



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

**A Resolution Entitled, “*Approval of Mobile Broadband Tower Sites across Tribal Land (Blue Buttes and Twin Buttes Sites)*”**

**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,** Article IX, Sections 1 and 3 of the Constitution provides that the Tribal Business Council has the authority to manage and lease, or otherwise deal with Tribal lands and resources; 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,** The Tribe has a need for additional mobile broadband towers on the Fort Berthold Reservation; and

**NOW THEREFORE BE IT RESOLVED,** The MHA Nation approves the following sites for the Mobile Broadband Towers in Mandaree and Twin Buttes:

- Blue Buttes Tower – 70x70 Site, Access Road and Utility Corridor:
  - Surface Location is 70x70 and Guy Wires for a 400’ tower being 0.774 acres
  - to construct, install, operate, manage, and maintain an access road and utility corridor for electrical lines, fiber optics, above ground appurtenances, being 700 feet in length and 30 feet in width.
  - Total project disturbance of 1.26 acres.



across Allotment No. T 1730-B in the N/2SE/4 of Section 30, Township 149 North, Range 91 West of the 5th P.M., Dunn County, North Dakota, with 1.00 undivided Tribal interest.

- Twin Buttes Tower – 70x70 Site, Access Road and Utility Corridor:
  - Surface Location is 70x70 and Guy Wires for a 400' tower being 0.774 acres
  - to construct, install, operate, manage, and maintain an access road and utility corridor for electrical lines, fiber optics, above ground appurtenances, being 500 feet in length and 30 feet in width.
  - Total project disturbance of 1.12 acres.

Site is to be determined. Once the site is selected the project lead shall transmit the site description to the Tribal Business Council for review and approval. The Tribe shall have the authority to proceed with construction once the site is selected.

**BE IT FURTHER RESOLVED**, That the Tribal Business Council allocates an amount not to exceed \$1,500,000.00 for development and construction of the two mobile broadband tower sites and authorizes the purchase any materials and authorize any construction necessary to complete the two sites.

**BE IT FURTHER RESOLVED**, This Resolution supersedes Resolution No. 21-184-FWF.

**BE IT FINALLY RESOLVED**, That the Chairman is hereby authorized to execute such documents and take such further actions as are necessary to carry out the terms and intent of this Resolution.

[Remainder of Page Intentionally Left Blank, Certification Follows]




**CERTIFICATION**


I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum, 7 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 14<sup>th</sup> day of July, 2022; 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 14<sup>th</sup> day of July, 2022.

**ATTEST:**

  
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Tribal Secretary, Frederick W. Fox Sr.  
Tribal Business Council  
Three Affiliated Tribes

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