

**WHITE EARTH RESERVATION BUSINESS COMMITTEE
WHITE EARTH BAND OF CHIPPEWA INDIANS**

Resolution No. 001-24-020

- WHEREAS,** the White Earth Reservation Business Committee is the duly elected governing body of the White Earth Reservation pursuant to Article VI, Section 1, of the revised constitution of the Minnesota Chippewa Tribe, as amended, and organized under Section 16, of the Act of June 18, 1934 (48 Stat. 984), and
- WHEREAS,** the White Earth Reservation Business Committee (“WERBC”) is the duly authorized governing body of the White Earth Band of Ojibwe, and
- WHEREAS,** the WERBC enacted the White Earth Band of Ojibwe Utilities Code as a means to ensure that all retail consumers of utility services and commodities within the White Earth Reservation have adequate, safe and reliable utility services at reasonable rates, consistent with the Tribe’s laws and policies, as may be adopted from time to time, related to utility services, and
- WHEREAS,** through the enactment of the Utilities Code, the WERBC established the White Earth Tribal Utility Commission to implement the Utilities Code and to exercise its delegated authority as a means to promote the success of the White Earth Nation's energy future and independence, and
- WHEREAS,** numerous grant funding, financing, and partnering opportunities exist for implementing the Utilities Code and for promoting the provision of utility services to the White Earth Reservation and its residents, and
- WHEREAS,** Tekstar Communications, Inc. dba Arvig (“Arvig”) applied for the Minnesota Border-to-Border Broadband Development Grant Program to obtain financial resources to build broadband infrastructure into unserved and underserved areas of the state, and
- WHEREAS,** the Arvig Border-to-Border project would improve broadband services near Naytahwaush in Mahnomen County, specifically including approximately 137 structures consisting primarily of potential residential customers within the White Earth Reservation, and
- WHEREAS,** the Tribal Utility Commission supports Arvig’s objective to install and improve broadband services to areas of the White Earth Reservation and supports Arvig’s Border-to-Border grant application, and
- WHEREAS,** pending Arvig’s grant application being approved and funded under the Minnesota Border-to-Border Broadband Development Grant Program, the Tribal Utility Commission will continue to work in good faith with Arvig to support the project and to reach agreeable terms to implement the project within the White Earth Reservation, and

WHEREAS, the Tribal Utility Commission recommends the WERBC support Arvig’s Border-to-Border grant application, now

THEREFORE BE IT RESOLVED, that the White Earth Reservation Business Committee hereby declares its support for the Arvig Border-to-Border Broadband Grant Program application, recommends that the application move forward, and commits to work cooperatively, through the Tribal Utility Commission to promote the success of the project affecting the White Earth Reservation, in accordance with applicable laws and regulations, and this resolution.

BE IT FURTHER RESOLVED, pending Arvig’s grant application being approved and funded under the Minnesota Border-to-Border Broadband Development Grant Program, the White Earth Reservation Business Committee, through the Tribal Utility Commission, commits to work with Arvig to support the project and to reach agreeable terms to implement the project within the White Earth Reservation, in accordance with applicable laws and regulations, and this resolution.

BE IT FINALLY RESOLVED, that the White Earth Reservation Business Committee hereby directs the Tribal Utility Commission to carry out this resolution in accordance with the authority delegated to it under the Tribal Utility Code and in accordance with applicable laws and regulations.

We do hereby certify that the foregoing resolution was adopted by a vote of 3 for, 0 against, 0 silent, a quorum being present at a regular meeting of the White Earth Reservation Business Committee held on January 26, 2024 in Mahnomen, Minnesota.



Michael A. Fairbanks, Chairman



Michael LaRoque, Secretary/Treasurer