



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

A Resolution Entitled: “*Adoption of Facility Standards for Tribal Gaming Facilities.*”

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 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 3 of the Constitution of the Three Affiliated Tribes grants the Tribal Business Council all legislative authority necessary to exercise the jurisdiction granted by Article I of the Constitution; and

WHEREAS, On July 10, 2009, the Tribal Business Council, via Resolution 09-099-VJB, adopted certain standards for Tribal Gaming Facilities, and all of those standards have since been updated; and

WHEREAS, The Tribal Business Council desires to operate Tribal Gaming Facilities under the most current standards and codes.

NOW, THEREFORE, BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes hereby adopts the following standards applicable to the construction, maintenance and operation of the Tribes’ Gaming Facilities located on the Fort Berthold Reservation:

1. Food and Drug Administration, Food Code 2022;
2. Model Aquatic Health Code 2023;
3. International Building Code 2018;
4. International Fire Code 2021;
5. International Mechanical Code 2021;
6. International Plumbing Code 2021;
7. National Fire Protection Association, NFPA 101 – Life Safety Code 2021;



8. National Fire Protection Association, NFPA 1 – Uniform Fire Code 2018
9. Occupational Safety and Health Administration, Hazard Communication Standard, 29 CFR §1910.1200;
10. All applicable federal regulations and permitting requirements regarding the storage and disposal of wastewater and solid waste; and
11. All applicable federal storm water maintenance regulations and permitting requirements; and

BE IT FURTHER RESOLVED, that this Resolution supersedes Resolution 09-099-VJB and the above standards are to be effective and enforced as laws of the Tribe, provided nothing therein or in this Resolution shall be construed as the Tribe’s consent to the laws, jurisdiction, or courts of any state or local government whatsoever, notwithstanding any reference in the above standards to state or local government jurisdiction, including but not limited to state or local government enforcement or penalty provisions therein; and

BE IT FINALLY RESOLVED, that the above standards shall take effect immediately and shall remain in effect unless further acted upon by the Tribal Business Council.

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, 6 were present at a Regular Meeting there of duly called, noticed, convened, and held on the 7th day of December, 2023; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 5 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 [X] Voting. [] Not Voting.

Dated this 7th day of December, 2023.

ATTEST:


Tribal Secretary Fred Fox
Tribal Business Council
Three Affiliated Tribes


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