



**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, the Nation having accepted the Indian Reorganization Act of June 18, 1934 and adopted a Constitution and Bylaws under the pursuant to that Act; 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;

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

WHEREAS, the Indian Gaming Regulatory Act, 25 U.S.C. 2701 et seq. authorizes the operation of Class III gaming by federally recognized Indian tribes provided such gaming is conducted in accordance with a Gaming compact between the tribe and the State in which the Indian tribe is located and provided that gaming is authorized by a Tribal ordinance adopted by the governing body of the tribe having jurisdiction over the lands where the gaming will be conducted, which ordinance has been approved by the Chairman of the National Indian Gaming Commission; and

WHEREAS, The Nation operates Class III gaming on the Fort Berthold Reservation pursuant to a Federally approved Gaming Ordinance, Title 27 of the Code of Laws of the Three Affiliated Tribes, and a Compact with the State of North Dakota; and

WHEREAS, the Nation desires to ensure that the construction, maintenance, and operation of its gaming facilities is conducted in a manner which adequately protects the environment and the public health and safety; and

WHEREAS, the Nation, as the primary regulator of its gaming facilities, has determined that it is necessary to adopt certain standards, codes, and procedures (“standards”) to be applicable to its gaming facilities, to ensure that the construction, maintenance, and operation of those gaming facilities is conducted in such a manner.



NOW THEREFORE BE IT RESOLVED, that the Tribal Business Council hereby adopts the following standards applicable to the construction, maintenance, and operation of the Tribe's gaming facilities located on the Fort Berthold Reservation:

1. Food and Drug Administration, Food Code (2005);
2. International Building Code (2006);
3. International Fire Code (2006);
4. International Mechanical Code (2006);
5. International Plumbing Code (2006);
6. National Fire Protection Association, NFPA 101-Life Safety Code (2006);
7. National Fire Protection Association, NFPA 1-Uniform Fire Code (2006);
8. National Fire Protection Association, NFPA 70-National Electric Code (2008);
9. Occupational Safety and Health Administration, Hazard Communication Standard, 29 C.F.R. §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;

BE IT FURTHER RESOLVED, that the Tribal Business Council hereby adopts the above standards to be effective and enforced as laws of the Nation, provided nothing therein or in this resolution shall be construed as the Nation'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.

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 Indian Reservation hereby certify that the tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 5 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 10th day of July, 2009, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 5 members, 0 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

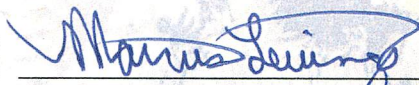
Chairman [] Voting. [] Not Voting.

Dated this 10th day of July, 2009.

ATTEST:



Tribal Secretary V. Judy Brugh
Tribal Business Council
Three Affiliated Tribes



Tribal Chairman, Marcus D. Levings
Tribal Business Council
Three Affiliated Tribes