



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

A Resolution entitled: *“Tribal Business Council Approval of the Three Affiliated Tribes Indian Reservation Roads Program Annual Inventory Update Pursuant to 25 CFR § 170.444*

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

WHEREAS, pursuant to Article III, Section 1 of the Constitution and By Laws of the Three Affiliated Tribes, the Tribal Business Council is the governing body of the Tribes; and

WHEREAS, Article VI, Section 5 (d) of the Constitution of the Three Affiliated Tribe Provides that the Tribal Business Council has the power to negotiate with Federal, State and local governments on behalf of the Tribe and to advise and consult with representatives of the Interior Department on all activities that may affect the Fort Berthold Reservation; and

WHEREAS, pursuant to Article VI, Section 5 (l) of said Constitution, the Tribal Business Council has the power to adopt resolutions regulating the procedures of the Tribal Business Council and other Tribal agencies and Tribal officials on the Reservation; and

WHEREAS, The Tribe has entered into a Public Law 93-638 Self-Determination Contract with the Bureau of Indian Affairs for the purpose of assuming various programs, functions and Services under the Indian Reservation Roads Program (IRR); and

WHEREAS, 25 CFR Part 170 governs the Indian Reservation Roads Program and § 170.42 specifically provides that Tribes with self-determination contracts may assume responsibility for preparing annual IRR Inventory data updates; and

WHEREAS, Title 23 USC Federal Aid to Highways, § 101(14) defines an Indian Reservation Road as “a public road that is located within or provides access to an Indian Reservation or Indian Trust or Restricted land or Indian Villages..., groups, or communities in which Indian....Natives reside, whom the Secretary has determined are eligible for services generally available to Indians under federal Laws specifically applicable to Indians; and



RESOLUTION NO. 07-¹⁰⁸-VJB

WHEREAS, 25 CFR 170.442 provides that an IRR Inventory is a comprehensive database of all transportation facilities eligible for IRR funding by Tribe, reservation, BIA Agency, and region and are used in the Relative Need Distribution Factor and to assist in transportation and project planning, justify expenses, identify transportation needs, maintain existing IRR transportation facilities and to develop management systems; and

WHEREAS, 25 CFR § 170.444 provides that the IRR Inventory is updated annually by both the Tribe and the BIA and that the Tribe must review all data and submit its changes to the BIA Regional Office along with an authorizing resolution; and

WHEREAS, The Three Affiliated Tribes Roads Program has developed the updated IRR Inventory packages for submittal to the BIA as required in 25 CFR 170.444; and

WHEREAS, The Three Affiliated Tribes Tribal Business Council requests that those BIA, County and State routes specifically described in Attachment No. 1 of this Resolution (which is hereby made a part of this Resolution) and as submitted in the Inventory packages and also as included in the Three Affiliated Tribes Long Range Transportation Plan be included in the Three Affiliated Tribes 2007 IRR Inventory; and

WHEREAS, The Three Affiliated Tribes Tribal Business Council has listed those roads identified as benefiting the tribal community and its members, more specifically described in Attachment No. 1;

WHEREAS, The Three Affiliated Tribes Tribal Business Council further requests that an attachment with the routes be submitted into the IRR Inventory as a construction need of the jurisdictional owners(s).

NOW, THEREFORE BE IT RESOLVED, that the Three Affiliated Tribes Tribal Business Council hereby approves the attached IRR Inventory update for submission to the Bureau of Indian Affairs in accordance with 25 CFR 170.444 and requests that the Bureau of Indian Affairs include the those roads described in Attachment No. 1 and included in the Three Affiliated Tribes Long Range Transportation Plan, in the IRR Inventory for the Three Affiliated Tribes; and

FURTHER, BE IT RESOLVED, the Three Affiliated Tribal Business Council hereby request that all those roads identified as proposed and described in Attachment No. 1 be added to the Tribe's IRR Inventory as future BIA owned roads; and

FINALLY BE IT RESOLVED, that the Secretary of the Tribal Business Council is hereby authorized and instructed to sign this resolution, and any all documents and contracts they may



Attachment # 1: To Resolution # 00-09-NH

Road / Route Inventories as of Date : 6/15/07

Route Name	Route Number	Station	Owner	Length (Miles)	CN	Route Location
BIA 1 (Nisqu North Road)	1	10	BIA	1.9	1	Lake Sakakawea north to BIA 3
BIA 1 (Nisqu North Road)	1	20	BIA	1.9	1	BIA 3 east and north to pavement at church.
BIA 1 (Nisqu North Road)	1	30	BIA	6.1	0	Pavement start at church north to White Shield ND
BIA 1 (Nisqu North Road)	1	40	BIA	0.2	1	South edge of White Shield men north
BIA 1 (Nisqu North Road)	1	50	BIA	0.8	1	North side White Shield then North to McLean Co Route 7
BIA 2 (Northwest Farm Road)	2	10	BIA	4.8	1	ND 22, east 3.0 miles, north 1.8 miles to ND 23
BIA 3 (East 8 Mile Creek Road)	3	10	BIA	0.6	1	BIA 18 south
BIA 4 (East 8 Mile Creek Road)	3	20	BIA	3.6	1	BIA 3, east and south to BIA1
BIA 4 (East 8 Mile Creek Road)	4	10	BIA	2.4	1	West Reservation Boundary, east to ND 22
BIA 5 (Good Bear Hill Road)	5	10	BIA	1.4	1	Lake Sakakawea east to BIA 18
BIA 6 (Blum Butte Road)	6	20	BIA	0.2	1	Lake Sakakawea east to BIA 18
BIA 9 (Charing Creek Loop Road)	9	10	BIA	11.2	1	South end Mountrail Co. 2311, east to south and Mountrail Co. 2313
BIA 10 (North Fork Skunk Creek Road)	10	10	BIA	7.0	1	ND 1804, west, north and east back to ND 1804
BIA 10 (North Fork Skunk Creek Road)	10	20	BIA	5.7	1	BIA 12 North and East
BIA 11 (Dodge Road)	11	10	BIA	2.3	1	End of North Skunk Road East to Low Water Boat Ramp Sign
BIA 11 (Dodge Road)	11	20	BIA	1.0	1	Reservation Line North to BIA 22
BIA 12 (Heart Butte Road)	12	10	BIA	0.6	1	BIA 22 North to BIA 20
BIA 12 (Heart Butte Road)	12	20	BIA	0.6	0	ND 22, east
BIA 12 (Heart Butte Road)	12	30	BIA	1.8	1	0.8 miles east of ND 22, east
BIA 12 (Heart Butte Road)	12	40	BIA	15.6	1	1.2 miles east of ND 22, east to McKenzie / Dunn Co. line
BIA 12 (Heart Butte Road)	12	50	BIA	1.3	1	McKenzie / Dunn County Line East to Gravel
BIA 13 (Bik Butte Road)	13	10	BIA	6.5	1	BIA 12 Section 10 East End of Road
BIA 14 (Leal Bridge Cutoff Road)	14	10	BIA	12.3	1	Cattiquard North to Dead End
BIA 15 (McKenzie Bay Road)	15	10	BIA	2.5	1	Highway 22 West to East
BIA 15 (McKenzie Bay Road)	15	20	BIA	0.6	1	End of Asphalt South to McKenzie Bay Resort
BIA 17 (Squaw Creek - Moccasin Creek Road)	17	10	BIA	19.3	1	Reserved Area
BIA 18 (Old Garrison Trail)	18	10	BIA	1.8	1	BIA 14 West to East to BIA 14
BIA 18 (Old Garrison Trail)	18	20	BIA	6.6	1	18th St south to ND 1804
BIA 18 (Old Garrison Trail)	18	30	BIA	3.0	1	ND 1804 south and east to BIA 3
18th St (McLean Co 6)	19	10	McLean	9.0	2	BIA 3 north to ND 1804
18th St (McLean Co 6)	19	20	McLean	1.0	2	68th Ave east to 59th Ave
BIA 20 (Old Roe Road)	20	10	BIA	2.2	1	69th Ave east to Reservation Boundary
BIA 20 (Old Roe Road)	20	20	BIA	1.4	1	BIA 22 at Twin Buttes North
BIA 20 (Old Roe Road)	20	30	BIA	1.4	1	Regrade Section of 20 East to ND 8
BIA 20 (Old Roe Road)	20	40	BIA	3.0	1	ND 8 East to Dunn / Mercer Co Line
BIA 20 (Old Roe Road)	20	50	BIA	2.8	1	Mercer - Dunn Co Line East to Cattiquard
BIA 20 (Old Roe Road)	20	60	BIA	0.6	1	Cattiquard East
BIA 22 (Twin Buttes New Roe Road)	22	10	BIA	6.0	1	BIA 20 South to Boat Ramp
BIA 22 (Twin Buttes New Roe Road)	22	20	BIA	6.7	1	Reservation Line North and West to BIA 221
BIA 22 (Twin Buttes New Roe Road)	22	30	BIA	2.8	1	BIA 221 North and West to Mercer / Dunn Co Line
BIA 22 (Twin Buttes New Roe Road)	22	40	BIA	0.2	1	Mercer / Dunn Co Line West to ND 8
BIA 22 (Twin Buttes New Roe Road)	22	50	BIA	5.9	1	ND 8 West to BIA 20
BIA 22 (Twin Buttes New Roe Road)	22	60	BIA	1.8	1	BIA 20 West to BIA 228
ND 23	23	10	North Dakota	8.6	0	BIA 228 West to Dead End
ND 23	23	20	North Dakota	0.6	0	Reservation Boundary east to Urban Section just west of Casino
ND 23 - Four Bears Bridge	23	30	North Dakota	0.0	0	0.6 miles west of Four Bears Bridge, east to Four Bears Bridge
ND 23	23	40	North Dakota	2.6	0	Across Lake Sakakawea
ND 23	23	50	North Dakota	0.1	0	East end Four Bears Bridge, east to Now Town
ND 23	23	60	North Dakota	0.2	0	West edge New Town, east to West Ave. in New Town
ND 23	23	70	North Dakota	0.2	0	West Ave, east to Park Place in New Town
ND 23	23	80	North Dakota	0.1	0	Park Place in New Town, east
ND 23	23	90	North Dakota	5.2	2	0.1 miles west of East Ave, east to East Ave. in New Town
ND 23 - Bridge	23	100	North Dakota	0.0	2	East Ave. in New Town, East to Bridge No. 23-055.117
ND 23	23	110	North Dakota	1.3	2	5.2 Miles east of East Avenue in New Town
ND 23	23	120	North Dakota	3.3	2	Bridge No. 23-055.117, east to ND 8
ND 23 - Bridge	23	130	North Dakota	0.0	2	ND 8, east to Bridge No. 23-059.697
ND 23	23	140	North Dakota	6.8	2	8.3 Miles east of ND 8
ND 23	23	150	North Dakota	8.0	2	Bridge No. 23-059.697, east to ND 37
ND 23	23	160	North Dakota	4.1	0	ND 37, east to the Plaza turn-off
ND 23	23	170	North Dakota	2.3	2	Pizza turn-off, east to the Ward Co. Line
BIA 24 (White Bear Road)	24	10	BIA	6.0	0	Ward Co. Line, east to Reservation Boundary
BIA 26 (Price - Fredrick)	26	10	BIA	1.1	1	BIA 1 east
BIA 27	27	10	BIA	3.7	2	BIA 11 East to Farmstead
28th St (McLean Co 2)	29	10	McLean	14.0	3	ND 22, west 1.2 miles, north 2.5 miles to ND 23
BIA 30	30	10	BIA	2.8	2	ND 37 east to Reservation Boundary
31st Street NW	31	10	Mountrail	4.0	2	Reservation Boundary, east to ND 22
31st Street NW	31	20	Mountrail	2.0	2	76th Ave. NW, east to ND 37
33rd St NW	33	10	Mountrail	0.3	3	ND 37, east to 70th Ave NW
33rd St NW	33	20	Mountrail	2.5	3	0.8 miles west of 70th Ave NW, east 0.3 miles
33rd St NW	33	30	Mountrail	4.0	3	0.5 miles west of 70th Ave NW, east to 76th Ave NW
33rd St NW	33	40	Mountrail	1.0	3	76th Ave NW, east to ND 37
33rd St NW	33	50	Mountrail	0.1	3	ND 37, east to 71st Ave NW
33rd St NW	33	60	Mountrail	1.1	3	88th Ave NW, east 0.1 mile to misc site
33rd St NW	33	70	Mountrail	1.8	3	0.1 mile east of 88th Ave NW, east to 0.2 mile east of 67th Ave NW
33rd St NW	33	80	Mountrail	4.0	3	0.2 mile east of 87th Ave NW, east to 65th Ave NW
34th St NW	34	10	Mountrail	0.5	3	84th Ave NW, east to Ward Co. line
34th St NW	34	20	Mountrail	0.2	3	0.5 miles west of 79th Ave NW, east to 79th Ave NW
34th St NW	34	30	Mountrail	0.2	3	79th Ave NW, east
34th St NW	34	40	Mountrail	1.0	3	0.2 mile east of 79th Ave NW, east
34th St NW	34	50	Mountrail	1.0	3	78th Ave NW, east to 77th Ave NW
34th St NW	34	60	Mountrail	1.0	3	77th Ave NW, east to 76th Ave NW
34th St NW	34	70	Mountrail	1.0	3	76th Ave NW, east to 75th Ave NW
34th St NW	34	80	Mountrail	0.8	3	75th Ave NW, east to dead end in field
34th Street NW	34	90	Mountrail	1.0	3	73rd Ave. NW, east to ND 37
34th St NW	34	90	Mountrail	4.0	3	ND 37, east to 88th Ave. NW
34th St NW	34	100	Mountrail	4.0	3	88th Ave. NW, east to 84th Ave. NW
34th St NW	34	110	Mountrail	1.0	3	84th Ave NW, east to 83rd Ave NW
34th St NW	34	120	Mountrail	1.0	3	81st Ave NW, east to Ward Co. line
34th St NW	34	130	Ward	0.2	3	Ward Co. line, east
34th St NW	34	140	Ward	0.8	3	0.2 miles east of Ward Co. line, east to 366th St SW
34th Ave NW	34	150	Ward	1.2	3	366th St SW, east to Reservation Boundary



be applied for on and behalf of the Three Affiliated Tribes Business Council in order to advance the Long Range Transportation Plan and Road Inventory Update approved herein.


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 14 day of June 2007, that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 5 members, 0 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman Voting. Not voting.

Dated this 14 day of June, 2007.

ATTEST:


Tribal Secretary, V. Judy Brugh
Tribal Business Council
Three Affiliated Tribes


Tribal Chairman, Marcus Wells Jr.
Tribal Business Council
Three Affiliated Tribes