



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

A Resolution Entitled: *“Approval of Funds for MHA Diabetes Education Center Construction Project”*

- WHEREAS,** The Mandan, Hidatsa, and Arikara Nation Three Affiliated Tribes (“Nation” or “Tribes”) having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act and having adopted a Constitution and bylaws pursuant to said Act; 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,** The Three Affiliated Tribes Constitution authorizes and empowers the Three Affiliated Tribes’ Tribal Business Council to engage in activity on behalf of and in the interest of the welfare and benefit of the Tribes and of the enrolled members thereof; and
- WHEREAS,** Article VI, Section 5(l) of the Three Affiliated Tribes Constitution provides that the Tribal Business Council has the power to adopt resolutions regulating the procedure of the Tribal Business Council; and
- WHEREAS,** Article VI, Section 5(c) of the Three Affiliated Tribes Constitution specifically authorizes and empowers the Tribal Business Council to administer funds within the exclusive control of the Tribes and to make expenditures from available Tribal funds for public purposes for the Tribes; and
- WHEREAS,** The Tribes seeks a community-based facility to provide wellness, fitness and health education services for enrolled members of the Three Affiliated Tribes with diabetes; and
- WHEREAS,** The Tribes seek to construct, manage, and operate said community-based facility as the MHA Diabetes Education Center in partnership with Elbowoods Medical Center; and
- WHEREAS,** A site master plan, building concept diagram, design and construction schedule and budget estimate have been developed for the MHA Diabetes Education Center; and



Amended Resolution No. 20-040- FWF

WHEREAS, Nelson-Tremain Partnership, LLP has developed an estimated budget for the MHA Diabetes Education Center construction project, attached as **Appendix A** of this Resolution; and

WHEREAS, The plan includes the construction of a 26,000 square foot, two-story building on the Elbowoods Medical Center site owned by the Three Affiliated Tribes located north of New Town, ND near ND state Highway 23B Truck Reliever Bypass, wholly within the exterior boundaries of the Fort Berthold Reservation; and

WHEREAS, The total project costs, including professional design fees (as adjusted), testing, inspections and TERO fees (if applicable) is estimated to be approximately Eleven Million Nine Hundred Ninety Thousand Dollars (\$11,990,000.00).

NOW, THEREFORE, BE IT RESOLVED, the Tribal Business Council of the Three Affiliated Tribes hereby authorizes and directs the appropriation of funds in the amount of Eleven Million Nine Hundred Ninety Thousand Dollars (\$11,990,000.00) to be allocated and set-aside for the construction of the MHA Diabetes Education Center as follows: \$4,000,000. from the fy 2020 budget; \$4,000,000. from the fy 2021 budget; and the remainder from the fy 2022 budget.

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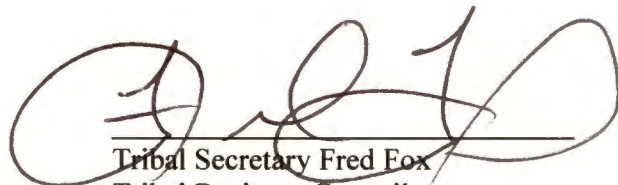


CERTIFICATION

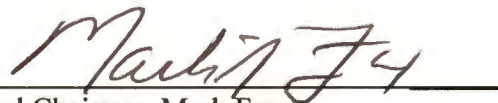
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 6 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 14th day of May, 2020, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 5 members, 0 members opposed, 0 members abstained, 2 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 May, 2020


Tribal Secretary Fred Fox
Tribal Business Council
Three Affiliated Tribes

ATTEST:


Tribal Chairman Mark Fox
Tribal Business Council
Three Affiliated Tribes