



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

A Resolution Entitled, *“Waiver of the TERO Employment Rights Fee for the Bus Garage Construction Project in White Shield, ND.”*

WHEREAS, The Mandan Hidatsa and Arikara Nation (MHA Nation), also known as the Three Affiliated Tribes, having accepted the Indian Reorganization Act of June 18, 1934, the authority under said Act, and having adopted a Constitution and By-laws (the Constitution) under said Act, and

WHEREAS, Pursuant to Article III, Section 1 of the Constitution, the Tribal Business Council is the governing body of the MHA Nation; and

WHEREAS, The Constitution 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 MHA Nation and of the enrolled members thereof; and

WHEREAS, Pursuant to Article VI, Section 5(1) of the Constitution, the Tribal Business Council has the power to adopt Resolutions regulating the procedures of the Tribal Business Council, its agencies and officials; and

WHEREAS, A new Bus Garage is being constructed within the White Shield Segment; and

WHEREAS, The total approved construction budget for the Bus Garage is \$4,164,506.00; and

WHEREAS, Title VI Section 601 of the TERO Ordinance requires a TERO Employment Rights Fee equal to two and one half percent (2½ %) of the total amount of the construction contract; and

WHEREAS, The Tribal Business Council has the authority to waive the TERO Employment Rights Fee; 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 a waiver of the aforementioned fee.

NOW THEREFORE BE IT RESOLVED, The Tribal Business Council hereby approves a waiver of the two and one half percent (2 ½ %) TERO Employment Rights Fee for the construction of the Bus Garage.

BE IT FURTHER RESOLVED, This TERO fee waiver shall only apply to the Employment Rights Fee for the Bus Garage construction contract and total approved budget.



BE IT FURTHER 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.

BE IT FINALLY RESOLVED, The Tribal Chairman is authorized to take such action as is necessary to carry out the terms and intent of this Resolution.

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, 5 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 9th day of July, 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 9th day of July, 2020.

ATTEST:

Handwritten signature of Fred Fox in blue ink, written over a horizontal line.

Tribal Secretary Fred Fox
Tribal Business Council
Three Affiliated Tribes

Handwritten signature of Mark Fox in blue ink, written over a horizontal line.

Tribal Chairman Mark Fox
Tribal Business Council
Three Affiliated Tribes