



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

***A Resolution entitled, "Authorization of Natural Resource Committee to Approve All Necessary Easements and Right-of-Ways for the Elbowoods Healthcare Facility project"***

**WHEREAS,** This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act; and

**WHEREAS,** The Three Affiliated Tribes Constitution authorizes and empowers the Mandan, Hidatsa & Arikara Tribal Business Council to engage in activity on behalf of and in the interest of the welfare and benefit of the Tribes and of the enrolled members thereof; and

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

**WHEREAS,** Over fifty years ago, when the Garrison Dam and Lake Sakakawea flooded the old Elbowoods hospital, the United States Government promised to replace that hospital with a new health care facility; and

**WHEREAS,** The Tribe has been informed by Congress that \$20 million has been authorized to the U.S. Army Corps of Engineers to construct and build a healthcare facility for the benefit of the Three Affiliated Tribes; and

**WHEREAS,** The Tribe has previously designated 120 acres more or less of tribally owned land adjacent to the City of New Town as the site of the Elbowoods Healthcare Facility; and

**WHEREAS,** It has been deemed necessary and advantageous for the Elbowoods Healthcare Facility and the surrounding land to be located within the City of New Town for access to municipal services; and

**WHEREAS,** For all elements of the construction and development of the Elbowoods Healthcare Facility and surrounding land, it will be necessary to acquire easements and right-of-ways for the construction of roads, underground utility extensions (water, sewer, electrical, telephone, etc.), street lighting, and/or pedestrian access (sidewalks / walking paths); and

**NOW THEREFORE BE IT RESOLVED,** that the Tribal Business Council of the Three Affiliated Tribes hereby authorizes the Natural Resource Committee the authority to approve any easements and right-of-ways necessary for the construction and development of the Elbowoods Healthcare Facility and surrounding land specifically for the purposes of roads, underground utility extensions (water,



sewer, electrical, telephone, etc.), street lighting, and/or pedestrian access (sidewalks / walking paths); and

**BE IT FURTHER RESOLVED**, that the Tribal Business Council hereby authorizes the Chairman and Secretary of the Tribe, as may be necessary, to execute any documents needed for easements and right-of-ways for the Elbowoods Healthcare Facility and surrounding land pursuant to approval by the Natural Resource Committee.

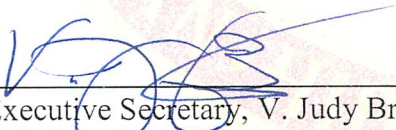
**CERTIFICATION**

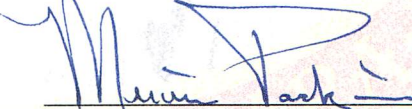
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 6 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 8<sup>th</sup> day of January, 2009, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 6 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 8<sup>th</sup> day of January, 2009.

**ATTEST:**

  
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Executive Secretary, V. Judy Brugh.  
Tribal Business Council

  
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Acting Chairman, Mervin Packineau  
Tribal Business Council