



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

***A Resolution Entitled: “Approval of Consent of Owners for Grant of Right of Way (ROW) for Tribal Tracts T687, T1259-B, T1246, and T2088 in the White Shield Segment for Emergency Generator(s), a Sanitary Sewer Improvement, in the Advent of Electrical Power Outages.”***

**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 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 make expenditure from 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,** Indian Health Services and the Tribes’ Public Works Department are working towards the installation of sanitary sewer lift station back up generator(s) (in re IHS Project FB22-White Shield Lift Station Generators), a sanitary sewer improvement, within the White Shield Segment of the Fort Berthold Reservation, in the event of power outages due to natural storms throughout the year in the White Shield Segment; and

**WHEREAS,** The Tribes’ Public Works Department has brought forth a United States Department Of The Interior – Bureau of Indian Affairs – Consent of Owners for Grant of Right of Way within Tribal Tracts T687, T1259-B, T1246, and T2088, trust land 100% owned by the Three Affiliated Tribes in the White Shield Segment, as needed for the purposes above, aa public benefit; and

**WHEREAS,** The application(s) for ROW(s) described herein have been reviewed and recommended for approval in accordance with the MHA Nation’s approved procedure for authorizing ROWs on Tribal land.



**NOW, THEREFORE, BE IT RESOLVED**, that the Tribal Business Council of the Three Affiliated Tribes hereby approves the Consent of Owners for Grant of Right of Way to MHA Nation Utilities, as presented for Tribal Tracts T687, T1259B, T1246, and T2088 in the White Shield Segment, for sanitary sewer improvement described above; and

**BE IT FURTHER RESOLVED**, that the term of the ROW(s) shall be perpetual (subject to termination in accordance with applicable federal regulations), and the requirements for compensation and bond are hereby waived; 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.


**C E R T I F I C A T I O N**

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 8<sup>th</sup> day of June, 2023, 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  Voting.  Not Voting.

Dated this 8<sup>th</sup> day of June, 2023.

**ATTEST:**  
  
Executive Secretary Fred Fox  
Tribal Business Council  
Three Affiliated Tribes

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