



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

A Resolution entitled, "*Road Maintenance for the Parshall Bay Subdivision to be provided by the Three Affiliated Tribes, Tribal Road Department.*"

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

WHEREAS, Article VI, Section 5(c), of the Constitution of the Three Affiliated Tribes specifically authorizes the Tribal Business Council to make expenditures from available tribal funds for public purposes of the Tribes; and

WHEREAS, Article VI, Section 5(d), of the Constitution of the Three Affiliated Tribes authorizes the Tribal Business Council to negotiate with State and Local Governments on behalf of the Tribes; and

WHEREAS, The Tribal Business Council of the Three Affiliated Tribes will be developing approximately forty (40) acres of tribally owned fee land to build single family homes, located in Liberty Township, Mountrail County, henceforth known as the "Parshall Bay Subdivision"; and



WHEREAS, The Tribal Business Council of the Three Affiliated Tribes is proposing to construct a road, 385 feet in length, on the west side of the subdivision, referred to as the "West Section Line Road."; and

WHEREAS, A "Driveway Permit" must be filed with the Mountrail County Highway Department in order to access onto the county road; and

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WHEREAS, Pursuant to the North Dakota Century Code, the State of North Dakota limits the number of miles of road that a County can build and maintain, [See, §24-05-16, N.D.C.C.]; and

WHEREAS, Liberty Township, Mountrail County, has exceeded their limitation regarding the number of roads it can build and maintain and, therefore, as in other, new residential developments located in Mountrail County, the maintenance and upkeep of the road(s) has been the responsibility of the persons living in that particular Development; and

NOW, THEREFORE, BE IT RESOLVED, The Tribal Business Council of the Three Affiliated Tribes shall provide for the maintenance and upkeep of the proposed roads to be constructed at the Parshall Bay Subdivision.

C E R T I F I C A T I O N

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, 7 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 8th day of September, 2009, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 7 members, 0, opposed, 0 member abstained, 0 member(s) not voting, and that said Resolution has not been rescinded or amended in any way.

RESOLUTION NO.09-143-VJB

Chairman [] Voting [] Not Voting

Dated this 8th day of September, 2009.

ATTEST:

	
Judy V. Brugh, Tribal Secretary Tribal Business Council Three Affiliated Tribes	Marcus D. Levings, Chairman Tribal Business Council Three Affiliated Tribes

