



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

A Resolution Entitled, “*Authorizing Funding to Fort Berthold Rural Water for the Construction of Necessary Improvements to Supply Water to Tribal Facilities in the North Segment.*”

- 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 (or “OM&R”) the Fort Berthold Rural Water Supply (or “FBRWS”) system under Indian Self-determination and Education Assistance Act contracts in order to provide safe drinking water throughout the Fort Berthold Indian Reservation (or “Reservation”); and
- WHEREAS,** Fort Berthold Rural Water intends to improve its existing infrastructure to permit the transfer of water from the Parshall/Lucky Mound system to the New Town area in order to supply water to Tribal facilities including the Elbowoods Campus and Emergency Operations Center; and
- WHEREAS,** The necessary improvements to the existing system will include the construction of a booster pump station and an elevated storage reservoir.



WHEREAS, Total costs for the planned improvements including design and construction are estimated to be \$6,500,000.00. FBRW will contribute \$1,750,000.00 towards this amount from federal funds Identified under the Bipartisan Infrastructure Law “Aging Infrastructure”.

NOW, THEREFORE, BE IT RESOLVED, That the Tribal Business Council of the MHA Nation hereby authorizes the expenditure of up to \$6,500,000.00 to go toward funding the needed water system infrastructure improvements in accordance with the following construction schedule:

- **FY 2023 - \$300,000.00**
- **FY 2024 – \$4,450,000.00**

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.

BE IT FINALLY RESOLVED, 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

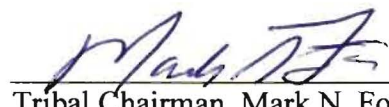
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 6 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 17th day of May, 2023, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 5 members 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 () Voting, (X) Not Voting.

Dated this 17th day of May, 2023.

ATTEST:


Tribal Secretary, Fred W. Fox
Tribal Business Council


Tribal Chairman, Mark N. Fox
Tribal Business Council