



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

A Resolution Entitled, "Authorization for the Submission of the FY 2020 National Tribal Broadband Grant Application to the U.S. Department of the Interior - Office of Indian Energy and Economic Development "

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

WHEREAS, The Office of Indian Energy and Economic Development (IEED) has made funds available through the National Tribal Broadband Grant (NTBG); and

WHEREAS, The MHA Nation and South Segment Community Development Corporation (SSCDC), on behalf of current and future Tribal members residing in the South Segment, aims to secure grant funding to construct, improve or acquire facilities and equipment needed to provide broadband service to eligible rural areas; and

WHEREAS, The grant funds will assist the MHA Nation and SSCDC to assess the potential for broadband services, estimate the cost of building a network, determine a transmission medium(s) that will be employed, identify potential funding/financing for the network, and consider the risks associated with the those actions; and



WHEREAS, The goal of the NTBG Grant Program is to provide grant funding to hire consultants to perform feasibility studies for deployment or expansion of high-speed broadband internet transmitted variously through digital subscriber line (DSL), cable modem, fiber, wireless, satellite, and broadband over power lines (BPL); and

WHEREAS, The MHA Nation is considering the enlistment of Baker Tilly Virchow Krause, LLP to assist them in performing these projects and feasibility studies assessing the potential for broadband services for the Tribe, subject to Tribal competitive bidding rules; and

WHEREAS, This Federal grant opportunity does not require cost sharing or a matching requirement and has an award floor of \$40,000 and award ceiling of \$50,000.

NOW THEREFORE BE IT RESOLVED, That the Tribal Business Council authorizes the application for the National Tribal Broadband Grant (NTBG)

BE IT FINALLY RESOLVED, That the Tribal Business Council hereby authorizes the Tribal Chairman, or his designee, to apply for the NTGB Grant and renew subsequent applications upon the availability of project funds from the appropriate federal agencies, and to take such action as necessary to carry out the terms and intent of this Resolution.

[THIS SPACE INTENTIONALLY LEFT BLANK. CERTIFICATION FOLLOWS.]



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 11th day of June, 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 [X] Voting. [] Not Voting.

Dated this 11th day of June, 2020.

ATTEST:

Tribal Secretary, Fred W. Fox
Tribal Business Council

Tribal Chairman, Mark N. Fox
Tribal Business Council