

**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 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,** An important transportation link across the Fort Berthold Indian Reservation and for Northwest North Dakota is the Four Bears Bridge, which was built in the 1950s by the Corps of Engineers and is now obsolete and in need of demolition and reconstruction; and

**WHEREAS,** Congress, in the Highway Appropriation Bill for calendar year 2000, has appropriated \$35,000,000 for demolition of the Four Bears Bridge and construction of a new bridge, and it is expected that the State of North Dakota will continue to provide for the operation and maintenance of the new bridge, as it has done for the old bridge, and will contribute up to \$8,000,000 to provide the full funding required to assure adequate demolition, planning, environmental compliance, and construction; and

**WHEREAS,** The Federal Department of Transportation has encouraged the Tribes and the State of North Dakota Department of Highway Transportation to reach an agreement on how the bridge, located on the Reservation, will be managed, developed, planned and constructed; and

**WHEREAS,** The Tribes have had discussions with the State of North Dakota and propose that the following elements be contained in a Four Bears Bridge planning and construction agreement:

(1) The Tribes will utilize their available environmental and cultural resource expertise to help in the development of the environmental, cultural resource, and planning process. The Tribes will make available Tribal members for various employment where appropriate under the TERO Rules of the Tribes. The Tribes will create a Tribal Four Bears Bridge Authority which will receive title on the Reservation to all materials, equipment, and services necessary to dispose and/or move the bridge, and then plan and replace it with a modern structure.

**Resolution #00-25-MWJR**

(2) Given the role of the Tribal Authority and the site of the bridge on the Reservation, and the important Tribal and Federal purposes being implemented by the creation of a modern bridge across the Missouri River to increase the economy of the Reservation, including improved access to the Tribal Casino and to the Tribal Headquarters, and given the use of Federal funding for this purpose authorized by Congress, the State of North Dakota's five percent (5%) sales tax will, under guidelines utilized by the State, not be applicable.

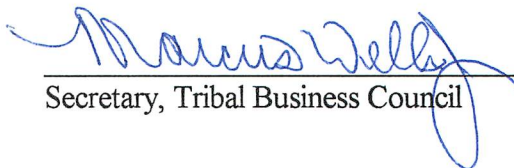
(3) In lieu of the five percent (5%) sales tax the Tribes will impose a Tribal Tax on all materials, products and other taxable transactions taking place on the Reservation with respect to this Project.

**NOW, THEREFORE, BE IT RESOLVED,** That the Business Council hereby authorizes the Chairman and other Tribal officials to negotiate a Four Bears Planning and Construction contract with the State of North Dakota, bring it back to the Tribal Council for review and approval, and undertake all necessary steps to implement the concepts and principles described above.


**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 Regular Meeting thereof duly called, noticed, convened, and held on the 14th day of December, 2000; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 6 members, 0 members opposed, 0 members abstained, and 1 not voting, and that said Resolution has not been rescinded or amended in any way.

Dated this 14 day of December, 2000.

  
Secretary, Tribal Business Council

ATTEST:

  
Chairman, Tribal Business Council