



# SQUAXIN ISLAND TRIBE

**RESOLUTION NO. 01-72**  
**of the**  
**SQUAXIN ISLAND TRIBAL COUNCIL**

**WHEREAS**, the Squaxin Island Tribal Council is the Governing Body of the Squaxin Island Tribe (“Tribe”), its members, its lands, its enterprises and its agencies by authority of the Constitution and Bylaws of the Squaxin Island Tribe, as approved and adopted by the General Body and the Secretary of the Interior on July 8, 1965; and

**WHEREAS**, under the Constitution, Bylaws and inherent sovereignty of the Tribe, the Squaxin Island Tribal Council is charged with the duty of protecting the health, security, education and general welfare of tribal members, and with protecting and managing the lands and treaty resources and rights of the Tribe including those expressed in Section 1 (b) and (i) of the Constitution; and

**WHEREAS**, the Squaxin Island Tribal Council has been entrusted with the creation of ordinances and resolutions in order to fulfill their duty of protecting the health, security, education and general welfare of tribal members, and of protecting and managing treaty land and treaty resources of the Tribe; and

**WHEREAS**, the Tribe and the United States Department of Agriculture (“Government”) have negotiated an agreement wherein the Government will provide a portion of the cost of acquiring and constructing a Sewer Treatment Facility, as evidenced by the following documents:

1. Loan Resolution (“Resolution”) Security Agreement (“Security Agreement”);
2. Promissory Note dated as of August \_\_, 2001, in the original principal amount of \$420,300.00 (Four Hundred Twenty Thousand Three Hundred Dollars) made by Borrower and payable to Bank (“Note”);
3. Water or Waste System Grant Agreement;
4. Right of Way Certificate (“Certificate”);
5. Letter of Intent to Meet Conditions (“Letter of Intent”); and

6. The following ancillary documents: Request for Obligation of Funds; Certification Approval; Operating Budget; Certification Regarding Debarment, Suspension and Other Responsibility Matters – Primary Covered Transactions or Lower Tier Covered Transactions; Certification Regarding Drug Free Workplace Requirements; Equal Opportunity Agreement; Assurance Agreement; Application Certification Federal Collection Policies for Consumer or Commercial Debts; Certification for Contracts, Grants and Loans (“Miscellaneous”).

collectively ("Principal Loan Documents"); and

**WHEREAS**, in order to induce Government to complete this loan and execute the Principal Loan Documents and perform the same it is necessary for the Council to ratify and approve the terms of the Note and to authorize the Tribe to negotiate and execute final versions of the Principal Loan Documents; to issue a limited waiver of sovereign immunity; to authorize arbitration of certain controversies that could arise regarding the transaction; to consent that the Tribe be sued in federal, state and tribal courts pertaining to the transaction; – all in order that the Government may be induced to make the loan as evidenced by the Note and in order that Government may be assured it may enforce the Note against the Tribe.

**NOW, THEREFORE, BE IT RESOLVED AND ENACTED By the Council as follows:**

Section 1. Principal Loan Documents. The terms and conditions of the above-described drafts of the Principal Loan Documents are hereby authorized and ratified. The Chairman, or in his absence the Executive Director, is hereby authorized to execute and deliver on behalf of the Tribe the Principal Loan Documents, as well as any revisions of the same prior to their execution as they shall determine, together with any and all other documents, financing statements, consents, representations and warranties required by Government or its representatives in order to effect the transactions and the making of the loan.

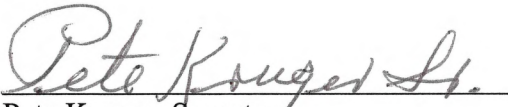
Section 2. Loan Resolution. The terms and conditions of the Loan Resolution are hereby authorized, approved and ratified. The Loan Resolution is incorporated herein by reference and made a part of this master Resolution.

**CERTIFICATION**

I, David Lopeman, hereby certify that the above Resolution was duly enacted by the Squaxin Island Tribal Council on August 23, 2001; a quorum being present with a vote of 5 for, 0 against, 0 abstaining, 1 not voting.

  
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David E. Lopeman, Chairman  
Squaxin Island Tribe

ATTEST:

  
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Pete Kruger, Secretary  
Squaxin Island Tribal Council

  
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Andy Whitener, Vice Chair  
Squaxin Island Tribal Council

