

**RESOLUTION OF THE GOVERNING BODY  
OF THE THREE AFFILIATED TRIBES OF  
THE FORT BERTHOLD RESRVATION**

**WHEREAS,** This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act; and

**WHEREAS,** The Constitution of the Three Affiliated Tribes 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 the enrolled members thereof; and

**WHEREAS,** Article VI, Section 5(c) of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to administer the funds within the exclusive control of the Tribes and make expenditures from available Tribal funds for public purposes of the Tribes; and

**WHEREAS,** The Tribe is conducting business and managing several programs that may be better managed under a Tribal Department of Public Works, ie: Road Maintenance, Road Construction, Facilities Management, Public Water Systems, Public Sewer Systems, Solid Waste Program, Heavy Equipment and Motor Vehicles, Engineering Services, Safety, and Parks and Recreation; and

**WHEREAS,** The Tribe desires to conduct a study to determine the feasibility of establishing a Tribal Department of Public Works to manage the above programs and to determine the potential training and employment opportunities they can provide on the Fort Berthold Reservation, and to develop Tribal governance capabilities to strengthen the Tribe's jurisdiction over the public infrastructure on the Reservation; and

**WHEREAS,** Transportation Associates Inc, is a firm owned, controlled and managed by an enrolled member of the Three Affiliated Tribes, who has extensive experience in the administration of the government programs under consideration;

**NOW, THEREFORE, BE IT RESOLVED,** That the Tribal Business Council hereby authorizes the Chairman and the Treasurer of the Three Affiliated Tribes to enter into a consultant agreement with Transportation Associates Inc. to conduct a study to determine the feasibility of establishing a Tribal Department of Public Works for the Fort Berthold Reservation.

**BE IT FURTHER RESOLVED,** That the term of the consultant agreement between the Tribe and Transportation Associates Inc. shall be a period of six (6) months (within which period the study shall be completed) and the total compensation to be paid to Transportation Associates Inc. as a flat lump sum fee shall be in the amount of \$15, 000.00, **PROVIDED THAT** payment of such fee shall be absolutely contingent on, and shall be made only in the event of, Transportation Associates Inc. securing new funding through P.L. 93-638 contracts or other sources either to pay said \$15,000.00 fee directly or to reimburse the Tribe for payment of the fee from other Tribal funds.

**C E R T I F I C A T I O N**

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum, 7 were present at a the 12<sup>th</sup> Regular day of March Meeting thereof duly called, noticed, convened, and held on, 1999; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 6 members, 0 members opposed, 0 members abstained, 1 members not voting, and that said Resolution has not been rescinded or amended in any way.

Dated this 12<sup>th</sup> day of March, 1999.

Daylon Spotted Bear  
Secretary, Tribal Business Council

ATTEST:

Tom M. Holly  
Chairman, Tribal Business Council