



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

**A Resolution Entitled, “*Prohibition on Towing Tribal and Tribal Member Vehicles off of the Fort Berthold Reservation*”**

- 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,** Article VI, Section 5(c) of the Constitution specifically authorizes and empowers the Tribal Business Council to administer funds within the exclusive control of the Nation and to make expenditures from available Tribal funds for public purposes for the Nation; and
- WHEREAS,** State and local governments lack jurisdiction over tribal members within the exterior boundaries of the Fort Berthold Reservation (Reservation); and
- WHEREAS,** The Tribal Business Council has become aware of instances of city police tagging and tow truck companies towing vehicles owned by the Tribe and tribal members off the Reservation without legal authority to do so; and
- WHEREAS,** The tow truck companies have in some cases charged exorbitant fees for towing services and/or demolished the tribal vehicles at great expense to the tribal vehicle owner; and
- WHEREAS,** The MHA Nation, through the North Segment, operates a towing service which provides a lawful and more reasonable means of towing vehicles owned by the Nation or its members in cases where vehicles need to be towed; and



**WHEREAS,** The Tribal Business Council finds it necessary to protect the property rights and interests of the MHA Nation and its members from having their vehicles towed off the reservation without lawful authority.

**NOW THEREFORE BE IT RESOLVED,** That the Tribal Business Council of the Three Affiliated Tribes hereby prohibits tribal vehicles or vehicles owned by tribal members from being towed off of the Reservation without owner consent; and

**BE IT FURTHER RESOLVED,** That the Tribal Business Council directs tribal law enforcement to respond to violations of this Resolution by seizing any violating tow truck that enters the Reservation and escorting any violating tow truck operator off of the Reservation; and

**BE IT FINALLY RESOLVED,** The Tribal Business Council hereby authorizes and approves expenditure \$150,000. from the General Fund to acquire additional equipment in order to provide more responsible towing services on the Reservation.

[CERTIFICATION PAGE TO FOLLOW]



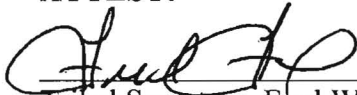
**CERTIFICATION**

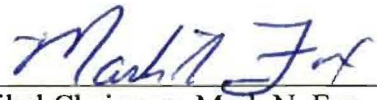
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 7 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 12<sup>th</sup> day of May, 2022, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 6 embers for, 0 members opposed, 0 members abstained, and 1 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman ( X ) Voting, ( ) Not Voting.

Dated this 12<sup>th</sup> day of May, 2022.

**ATTEST:**

  
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Tribal Secretary, Fred W. Fox  
Tribal Business Council

  
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Tribal Chairman, Mark N. Fox  
Tribal Business Council