



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

**A Resolution entitled: *“Waiver of TERO Fees/Taxes imposed by Section 601 of the MHA TERO Ordinance for the Architects and Contractors contracted for the Mandaree School Project”***

**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 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(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 Tribal Business Council adopted Resolution No. 18-309-FWF, approving funding for construction of a new school and related facilities in Mandaree, in the West Segment of the MHA Nation; and

**WHEREAS,** The Tribal Business Council adopted Resolution No. 18-310-FWF, approving the Development Consulting Agreement for Design and Architectural services with Panther Development Investments, LLC for the architectural design, plans and specifications for the Mandaree School Project; and

**WHEREAS,** The Tribal Business Council adopted Resolution No. 19-014-FWF, approving the Agreement between Owner and Contractor, with Burke Construction Group, Inc. for construction of the new Mandaree School and related facilities; and

**WHEREAS,** The West Segment of the MHA Nation and Mandaree School District are the principal contracting entities for the Mandaree School Project, the Project is being funded by the MHA Nation, and the Employment Rights fees/taxes of Section 601 of the MHA Tribal Employment Rights Office (TERO) Ordinance would burden the budget for the Project with increased expenses; and

**WHEREAS,** The Tribal Business Council has previously authorized waivers of the fees/taxes imposed by Section 601 of the TERO Ordinance for schools and other cultural, educational and spiritual MHA Nation projects, and the West Segment and Mandaree



School District are respectfully requesting this waiver for the Mandaree School Project;

**NOW THEREFORE BE IT RESOLVED**, That the Tribal Business Council hereby waives the employment rights fees imposed pursuant to Section 601 of the MHA TERO Ordinance with respect to the approved contracts with Panther Development Investments, LLC and Burke Construction Group, Inc, and their subcontractors, for the Mandaree School Project;

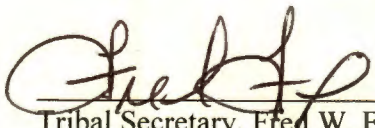
**BE IT FINALLY RESOLVED**, that all contractors and subcontractors performing work on the stated Mandaree School Project shall be required to obtain appropriate TERO permits and pay the permit and licensing fees imposed by the Tribal Employment Rights Office and abide by all other applicable TERO rules and regulations.

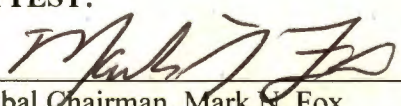
**CERTIFICATION**

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 regular Meeting thereof duly called, noticed, convened and held on the 9<sup>th</sup> day of May, 2019, 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 [ X ] Voting. [ ] Not Voting.

Dated this 9<sup>th</sup> day of May, 2019.

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

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