



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

A Resolution entitled, “Approval of Consultant Contract between the White Shield Segment and Three Affiliated Tribes, and ProtoGen, Inc., for a micro grid feasibility study for White Shield’s Energy Program, and for Authorization of Payment of Consultant Fees.”

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, and the authority under said Act and having adopted a Constitution (the “Constitution”) and By-Laws pursuant to said Act; and

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

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

WHEREAS, Article VI, Section 5(1) of the Constitution 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 White Shield (East) Segment of the MHA Nation desires to engage ProtoGen, Inc. to complete a micro grid feasibility study for the new buildings in the White Shield Master Plan. This will offset energy costs and create zero-net energy for the White Shield Segment for years to come; and

WHEREAS, ProtoGen has submitted a proposal, and White Shield Segment has negotiated an agreement for the aforementioned services for a total lump sum cost of \$55,000.00, in form as attached hereto; and

WHEREAS, The White Shield Segment solicited proposals and was provided a Proposal from ProtoGen, Inc. which will fulfill the objectives of the Segment to complete the feasibility study; furthermore, ProtoGen has the training, resources, and expertise to complete the project; and

WHEREAS, The White Shield Segment has negotiated a *Contract for Services between White Shield Segment/MHA Nation (for its Energy Program) and ProtoGen, Inc.* for a micro grid feasibility study for a lump sum total cost of \$55,000.00 and seeks approval by the Tribal Business Council for the contract, in form as attached hereto, and approval of the funding for the project, to be drawn from the TAT FY2022 and/or FY2023 budgets under Special Projects.



NOW, THEREFORE, BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes hereby approves the attached *Contract for Services between White Shield Segment/MHA Nation (for its Energy Program) and ProtoGen, Inc.* for a micro grid feasibility study within the White Shield Segment of the MHA Nation.

BE IT FURTHER RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes hereby approves and appropriates the necessary expenditure of Tribal funds of up to \$55,000.00 from the TAT FY 2022 and/or FY2023 budgets (Special Projects) for Whit Shield Segment to fulfill the Owner obligations under the aforementioned *Consultant Agreement* and make the required payments therefore.

BE IT FINALLY RESOLVED, That the Tribal Chairman is hereby authorized to execute the aforementioned Contract and take such further action as is necessary to carry out the terms and intent of this Resolution.

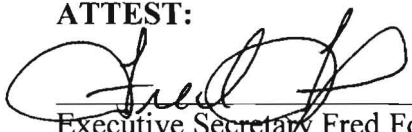
CERTIFICATION


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, 7 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 12th day of October, 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 12th day of October, 2022.

ATTEST:


Executive Secretary Fred Fox
Tribal Business Council
Three Affiliated Tribes


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