order for John Deere Industrial products which are hereby incorporate by reference and made it part of this resolution;

WHEREAS the Chairman of the Transportation Committee has determined that this is a fair offer to the Tribe and best suits the Tribes needs at the present time including financial capabilities;

WHEREAS, the Chairman of the Transportation Committee requests the Tribal Business Council to grant him authorization to enter into a lease/purchase agreement with Midwest Industrial Machinery to be financed by Ag. Capitol Company;

NOW THEREFORE BE IT RESOLVED, in a duly called and held Tribal Business Council meeting, the Council hereby grants the authority to the Chairman of the Transportation Committee to enter into lease/purchase agreement with Midwest Industrial Machinery and to be financed by Ag. Capitol Company as set forth in the attached documents and to sign any and all documents legally binding to the Three Affiliated Tribes upon the review and advise of legal counsel.

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, 6 were present at a Regular Meeting thereof duly called, noticed, convene, and held on the 22nd day of July, 1993; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 6 members, 0 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Dated the 22nd day of July, 1993.

John J. Rahnkehead Jr
Secretary, Tribal Business Council

ATTEST:

William O. Washin
Chairman, Tribal Business Council