



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

A Resolution Entitled, “*Approving Waiver of the TERO Fee for Greenhouse Project*”

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 Resolution No. 21-277-FWF the Tribal Business Council approved construction of a \$40,000,000 Greenhouse Project in the Northeast Segment to improve the MHA Nation’s food security; and

WHEREAS, Title VI Section 601 of the TERO Ordinance requires a TERO Employment Rights Fee (TERO Fee) equal to two and one half percent (2.5 %) of the total amount of the construction contract for contracts of \$1,000 or more; and

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

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

NOW THEREFORE BE IT RESOLVED, That the Tribal Business Council hereby approves waiver of the 2.5% TERO Fee for the Greenhouse Project.

BE IT FURTHER RESOLVED, This TERO fee waiver shall also apply to all contractors, subcontractors and other persons or entities working on the Greenhouse Project.

BE IT FINALLY RESOLVED, That the Tribal Chairman is hereby authorized to execute such documents and 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, 7 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 14th day of July, 2022; 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 14th day of July, 2022.

ATTEST:

Tribal Secretary, Frederick W. Fox Sr.
Tribal Business Council
Three Affiliated Tribes

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