



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

A Resolution Entitled, “*Authorizing Funding to Replace Existing Water Pipelines in White Shield.*”

- 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 MHA Nation constructs, operates, maintains, and replaces (OM&R) the Fort Berthold Rural Water Supply (FBRWS) system under Indian Self-determination and Education Assistance Act contracts in order to provide safe drinking water throughout the Fort Berthold Indian Reservation (Reservation); and
- WHEREAS,** Due to the age and unreliability of existing water infrastructure in the White Shield Community, Fort Berthold Rural Water intends to replace existing water pipelines in the vicinity of 1st Avenue East, 2nd Avenue West, and 3rd Avenue West; and
- WHEREAS,** The existing water infrastructure in the intended project area is believed to be over 60 years old and no longer provides reliable service to its users and is also not in compliance with the latest FBRWS Policies and Procedures or EPA standards; and
- WHEREAS,** Total costs for the planned pipeline replacement including design and construction are estimated to be \$4,000,000.00.



NOW, THEREFORE, BE IT RESOLVED, that the Tribal Business Council of the MHA Nation hereby authorizes the expenditure of up to \$4,000,000.00 to go toward funding the White Shield Water Pipeline Replacement project to be completed in accordance with the following funding schedule:

- **FY 2023 - \$250,000.00**
- **FY 2024 - \$3,750,000.00; and**

BE IT FURTHER RESOLVED, that FBRW and the MHA Nation shall continue to pursue all available state and federal funding to support the project and/or reimbursement of the actual tribal funding expended; and

BE IT FINALLY RESOLVED, that the Chairman is hereby authorized to execute such documents and take such further actions as are 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 8th day of March, 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 8th day of March, 2022.

ATTEST:



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



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