



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

A Resolution Entitled, "Approval and Authorization of Four Bears Segment to Proceed with the New Four Bears Segment Community Building Construction Project with Approved Budget Amount of \$25,000,000.00 for Construction, Architecture, and Engineering."

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, Pursuant to Article III, Section 1 of Constitution and By Laws of the Three Affiliated Tribes, also known as the Mandan, Hidatsa, and Arikara Nation ("Tribes" or "MHA Nation"), the Tribal Business Council is the governing body of the Tribes; and

WHEREAS, Article VI, Section 5 (c) of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council has the power to use available Tribal funds for public purposes of the Three Affiliated Tribes of the Fort Berthold Indian Reservation; and

WHEREAS, Article VI, Section 5 (l) 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 Tribal Officials of the Reservation; and

WHEREAS, The Four Bears Segment Representative has worked for the last two years to address the concerns and factors present within the Johnny Bird Veterans Memorial Center (or "Building"), located in the Drags Wolf Village and built around 2015-2016, and the Fort Bears Representative has set forth factors that have caused the Building to be unserviceable for some of the functions of the Four Bears Segment of the Three Affiliated Tribes and the community purposes for which it was built; and

WHEREAS, The Building was to be used by community elders, youth, Veterans and others for purposes including but not limited to wakes, funerals, community board meetings, Veterans' functions, Fourth of July, Halloween, Thanksgiving, Christmas, Easter, Graduations, War Bonnet Dances, Pow Wows, Birthdays, Church Services, Name-Giving ceremonies and other activities; and

WHEREAS, The Four Bears Segment Representative has held several meetings with the Four Bears Segment membership regarding the Building, at which time concerns were



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raised as to the accessibility of the Building including Handicap accessibility; and

WHEREAS, The Building has also been subject to multiple inspections of the soils on which it is built and its structure. Engineering firms have assessed the matter, and certain concerns have arisen due to settling and heaving, including three independent foundation and footings testings. Some of the problems are remediable but there are some cosmetic and functional concerns which will have to be addressed continually; and

WHEREAS, Also, basic and Handicap accessibility for community members is hindered because of the current cumbersome stairwells and the at times inoperable elevator system; and

WHEREAS, The Four Bears Segment Representative V. Judy Brugh, "Woman Goes Out," desires to move forward with the construction of a new Four Bears Segment Community Building in the best interests of the Four Bears Segment membership; and

WHEREAS, The Tribal Business Council has determined that one of the highest priorities is to provide accessible Municipal Buildings with all the available services for the health and welfare of the Tribal membership throughout the Fort Berthold Indian Reservation.

NOW, THEREFORE, BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes hereby approves the Construction and Development of a New Four Bears Segment Community Building under the direction of V. Judy Brugh, Four Bears Segment Representative; and

BE IT FURTHER RESOLVED, that the Tribal Business Council authorizes and hereby approves a new Four Bears Segment Community Building, to be subject to the Three Affiliated Tribes Building Construction Standards and the total architectural drawings, engineering and construction is not to exceed Twenty-Five Million Dollars (\$25,000,000.00); and

BE IT FURTHER RESOLVED, that such new Building is to be budgeted over two successive fiscal years, FY 2021 and FY 2022 as necessary, from the Tribes' General Fund Budget, keeping in mind the many responsibilities of the Tribal Business Council of the Three Affiliated Tribes and the needs of the Tribes; and

BE IT FINALLY RESOLVED, that the Tribal Chairman is authorized to execute the documents necessary to carry out the terms and intent of this Resolution.

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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, 7 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 11th day of February, 2021; 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 February, 2021.

ATTEST:

Handwritten signature of Fred W. Fox in blue ink.

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

Handwritten signature of Mark N. Fox in blue ink.

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