



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

A Resolution entitled, *"Approval of Memorandum of Agreement between Elbowoods Memorial Health Center and the Upper Missouri Health Unit, First District Health Unit, and the Southwestern District Health Unit."*

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 and By-laws of the Three Affiliated Tribes, also known as the MHA Nation (or "Tribes") was adopted by membership of the Tribes on May 15th, 1936 pursuant to the Indian Reorganization Act of 1934 and duly approved by the Secretary of Interior; 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, The Constitution of the Three Affiliated Tribes 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, The Tribal Business Council of the Three Affiliated Tribes is empowered to act in the area of public health for the benefit of the Tribes; and

WHEREAS, Article VI, Section 5(1) 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

WHEREAS, Article VI, Section 5 (d) of the Constitution provides that the Tribal Business Council has the power to negotiate with Federal, state, and local governments on behalf of the Tribes; and

WHEREAS, A Memorandum of Agreement (or "MOA") between the Upper Missouri District Health Unit, the First District Health Unit, the Southwest District Health Unit (the "Local Public Health Districts" or "LPHDs") and the Elbowoods Memorial Health Center (or "EMHC") has been brought before the Tribal Business Council for consideration. The stated purpose of the MOA is to facilitate coordination and cooperation between the LPHDs and the EMHC with regard to public health/public health nursing issues within the Fort Berthold Reservation; and

WHEREAS, The Tribal Business Council believes that coordination and cooperation between the LPHDs and the EMHC in the area of public health/public health nursing



as contemplated and set forth in the aforementioned MOA would be beneficial to the health and welfare of the Tribes and the enrolled members thereof.

NOW, THEREFORE, BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes sanctions and approves the attached Memorandum of Agreement for cooperation and coordination between the aforementioned LPHDs and the Elbowoods Memorial Health Center with regard to public health/public health nursing issues as contemplated and set forth in the MOA; and.

BE IT FINALLY RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes authorizes the Chief Executive Officer of the EMHC to execute said MOA.

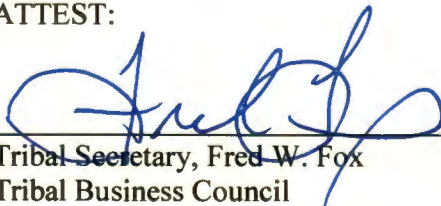
CERTIFICATION

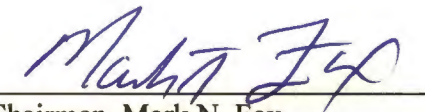
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 7 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 12th day of September, 2019, 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 12th day of September, 2019.

ATTEST:


Tribal Secretary, Fred W. Fox
Tribal Business Council


Chairman, Mark N. Fox
Tribal Business Council

**MEMORANDUM OF AGREEMENT
BETWEEN THE
Upper Missouri District Health Unit
First District Health Unit
Southwestern District Health Unit
AND
Elbowoods Memorial Health Center**

Purpose

The Upper Missouri District Health Unit, First District Health Unit, and Southwestern District Health Unit, hereafter referred to in this agreement as Local Public Health Districts (LPHD) serving the Fort Berthold Reservation, hereby enter into an agreement with Elbowoods Memorial Health Center (EMHC). The purpose of the agreement is to facilitate coordination and cooperation with regard to public health/public health nursing issues within the boundaries of the Three Affiliated Tribes (TAT) residing on the Fort Berthold Indian Reservation ("Reservation").

Agreement

Local Public Health Districts Responsibilities:

1. Will provide advance notification of intent to provide services to establishments located within the boundaries of the Reservation
2. Will invite the EMHC Environmental Health staff to attend any visits to establishments within the boundaries of the Reservation.
3. Will work with EMHC to establish areas of primary responsibility for LPHD and EMHC.
4. Will assist as requested by EMHC Environmental Health regarding public health issues within the Reservation boundaries.
5. Will notify EMHC Environmental Health staff of appropriate and relevant training opportunities.
6. Will collaborate and coordinate visits to the following: New Town Middle/High School, Edwin Loe Elementary School, Mandaree, Twin Buttes, White Shield, and Parshall schools for purposes of routine institutional and food service surveys, as well as any urgent situations that may arise.
7. Will notify EMHC of non-tribal pool, daycare and ~~body art inspections~~ for the purpose of collaboration. *NEED HELP @ EDC*

*9-222-FUR
MMM
WCP
7-D*

EMHC Responsibilities:

1. Will share information with LPHD regarding environmental health issues within the boundaries of the Reservation.
2. Will notify LPHD of appropriate and relevant training opportunities.
3. Will invite LPHD staff along on surveys of establishments within the Reservation.

4. Will request LPHD assistance with environmental health and public health nursing, as needed.

Term of Agreement

This MOA shall be effective from the date of the final signature and shall remain in effect until terminated. Any additions or modifications to the terms of this MOA or the roles and responsibilities of either party must be agreed to by both parties. Such changes shall be incorporated in written amendments to this Memorandum of Agreement.

Any Notice required by the terms of this MOA shall be given by certified mail, postage prepaid, returned receipt requested, or by personal delivery to following addresses, or to such other address as the Parties may subsequently specify:

UPPER MISSOURI DISTRICT HEALTH UNIT
ATTN: UMDHU Executive Director
110 West Broadway, Suite 101
Williston, ND 58801

ELBOWOODS MEMORIAL HEALTH CENTER
ATTN: EMHC Chief Executive Officer
1058 College Drive
New Town, ND 58763.

Termination

Either party may terminate this MOA upon a 30 days' written notice to the other party.

Upper Missouri District Health Unit

Javayne Oyloe

Javayne Oyloe, UMDHU Executive Officer
Approved designee for the LPHD serving TAT

Date

Elbowoods Memorial Health Center

Kathryn Eagle-Williams, MD, MPH
CEO, Elbowoods Memorial Health Center

Date