



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

A Resolution Entitled, “*Approval of Waiver of the TERO Employment Rights Fee for the Buffalo Fence Project in Twin Buttes, ND.*”

WHEREAS, The Mandan Hidatsa and Arikara Nation (MHA Nation), also known as the Three Affiliated 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, YB LLC of Ft. Yates, ND has been hired to construct a buffalo fence within the Twin Buttes Segment; and

WHEREAS, The total approved construction budget for the Twin Buttes Buffalo Fencing project is \$300,000.00; and

WHEREAS, Title VI Section 601 of the TERO Ordinance requires a TERO Employment Rights Fee equal to two and one half percent (2 ½ %) of the total amount of the construction contract; and

WHEREAS, The Tribal Business Council has the authority to waive the TERO Employment Rights Fee; and

WHEREAS, The Tribal Business Council has reviewed this Tribal project and has determined it is in the best interests of the Tribe to approve a waiver of the aforementioned fee; and

NOW THEREFORE BE IT RESOLVED, The Tribal Business Council of the Three Affiliated Tribes hereby approves a waiver of the two and one half percent (2 ½ %) TERO Employment Rights Fee for YB LLC for the construction of a buffalo fence located in Twin Buttes, ND.



BE IT FURTHER RESOLVED, This TERO fee waiver shall only apply to the Employment Rights Fee for construction of the buffalo fence.

BE IT FURTHER RESOLVED, YB LLC and any other contractors, subcontractors and vendors involved in this project shall be responsible for all applicable individual TERO license fees in accordance with the TERO Ordinance.

BE IT FINALLY RESOLVED, The Tribal Chairman is 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 Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum, 5 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 11th day of June, 2020; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 5 members, 0 members opposed, 0 members abstained, 2 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman [X] voting. [] not voting.

Dated this 11th day of June, 2020.

ATTEST:

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

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