



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

A Resolution Entitled: “Approval and Authorization of Fort Berthold Rural Water to Proceed with East Segment Water storage capacity upgrade, Not to Exceed \$5,500,000.00 for the Immediate Needs of the East Segment and The Three Affiliated Tribes.”

WHEREAS, This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act and having adopted a Constitution and By-Laws pursuant to said Act; and

WHEREAS, Pursuant to Article III, Section 1 of Constitution and By Laws of the Three Affiliated Tribes (or “Tribes”), the Tribal Business Council is the governing body of the Tribes; and

WHEREAS, Pursuant to Article VI, Section 5 (c) of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council has the power to expenditure from available Tribal funds for public purposes of the Three Affiliated Tribes of the Fort Berthold Indian Reservation; and

WHEREAS, Pursuant to Article VI, Section 5 (l) of the Constitution of the Three Affiliated Tribes 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 Tribes have completed numerous Economic Development Enterprises and Tribal Government Buildings within the East Segment Master Plan along with Future Planned Residential and Commercial Development; and

WHEREAS, Fort Berthold Rural Water has also informed the Tribal Business Council of the immediate needs of the East Segment Water System and the need for expansion and upgrade, since it has reached its holding fresh surface treated water capacity; and

WHEREAS, The Fort Berthold Rural Water System Master Plan of August 2021 provides that upgrades and system expansions are deemed paramount for the East Segment of the Fort Berthold Indian Reservation.

NOW, THEREFORE, BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes hereby approves of the development and construction a of new Fresh Water 500,000 Gallon Storage tank; and



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BE IT FURTHER RESOLVED, that the Tribal Business Council hereby authorizes and approves the East Segment Water Storage Tank expansion in the amount not to exceed \$5,500,000.00, for the design, Construction, Access and Right of Way to be completed in accordance with the following construction schedule;

- FY2023- \$1,500,000.00
 - 500,000-Gallon Storage Tank design, Geotechnical, Bidding and Initial construction
- FY2024- \$4,000,000.00
 - 500,000-Gallon Storage Tank construction completion

BE IT FURTHER RESOLVED, that such 500,000-thousand-gallon storage tank is to be budgeted over FY 2023 and FY 2024 from the Tribes' General Fund budget, contingent on available funding and taking into consideration the many needs and responsibilities of the Tribal Business Council and other burdens on the General Fund, including emergency situations that affect the fund; and

BE IT FURTHER RESOLVED, that the aforementioned development and construction shall comply with all applicable laws and regulations of the Three Affiliated Tribes; and

BE IT FINALLY RESOLVED, that the Tribal Chairman, pending legal review, is authorized to execute the documents necessary to carry out the terms and intent of this resolution.

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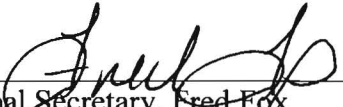


CERTIFICATION


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, 7 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 13th day of April, 2023, 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 13th day of April, 2023



Tribal Secretary, Fred Fox
Tribal Business Council
Three Affiliated Tribes



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