



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

**A Resolution Entitled, “*Approving Delegation of Limited Signature Authority to FBRW Director for Approval of Contractor Payment Applications for Fully Federally Funded FBRW/FBRWS Projects.*”**

- 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 (TBC) 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,** 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 Three Affiliated Tribes have assigned Fort Berthold Rural Water (FBRW) the responsibility of administering and overseeing construction, operation, maintenance, and replacement (OM&R) activities within the Fort Berthold Rural Water System (FBRWS) with said work being regularly performed by contractors that are selected through a competitive bid process in accordance with Tribal procurement policies and procedures; and
- WHEREAS,** Funding used to compensate contractors for FBRW/FBRWS construction and OM&R contracts, agreements, and proposals is obtained through federal government grants and contracts, Tribal and Segment funds, FBRW’s earned income, State of North Dakota funding, and/or a combination of these; and
- WHEREAS,** All advertisement of FBRW/FBRWS construction and OM&R projects and subsequent contract awards require prior legal review and approval by the Tribal Business Council; and



**WHEREAS,** The delegation of limited signature authority to the FBRW Director to approve contractor payment applications for fully federally funded FBRW/FBRWS projects up to the awarded amount would serve to streamline completion of said projects.

**NOW THEREFORE BE IT RESOLVED,** That the Tribal Business Council hereby approves and authorizes delegation of limited signature authority to the FBRW Director for the sole purpose of approving contractor payment applications for FBRW/FBRWS construction and OM&R contracts, agreements, and proposals fully funded with federal dollars up to the awarded amount and retains the right to revoke said authority as needed.

**BE IT FURTHER RESOLVED,** That the Tribal Business Council hereby approves and authorizes delegation of limited signature authority to the Public Works Administrator for the sole purpose of approving contractor payment applications for FBRW/FBRWS construction and OM&R contracts, agreements, and proposals fully funded with federal dollars up to the awarded amount in the event the FBRW Director position is vacant or the FBRW Director is unavailable for an extended period of time.

**BE IT FURTHER RESOLVED,** That the Tribal Business Council further clarifies that this limited delegation specifically excludes authority over payments from program income.

**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 Page Follows.)*



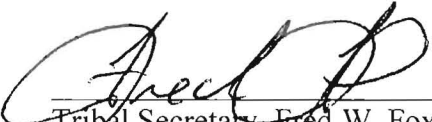
**CERTIFICATION**


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 7<sup>th</sup> day of May, 2026, 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 7<sup>th</sup> day of May, 2026.

**ATTEST:**

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

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