



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

**A Resolution Entitled: *"Approval of Waiver of the 1% Tribal Solid Waste Disposal Fee on the Kidney Dialysis Unit Construction Project, Consolidated Construction Company, Inc.- Contractor."***

**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,** The Constitution of the Three Affiliated Tribes, also known as the Mandan Hidatsa Arikara Nation ("Tribes" or "MHA Nation"), 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 Tribes and of the enrolled members thereof; and

**WHEREAS,** Article III of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council is the governing body of the Tribes; and

**WHEREAS,** Article VI, Section 5(l) of the Constitution of the Three Affiliated Tribes provides the Tribal Business Council authority to adopt resolutions regulating the procedure of the Tribal Council and other Tribal Agencies and Tribal Officials of the Reservation; and

**WHEREAS,** The MHA Nation has a significant need for a Kidney Dialysis Unit in order to provide dialysis services to its members; and

**WHEREAS,** The MHA Nation seeks to maintain their Kidney Dialysis Unit Program, the Three Affiliated Tribes Kidney Dialysis Unit, in a new and updated facility to provide dialysis treatment on the Fort Berthold Indian Reservation; and

**WHEREAS,** The Tribal Business Council has approved the Kidney Dialysis Unit Project (or "Project") and has also approved a contract for construction services for the Project with Consolidated Construction Company, Inc. (or "CCC") of Bismarck, ND; and

**WHEREAS,** There is a request that the Tribes waive the 1% (\$108,664.75 in this case) Tribal Solid Waste disposal fee for the \$10,866,475.07 Project, as it is being built during a time of high inflation and in order to reduce costs for the Project.

**NOW, THEREFORE, BE IT RESOLVED,** that the Tribal Business Council of the Three Affiliated Tribes hereby authorizes that the Tribes' 1% Solid Waste disposal fee be waived for the aforementioned Project; and



**BE IT FINALLY RESOLVED**, that the Tribal Chairman is hereby authorized to execute such documents and take such 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, 6 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 10<sup>th</sup> day of January, 2024, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 5 members, 0 members opposed, 0 members abstained, 1 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman  Voting.  Not Voting.

Dated this 10<sup>th</sup> day of January, 2024.

**ATTEST:**

  
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Tribal Secretary, Fred W. Fox  
Tribal Business Council  
Three Affiliated Tribes

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