



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

A Resolution entitled, “Authorization for the MHA Energy Division and the MHA Planning & Grants Department to Submit an Application in response to the Department of Energy Office of Indian Energy Funding Opportunity Announcement (DE-FOA-0001621).”

WHEREAS, This Mandan Hidatsa and Arikara Nation (the "MHA 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, is a Federally recognized Indian Tribe exercising inherent sovereignty and jurisdiction over the Fort Berthold Indian Reservation (“FBIR”); and

WHEREAS, Pursuant to Article III, Section 1 of its Constitution and By-Laws, the Tribal Business Council is the governing body of the MHA Nation empowered with governmental authority to take certain action on behalf of the MHA Nation; and

WHEREAS, Pursuant to Article VI, Section 5(1) of said Constitution, the Tribal Business Council has the power to adopt resolutions regulating the procedures of the Tribal Council, its Agencies and Officials; and

WHEREAS, Pursuant to Article VI, Section 5(d) of said Constitution, the Tribal Business Council has the power to negotiate with federal, state and local governments on behalf of the MHA Nation on all activities that may affect the MHA Nation and the Fort Berthold Indian Reservation; and

WHEREAS, The Tribal Business Council has authority to engage in activities on behalf of and for the welfare and benefit of the MHA Nation and the enrolled members thereof; and

WHEREAS, On August 17, 2016, the U.S. Department of Energy (“DOE”) Office of Indian Energy (“OIE”) issued a Funding Opportunity Announcement (“FOA”) (DE-FOA-0001621), soliciting applications from Indian tribes and Tribal Energy Resource Development Organizations to apply for \$2 million to \$3 million of federal grants (awarded at levels from \$50,000.00 to \$250,000.00) from the “First Steps Toward Developing Renewable Energy and Energy Efficiency on Tribal Lands – 2016” Grant Program, for the following topic areas:

- (1) Conduct energy options analyses;
- (2) Establish baseline energy use and efficiency options;
- (3) Develop energy organizations;
- (4) Conduct climate resiliency planning



- (5) Establish policy, regulations, and codes to reduce energy use or promote energy development;
- (6) Obtain skills and training related to energy use and development; and

WHEREAS, Pursuant to the DOE OIE FOA (DE-FOA-0001621), applications must be submitted via on-line by 5:00 p.m. (EST) on October 20, 2016, and all applications require at least a ten percent (10%) cost share (of non-federal funds) of the total allowable cost of the project; and

WHEREAS, The MHA Nation, through its Planning & Grants Department in conjunction with its Energy Division, seeks to apply for the DOE OIE FOA (DE-FOA-0001621), “First Steps Toward Developing Renewable Energy and Energy Efficiency on Tribal Lands – 2016” grant program for the following topic area: [redacted]; and

WHEREAS, In developing the above described grant proposal, the MHA Nation will partner with the Colorado School of Mines (“CSM”) to develop the project, if awarded, and the MHA Nation will apply for a total of \$250,000.00 of DOE OIE grant funds over a three year period; and

WHEREAS, The MHA Nation and the CSM will commit an additional \$250,000 in non-federal funds, over a three (3) year period, for a total project budget of \$500,000:

Federal (DOE) Share	\$250,000.00
Non-Federal Share	\$250,000.00
MHA	(\$120,000.00)
CSM	(\$130,000.00)
Total Project Cost	500,000.00

WHEREAS, Under the proposed project budget, set forth above, the MHA Nation’s cost share contribution to the whole project is effectively 24% of the total cost of the project.

NOW, THEREFORE BE IT RESOLVED, that the Tribal Business Council hereby approves the MHA Nation Planning & Grants Department in conjunction with the MHA Nation Energy Division, to submit an application for the DOE OIE FOA (DE-FOA-0001621), “First Steps Toward Developing Renewable Energy and Energy Efficiency on Tribal Lands – 2016” grant program for the following topic area: [redacted]; and

BE IT FUTHER RESOLVED, that the Tribal Business Council hereby approves the MHA Nation Planning & Grants Department in conjunction with the MHA Nation



Energy Division to partner with the Colorado School of Mines (“CSM”) to develop the project, described herein, to apply for a total of \$250,000.00 of DOE OIE grant funds over a three year period; and

BE IT FURTHER RESOLVED, that the Tribal Business Council hereby agrees to commit a total of \$120,000.00 in non-federal Tribal funds, over a three year period, to the project, which is effectively a 24% cost share of the total project budget, and further agrees to the following collaborative budget, over a three (3) year period:

Federal (DOE) Share	\$250,000.00
Non-Federal Share	\$250,000.00
MHA	(\$120,000.00)
CSM	(\$130,000.00)
Total Project Cost	500,000.00

BE IT FURTHER RESOLVED, that the Tribal Chairman is hereby authorized to negotiate and execute all necessary documents, including a letter of commitment, for the DOE OIE FOA (DE-FOA-0001621), “First Steps Toward Developing Renewable Energy and Energy Efficiency on Tribal Lands – 2016” Grant Program on behalf of the MHA Nation for the term of the award.



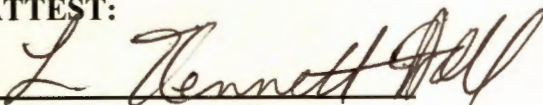
CERTIFICATION

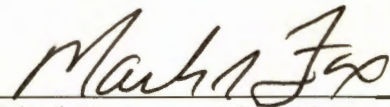
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 7 were present at a Continuation Meeting thereof duly called, noticed, convened and held on the 7th day of October, 2016, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 7 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 7th day of October, 2016.

ATTEST:


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


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

