



THE MILLE LACS BAND OF  
**OJIBWE INDIANS**

*Legislative Branch of Tribal Government*

**RESOLUTION 09-03-26-01**

**A RESOLUTION DESIGNATING MERRILL LYNCH, PIERCE, FENNER & SMITH INC. AS DEPOSITORY FOR THE CORPORATE COMMISSION BUSINESS AND ECONOMIC DEVELOPMENT FUND.**

WHEREAS, the Mille Lacs Band Assembly is the duly elected governing body of the Mille Lacs Band of Ojibwe, a Federally-recognized Indian Tribe; and,

WHEREAS, the Mille Lacs Band Assembly is empowered by 3 MLBSA Section 2 to adopt resolutions which promote the general welfare of the people; and,

NOW THEREFORE BE IT RESOLVED, that the Merrill Lynch, Pierce, Fenner & Smith Inc. & affiliates is designated as a depository for the [REDACTED] of the Mille Lacs Band of Ojibwe; and,

- (1) This resolution shall continue to have effect until express written notice of its rescission or modification has been received and recorded by Merrill Lynch, Pierce, Fenner & Smith Inc.
- (2) All transactions, if any, with respect to any deposit, withdrawals, by or on behalf of the Mille Lacs Band with Merrill Lynch, Pierce, Fenner & Smith Inc. the adoption of this resolution are hereby ratified, approved and confirmed.
- (3) Any of the persons named below, so long as they act in a representative capacity as official of the Mille Lacs Band, are authorized to make any and all other contracts, agreements, stipulations and orders which they may deem advisable for the effective exercise of the powers indicated below, from time to time with Merrill Lynch, Pierce, Fenner & Smith Inc. concerning funds deposited in Merrill Lynch, Pierce, Fenner & Smith Inc. or any other Business transacted by and between the Mille Lacs Band and Merrill Lynch, Pierce, Fenner & Smith Inc. subject to any restrictions stated below.
- (4) Any and all prior resolutions adopted by the Mille Lacs Band and certified to Merrill Lynch, Pierce, Fenner & Smith Inc. as governing the operation of the Mille Lacs Band's account(s) are in full force and effect, unless supplemented or modified by this authorization.
- (5) The Mille Lacs Band agrees to the terms and conditions of any account agreement, properly opened by any authorized officials of the

**DISTRICT I**

HCR 67, Box 194 • Onamia, MN 56359  
(320) 532-4181 • Fax (320) 532-4209

**DISTRICT II**

Route 2 • Box 58 • McGregor, MN 55760  
(218) 768-3311 • Fax (218) 768-3903

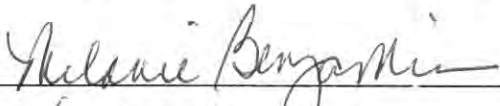
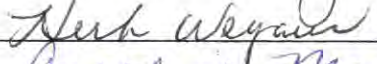
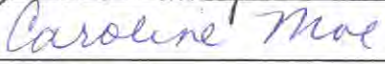
**DISTRICT III**

Route 2 • Box 233-N • Sandstone, MN 55072  
(320) 384-6240 • Fax (320) 384-6190

Mille Lacs Band, and authorizes Merrill Lynch, Pierce, Fenner & Smith Inc. named above, at any time, to charge the Mille Lacs Band for all checks drafts, or other orders, for the payment of money, that are drawn on this Financial Institution regardless of by whom or by what means the facsimile signature(s) may have been affixed as long as they resemble the facsimile signature specimens in section C, (or the facsimile signature specimens that the Mille Lacs Band files with Merrill Lynch, Pierce, Fenner & Smith Inc. from time to time) and contain the required number of signatures for this purpose.

BE IT FURTHER RESOLVED, if indicated, any person listed below (subject to any expressed restrictions) is authorized to:

Exercise all of the powers listed in (2) through (3).

<u>Name and Title</u>	<u>Signature</u>	<u>Facsimile Signature</u> (if used)
Melanie Benjamin, Chief Executive		
Herb Weyaus, Secretary/Treas.		
Caroline Moe, Comm. of Fin.		

**Secr/Treas. /Chief Exec. / Commissioner of Finance**

**(2) Open any deposit or checking account(s) in the name of the Mille Lacs Band.**

**Secr/Treas. / Chief Exec./Commissioner of Finance**

**(3) Endorse checks and orders for the payment of money and withdraw funds on deposit with Merrill Lynch, Pierce, Fenner & Smith Inc.**

**Number of authorized signatures required for this purpose**  
**2 .**

BE IT FURTHER RESOLVED, that Merrill Lynch, Pierce, Fenner & Smith Inc. may deal with any and all of the persons directly or indirectly by the foregoing resolution empowered, as though they were dealing with the Band directly.

BE IT FURTHER RESOLVED, that the Secretary/Treasurer of the Band be and hereby is authorized, empowered and directed to certify, under the seal of the Band, to Merrill Lynch, Pierce, Fenner & Smith Inc: (a) a true copy of this Resolution; (b) specimen signatures of each and every person by this Resolution empowered; and (c) a certificate (which, if required by Merrill Lynch, Pierce, Fenner & Smith Inc. shall be supported by an opinion of legal counsel of the Band, or other counsel satisfactory to Merrill Lynch, Pierce, Fenner & Smith Inc.) that the Band is duly organized and existing, that its statutes empower it to transact the business by this Resolution, and that no limitation has been imposed upon such powers by the laws of the Band or otherwise.

BE IT FURTHER RESOLVED, that Merrill Lynch, Pierce, Fenner & Smith Inc. may rely upon the certified copy of the resolutions, specimen signatures, and certificate, as continuing fully effective unless and until Merrill Lynch, Pierce, Fenner & Smith Inc. shall receive due written notice of change or rescission, and the dispatch or receipt of any other form of notice shall not constitute a waiver of this provision, nor shall the fact that any person hereby empowered ceases to be an officer of the Band or becomes an officer under some other title, in any way affect the powers hereby conferred, but the failure to supply a specimen signature shall not invalidate any transaction where the party authorizing the same has been actually empowered thereto by or in conformity with these resolutions; and,

NOW BE IT FURTHER RESOLVED, that the **Corporate Commission Business and Economic Development Fund** shall be a Cash Account for the purpose of purchasing, selling, transferring, exchanging and generally dealing in any and all forms of securities and financial instruments of every kind or nature whatsoever. All orders and instructions, written or oral, relating to the Securities Accounts shall be given to Merrill Lynch, Pierce, Fenner & Smith Inc. by one of the individuals designated under the heading "Authorized Individuals", and each of them individually is hereby authorized and directed to purchase and/or sell and/or deal in any and all securities and financial instruments for the Mille Lacs Band, including the power to deliver, accept delivery of, endorse, and direct the transfer of record title of any accounts assets beneficially owned by the Mille Lacs Band, without obligation on your part to inquire into the reasons for said orders or instructions; and,

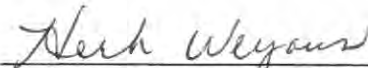
BE IT FURTHER RESOLVED, that in the event of any change in the office or powers of persons hereby empowered, the Secretary/Treasurer shall certify such changes to Merrill Lynch, Pierce, Fenner & Smith Inc. in writing in the manner herein above provided, which notification, when received, shall be adequate both to terminate the powers of the persons theretofore authorized, and to empower the persons thereby substituted; and,

BE IT FURTHER RESOLVED, that the Chief Executive and the Secretary/Treasurer of the Band be, and hereby are, authorized and empowered to countersign items as aforesaid; and,

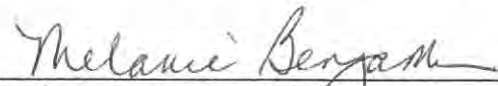
BE IT FURTHER RESOLVED, that this resolution and the certificates actually furnished to Merrill Lynch, Pierce, Fenner & Smith Inc. by the Secretary/Treasurer of the Band pursuant thereto, be and they hereby are made irrevocable until written notice of the revocation thereof shall have been received by Merrill Lynch, Pierce, Fenner & Smith Inc; and,

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a regular session of the Band Assembly in Legislative Council assembled, a quorum of legislators being present held on the 17<sup>th</sup> day of January, 2001 at Hinckley, Minnesota by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly hereunto cause to have set the signature of the Speaker of the Assembly to be affixed to this resolution and forwarded to the Chief Executive for concurrence.

  
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Herb Weyaus, Speaker of the Assembly

IN CONCURRENCE, with the action of the Speaker of Assembly, I, the Chief Executive have set my hand to this resolution.

  
\_\_\_\_\_  
Melanie Benjamin, Chief Executive

**OFFICIAL SEAL OF THE BAND**