



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

**A Resolution Entitled: “EMHC Staff Quarters Housing Civil Engineering and  
Infrastructure Extension Project.”**

**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,** The Constitution of the Three Affiliated Tribes, also known as the Madnan Hidatsa Arikara Nation generally 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 Tribes and of the enrolled members thereof; and

**WHEREAS,** Article III of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council is the governing body of the Tribes; and

**WHEREAS,** Article VI, Section 5(l) of the Constitution of the Three Affiliated Tribes provides the Tribal Business Council authority to adopt resolutions regulating the procedure of the Tribal Council and other Tribal Agencies and Tribal Officials of the Reservation; and

**WHEREAS,** Article VI, Section 5(c) of the Three Affiliated Tribes Constitution specifically authorizes and empowers the Tribal Business Council to administer funds within the exclusive control of the Tribes and to make expenditures from available Tribal funds for public purposes for the Tribes; and

**WHEREAS,** The Tribes seek professional Civil Engineering services to perform engineering tasks by constructing roadways and utility extensions for the purpose of supplying infrastructure to the Staff Quarters Housing and other planned buildings in the Master Plan on the SE 40-acre tract within the Elbowoods Medical Health Center property owned by the Tribes (or “Project”); and

**WHEREAS,** The Tribes seek to survey, design, and construct infrastructure including watermains, sanitary sewer lines, gravity sewer lines, sewer lift station, storm sewer and detention ponds, gutters, easements, sidewalks, grading and paved roads; and





**WHEREAS,** Swenson, Hagen & CO. P.C. (or “Swenson”), civil engineering and site design specialist, has developed and presented a civil engineering proposal with the expectation to perform civil engineering services for the SE 40 acres, at the Elbowoods Medical Center site and the Tribes’ property; and

**WHEREAS,** The civil engineering package consists of two “Authorization and Agreement for Services” with Swenson for the aforementioned Project. One Agreement is in the amount of Ninety Thousand Dollars (\$90,000) and is for survey, design, and bid administration. The second Agreement is in the amount of Thirty Thousand Dollars (\$30,000) and is for project observation, shop drawings, construction meetings, pay request reviews, etc.; and

**WHEREAS,** The preliminary estimate of construction costs for grading, paving, water, sanitary sewer, and storm water related items is approximately Two Million Five Hundred Thousand (\$2,500,000); and

**WHEREAS,** The estimated total project costs for EMHC Staff Quarters Housing Civil Engineering and Infrastructure Extension Project is Two Million Six Hundred Twenty Thousand (\$2,620,000) which includes the civil engineering package plus the preliminary estimate of construction costs.

**NOW, THEREFORE BE IT RESOLVED,** that the Tribal Business Council of the Three Affiliated Tribes hereby authorizes and directs the appropriation of funds in the amount not to exceed Three Million Dollars (\$3,000,000), to be allocated and set-aside for the construction of the EMHC Staff Quarters Housing Civil Engineering and Utility Extension Project; and

**BE IT FURTHER RESOLVED,** that the Tribal Business Council approves the aforementioned Agreements with Swenson for the services as stated above related to this Project; and

**BE IT FINALLY RESOLVED,** that the Chairman is hereby authorized to execute such documents, pending legal review, and take such further actions as are necessary to carry out the terms and intent of this Resolution.

[THIS SPACE LEFT INTENTIONALLY BLANK. CERTIFICATION FOLLOWS.]





**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 19<sup>th</sup> day of October 2023, 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.

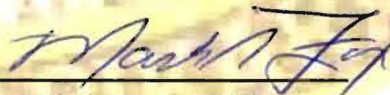
Chairman [ X ] Voting. [ ] Not Voting.

Dated this 19<sup>th</sup> day of October 2023.

**ATTEST:**



Executive Secretary Fred Fox  
Tribal Business Council  
Three Affiliated Tribes



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