



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

A Resolution Entitled: *“Approval of Proposal for Pre-Design by Nelson-Tremain Partnership, LLP for the Diabetes Education Center Construction Project”*

WHEREAS, The Mandan, Hidatsa, and Arikara Nation | Three Affiliated Tribes (“Nation” or “Tribes”) having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act and having adopted a Constitution and bylaws pursuant to said Act; 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 Three Affiliated Tribes Constitution authorizes and empowers the Three Affiliated Tribes’ Tribal Business Council to engage in activity on behalf of and in the interest of the welfare and benefit of the Tribes and of the enrolled members thereof; and

WHEREAS, Article VI, Section 5(l) of the Three Affiliated Tribes Constitution provides that the Tribal Business Council has the power to adopt resolutions regulating the procedure of the Tribal Business Council; and

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

WHEREAS, The Tribes seek a community-based facility to provide wellness, fitness and health education services for enrolled members of the Three Affiliated Tribes with diabetes; and

WHEREAS, The Tribes seek to construct, manage, and operate said community-based facility as the “MHA Diabetes Education Center” in partnership with Elbowoods Medical Center; and

WHEREAS, The Tribes have approved of the MHA Diabetes Education Center construction project; and



WHEREAS, The Tribes have undertaken the initial design and planning of MHA Diabetes Education Center construction project; and

WHEREAS, The Tribes engaged Nelson-Tremain Partnership, LLP (“Architect”) for a total sum fee of Seventy Five Thousand Dollars and Zero cents (\$75,000.00) to provide for review by the Tribal Business Council the following services for the MHA Diabetes Education Center construction project: (1) pre-architectural space program; (2) site master plan; (3) building concept diagram; (4) building systems and materials; (5) design and construction schedule; and (6) budget estimate, hereby attached as **Exhibit A** of this Resolution; and

WHEREAS, The Tribal Business Council, on February 12, 2020, engaged Architect for architecture and design services for the MHA Diabetes Education Center; and

WHEREAS, The Architect has completed the Pre-Design phase of the project; and

WHEREAS, The Architect has presented a proposal and payment, billing, and invoicing for its pre-construction phase work, attached as **Exhibit B** to this Resolution; and

WHEREAS, The Tribal Business Council has reviewed proposal and payment, billing, and invoicing for its pre-construction phase work.

NOW, THEREFORE, BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes hereby approves the Architect’s proposal and payment, billing, and invoicing for its pre-construction phase work as set forth in Exhibit B; and

BE IT FINALLY RESOLVED, the Tribal Chairman is hereby authorized to take such action as is necessary to carry out the terms and intent of this Resolution.



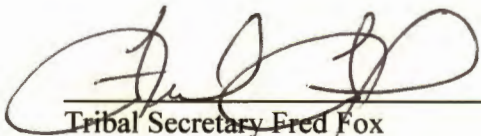
CERTIFICATION

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, 7 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 13th day of February 2020, 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.

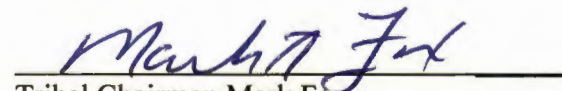
Chairman [] Voting. [X] Not Voting.

Dated this 13th day of February, 2020

ATTEST:



Tribal Secretary Fred Fox
Tribal Business Council
Three Affiliated Tribes



Tribal Chairman Mark Fox
Tribal Business Council
Three Affiliated Tribes