



**RESOLUTION OF THE GOVERNING BODY OF THE  
THREE AFFILIATED TRIBES OF THE  
FORT BERTHOLD INDIAN RESERVATION**

*A Resolution Entitled "Approval of Application for a Grant From the United States Department of Agriculture (USDA) Rural Development (RD) in the Amount of \$1,000,000.00 for the White Shield Intake Extension Project."*

**WHEREAS,** This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act and having adopted the Constitution and By-laws pursuant to said Act; and

**WHEREAS,** Article III of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council is governing body of the Tribe; and

**WHEREAS,** The Constitution of the Three Affiliated Tribes 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,** Article VI, Section 5(c) authorizes the Tribal Business Council to administer any property or funds within the exclusive control of the Tribes and make expenditures from available tribal funds for public purposes of the Tribes; and

**WHEREAS,** The Three Affiliated Tribes is eligible to apply for a grant from the USDA Rural Development, in the amounts of \$1,000,000.00 for the purpose of an Intake Extension Project at the White Shield Water Treatment Plant site for the Fort Berthold Rural Water Supply System of the Three Affiliated Tribes; and

**WHEREAS,** In order for USDA to further consider the Tribes' application to obtain these funds, the Tribal Business Council is required to authorized and execute USDA Form RUS Bulletin 1780-12 (Water and Waste Water Grant Agreement); A Letter of Intent to Meet Conditions; a Resolution Authorizing Letter of Intent to Meet Conditions; a Resolution Authorizing Execution of Request for Obligation of Funds; Resolution Authorizing Execution of Water Or Waste Systems Grant Agreement; Resolution Authorizing Execution of Architectural, Engineering and Legal Services Agreements; Legal Services Agreement; RD400-1 Equal Opportunity Agreement; AD-1049 Certification Regarding Drug-Free Workplace Requirements; AD-1047



## RESOLUTION NO. 05-137-NH

Certification Regarding Debarment, Suspension, and other Responsibility Matters; SF 3881 Electronic Forms Transfer Payment Enrollment Form; RD 440-11, "Estimate of Funds Needed for 30 day period Commencing on \_\_\_\_\_"; and Civil rights Compliance Review Pre award checklist; and

**WHEREAS,** The above referenced USDA RUS grant agreements have been submitted to the Three Affiliated Tribes Legal Department for review and it has been determined that the above agreements are standard agreements that are substantially similar to previous agreements the Tribe has executed with USDA and the Legal Department has approved of said agreements for legal form and content; and

**WHEREAS,** The Tribal Business Council has determined that the funding for selected water supply and distribution projects for the Fort Berthold Rural Water System is necessary and, it is in the Tribes' best interest to enter into and execute the aforementioned documents and Agreements with the USDA;

**NOW, THEREFORE, BE IT RESOLVED** That the Tribal Business Council hereby approves grant with the U.S. Department of Agriculture in the amount of \$1,000,000.00, to be used for White Shield Emergency Intake Extension Project for the Fort Berthold Rural Water System; and

**NOW, THEREFORE, BE IT FURTHER RESOLVED,** that the Tribal Business Council of the Three Affiliated Tribes hereby approves the following USDA forms and Agreements and authorizes Tribal Chairman, Vice-Chairman, Secretary and Treasurer of the to execute said documents:

1. Letter of Intent to Meet Conditions;
2. Resolution Authorizing Letter of Intent to Meet Conditions;
3. RD 1940-1, Request for Obligations of Funds;
4. Resolution Authorizing Execution of Water or Waste System Grant Agreement;
5. NDRUS Bulletin 1780-2 – Fact Sheet's;
6. Resolution Authorizing Execution of Architectural, Engineering and Legal Services Agreement;
7. Intergovernmental Clearance;
8. RD Instruction 1900-D Documentation;
9. RD 442-3, Balance Sheet/Current Financial Statement;
10. Exhibit A-1 of RD Instruction 1940-Q, Restrictions on Lobbying;
11. Notice of Eligibility Determination; and
12. SF 424.2 – Application for Federal Assistance.



**RESOLUTION NO. 05-137-NH**

**NOW, THEREFORE, BE IT FINALLY RESOLVED**, that the Tribal Business Council hereby authorizes the Chairman, Vice-Chairman, Secretary and Treasurer of the Tribal Business Council to execute the aforementioned documents, as may be necessary, on behalf of the Three Affiliated Tribes of the Fort Berthold Reservation, and to further execute such other documents as may be necessary to obtain the aforementioned loan.

**CERTIFICATION**

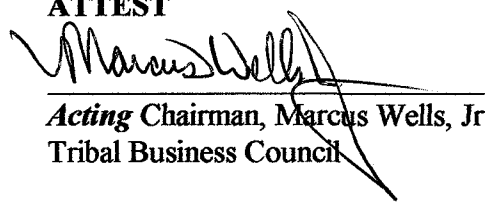
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of (7) members of whom (5) constitute a quorum, 5 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 20<sup>th</sup> day of September, 2005; that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 5 members, 0 members opposed, 0 members abstained, 2 members not voting, and said resolution has not been rescinded or amended in any way.

Chairman [ X ] Voting. [ ] Not Voting

Dated the 20<sup>th</sup> day of September, 2005

  
\_\_\_\_\_  
Nathan Hale, Secretary  
Tribal Business Council

**ATTEST**

  
\_\_\_\_\_  
*Acting* Chairman, Marcus Wells, Jr  
Tribal Business Council