



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

A Resolution Entitled, “*Authorizing Funding to Construct A New Water Pipeline to Serve the Varlow Subdivision.*”

WHEREAS, The Mandan Hidatsa and Arikara Nation, also known as the Three Affiliated Tribes (“MHA Nation” or “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, The MHA Nation constructs, operates, maintains, and replaces (OM&R) the Fort Berthold Rural Water Supply (FBRWS) system under Indian Self-determination and Education Assistance Act contracts in order to provide safe drinking water throughout the Fort Berthold Indian Reservation (Reservation); and

WHEREAS, Fort Berthold Rural Water intends to construct a new pipeline to serve a currently unserved area in the North Segment referred to as the “Varlow Subdivision.”

WHEREAS, Total costs for the pipeline including design and construction are estimated to be \$500,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the Tribal Business Council of the MHA Nation hereby authorizes the expenditure of up to \$500,000.00 to go toward funding the Varlow Subdivision Pipeline project to be completed in accordance with the following construction schedule:

- **FY 2023 - \$500,000.00**



BE IT FURTHER RESOLVED, that the MHA Nation shall continue to pursue all available state and federal funding to support the project and/or reimbursement of the actual Tribal funding expended; and

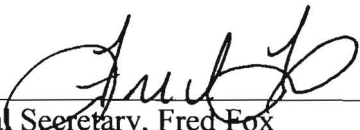
BE IT FINALLY RESOLVED, that the Chairman is hereby authorized to execute such documents and take such further actions as are necessary to carry out the terms and intent of this Resolution.

CERTIFICATION

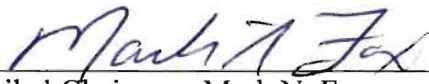
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 7 were present at a Regular Meeting thereof duly 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