



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

**A Resolution Entitled, “*Approval of the Memorandum of Understanding between Dunn County, ND and MHA Nation.*”**

- WHEREAS,** The Mandan Hidatsa and Arikara Nation, also known as the Three Affiliated Tribes (“MHA Nation” or “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 Department of Transportation has brought forth for consideration a Memorandum of Understanding (“MOU”) with Dunn County; and
- WHEREAS,** The purpose of this MOU is to state the terms and conditions under which the Parties will establish a financial relationship to improve BIA Route 10, to a paved surface road; and
- WHEREAS,** The MOU shall be in effect for no longer than two years, and Dunn County will pay the necessary engineering fees to design the road, while MHA Nation will be responsible for paying the Contractor for materials and work performed, along with all construction surveying and administrative duties as needed; and
- WHEREAS,** The Tribal Business Council has considered the matter and believes that entering into the MOU would benefit the MHA Nation and the health and safety of the members thereof.



**NOW, THEREFORE, BE IT RESOLVED**, that the Tribal Business Council of the MHA Nation authorizes and hereby approves the aforementioned MOU between the MHA Nation and Dunn County to proceed with the construction of the paved road at BIA Route 10; and

**BE IT FINALLY RESOLVED**, that the Tribal Chairman, Mark N. Fox, is authorized to execute the MOU and other documents 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 13<sup>th</sup> day of July , 2023, 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 13<sup>th</sup> day of July, 2023.

**ATTEST:**

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

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