



THE MILLE LACS BAND OF OJIBWE INDIANS

Legislative Branch of Tribal Government

JOINT RESOLUTION 12-01-115-06

A JOINT RESOLUTION APPROVING THE SAFE HARBOR NONELECTIVE CONTRIBUTION RATE FOR THE 401(K) RETIREMENT PLAN FOR THE MILLE LACS BAND EMPLOYEES

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 acting pursuant to 3 MLBSA section 2 has the authority to regulate the internal and external affairs of the Mille Lacs Band; and

WHEREAS, the Mille Lacs Band established a tax-qualified 401(k) retirement plan for the benefit of government employees of the Band effective as of July 1, 1997; and

WHEREAS, the Band Assembly has the authority to ratify agreements and contracts on behalf of the Mille Lacs Band when required by Band statute.

NOW THEREFORE BE IT RESOLVED, that the Mille Lacs Band of Ojibwe Retirement Savings Plan for Mille Lacs Band Employees (the "Plan"), was amended to adopt the safe harbor provisions under code sections 401(m)(11) and 401(k)(12), effective January 1, 2000; and

BE IT FURTHER RESOLVED, that the IRS safe harbor minimum contribution level is 3% of each qualified Mille Lacs Band employee's eligible compensation; and

BE IT FURTHER RESOLVED, Band Assembly may at its discretion choose to fund the safe harbor contribution at a minimum of 3% or at any level above 3%, as determined at the discretion of Band Assembly; and

BE IT FURTHER RESOLVED, Band Assembly hereby elects a 4% safe harbor nonelective contribution on behalf of each qualified Mille Lacs Band employee's eligible compensation, effective January 1, 2000; and

BE IT FURTHER AND FINALLY RESOLVED, that the proper officers of the Band shall be and are hereby authorized and directed to take whatever action they deem advisable and proper to implement this resolution, and they are empowered to execute any instruments in relation thereto.

DISTRICT I

43408 Oodena Drive • Onamia, MN 56359

DISTRICT II

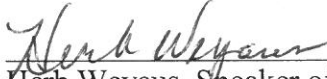
36666 State Hwy 65 • McGregor MN 55760

DISTRICT III

Route 2 • Box 233-N • Sandstone, MN 55072

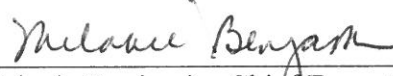
WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a special session of the Band Assembly in Legislative Council assembled, a quorum of legislators being present held on the 30th day of May, 2006 at Lake Lena, Minnesota by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

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.



Herb Weyaus, Speaker of the Assembly

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



Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND