



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

A Resolution Entitled, "Approval and Authorization of Reconstruction of the Bureau of Indian Affairs Route 2 Not to Exceed the Amount of \$10,442,000 and Hereby Prioritizes the Bureau of Indian Affairs Route 2 as No. 1 on the FY 2019 TIP List"

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 (c) of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council has the power to expenditure from available Tribal funds for public purposes of the Three Affiliated Tribes of the Fort Berthold Indian Reservation; and

WHEREAS, Pursuant to Article VI, Section 5 (l) 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 Tribal Business Council having been very forthright and proactive in providing the safest roadways and highways across all Six (6) Segments of the Three Affiliated Tribes of the Mandan, Hidatsa and the Arikara of the approximately 1,000,000 acres across the Fort Berthold Indian Reservation; and

WHEREAS, The Bureau of Indian Affairs having established a Funding System known as the Tribal Improvement Plan with the Bureau of Indian Affairs Route System with respective Fiscal Years Funding cycles which is historically underfunded across Indian Country which includes the Aberdeen Area and Fort Berthold Indian Reservation; and

WHEREAS, The Bureau of Indian Affairs Route 2 within the Four Bears Segment of the Fort Berthold Reservation requires immediate reconstruction in the FY 2019 Construction Season as the Thirty-Seven (37) Rural Homesite Residents including Elders, School Children, Tribal Employees, BIA Employee, Four Bears Members and the Bakken Oil & Gas Truck Traffic that daily drives on the five (5) mile Bureau of Indian Affairs Route 2; and



WHEREAS, The Tribal Business Council have made it a priority to upgrade and improve the Road Systems of the Fort Berthold Indian Reservation and having determined that this Bureau of Indian Affairs Route 2 is in need of immediate attention for the FY 2019 Construction Season; and

WHEREAS, The Tribal Business Council therefore formally designates Bureau of Indian Affairs Route 2 within the Four Bears Segment as Priority Number 1 for the Three Affiliated Tribes of the Fort Berthold Indian Reservation.

NOW THEREFORE BE IT RESOLVED, that the Four Bears Council Representative has received an Interstate Engineering Heavy Highway Standard engineered estimate on February 11, 2019 wherein the respective Federal Highway Standards are hereby met for the needed traffic traveling Bureau of Indian Affairs Route 2; and

BE IT FURTHER RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes authorizes and hereby approves the Four Bears Segment and the Tribal Roads Department to adequately repair the Bureau of Indian Affairs Route 2 to Heavy Highway Standards; not to exceed option one which is the total reconstruction and widening, estimated at \$10,442,000.00; and

BE IT FURTHER RESOLVED, that all the Bureau of Indian Affairs Route 2 documents necessary for proceeding with the described Heavy Highway Construction shall be reviewed by the Legal Department on the behalf of the Tribal Business Council of the Three Affiliated Tribes.

BE IT FURTHER RESOLVED, that the project shall be publicly and competitively bid; and

BE IT FURTHER RESOLVED, that the project shall seek to obtain and may accept contributions from industry partners; and

BE IT FURTHER RESOLVED, that the project shall be phased in fiscal year 2019 and fiscal year 2020 to help defer the impact on the Tribal Budget; and

BE IT FINALLY RESOLVED, The Tribal Chairman is authorized to execute the documents necessary to carry out the terms and intent of this resolution.

(SIGNATURE PAGE TO FOLLOW)



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 7 members of whom 5 constitute a quorum, 6 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 14th day of February, 2019, 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 14th day of February, 2019.

ATTEST:

Tribal Secretary, Fred W. Fox
Tribal Business Council
Three Affiliated Tribes

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