



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

A Resolution Entitled: *“Approval of Waiver of the TERO Employment Rights Fee for Construction Contract – Thomas M. “Johnny” Bird Veterans Memorial Hall”*

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

WHEREAS, Pursuant to Article VI, Section 5 (1) of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council has the power to adopt resolutions regulating the procedure of the Tribal Business Council and other Tribal agencies and Tribal Officials of the Reservation; and

WHEREAS, The Thomas M. “Johnny” Bird Veterans Memorial Hall is a community building project being constructed within the Four Bears Segment; and

WHEREAS, The total approved construction budget for the Thomas M. “Johnny” Bird Veterans Memorial Hall is currently \$15,200,000.00; and

WHEREAS, The Thomas M. “Johnny” Bird Veterans Memorial Hall will benefit the residents of the Four Bears Segment and the tribal membership; and

WHEREAS, Title VI - Section 601 of the TERO Ordinance requires a TERO Employment Rights Fee equal to two and one half percent (2 ½%) for all construction project on the Fort Berthold Reservation; and

WHEREAS, The Tribal Business Council has previously waived the two and one half percent (2 ½ %) TERO Employment Rights Fee for the construction of Tribal Projects to ensure all appropriated funds are used exclusively to benefit those projects; and

WHEREAS, The Tribal Business Council has reviewed this Tribal Project and has determined it is in the best interests of the Tribe to approve this waiver.

THEREFORE, BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes hereby approves a wavier of the two and one half percent (2 ½%) MHA TERO Employment Rights Fee for the construction of the Thomas M. “Johnny” Bird Veterans Memorial Hall project; and



BE IT FURTHER RESOLVED, the MHA TERO fee waiver shall only apply to the Employment Rights Fee for the Thomas M. “Johnny” Bird Veterans Memorial Hall construction contract and total approved budget; and

BE IT FINALLY RESOLVED, all companies including but not limited to contractors, subcontractors and vendors involved in this project shall be responsible for all applicable individual TERO license fees in accordance with the TERO Ordinance.

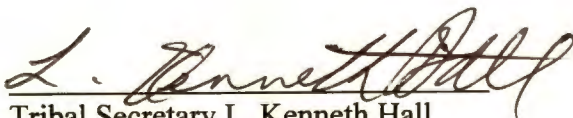
CERTIFICATION

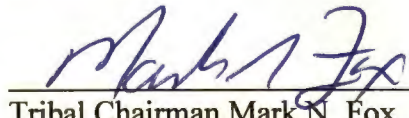
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 6 were present at a Special Meeting thereof duly called, noticed, convened and held on the 30th day of August, 2016, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 6 members, 0 members opposed, 0 members abstained, 1 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman [X] Voting. [] Not Voting.

Dated this 30th day of August, 2016.

ATTEST:


Tribal Secretary L. Kenneth Hall
Tribal Business Council
Three Affiliated Tribes


Tribal Chairman Mark N. Fox
Tribal Business Council
Three Affiliated Tribes