



**THREE AFFILIATED TRIBES  
TRIBAL BUSINESS COUNCIL  
JUDICIAL COMMITTEE  
August 30, 2006**

**CALL TO ORDER:**

Committee Chairman, Councilman Mervin Packineau called the meeting to order at 10:15 a.m.

**ROLL CALL:**

Members present: Councilman Mervin Packineau, Councilman Daylon Spotted Bear, and Councilman Nathan Hale. A quorum was established with three members present.

**OTHERS PRESENT:** Legal Council -Jennifer Fyten, Jerry Nagel, Maggie Young Bear, Bradley Vervalen, District Judge El-Marie Conklin, Carolyn Bird Bear, Deb Young Bear, Cy Sterns, Winona Brady, Gloria Fast Dog, Vernon Young Bear, Diane Michel and husband, Karman Taft, Mark Fox, Mike Young Bird, Rosie Johnson, Joyce Yellow Bird, Jeff Baker, Security -Marie Baker, and Jean Baker – Recording Secretary.

**01. MOTION #1; APPROVAL OF THE AGENDA:**

Councilman Hale moved for approval of the agenda as amended. Councilman Spotted Bear seconded the motion.

VOTE: 3 Ayes. Motion carried.

**02. APPROVAL OF MINUTES:**

This action will be deferred until the Committee Secretary returns from travel.

**03. MOTION #2; JERRY NAGEL, TRIBAL COURT- LAY ADVOCATE LICENSE:**

Councilman Spotted Bear moved for approval of a Lay Advocate License for Jerry Nagel, subject to the payment fee of \$50.00 to Tribal District Court. Councilman Hale seconded the motion.

VOTE: 3 Ayes. Motion carried.

**04. LONE EAGLE SECURITY:** Maggie Young Bear

The Lone Eagle Security is in the process of developing a private security firm owned and operated by tribal members, and members from other reservations. They are requesting proper protocol from the Judicial Committee; 1) security guards carrying firearms pursuant to the tribal law, ordinances, labor laws, and possible future contracting services of the Three Affiliated Tribes. It was recommended they design a business plan that will be presented to the full Council on September 14, 2006.

**05. MOTION NO. #3; PARSHALL RESOURCES CENTER UPDATE:** Karmen Taft



- Reduction in Force 30% - they will be able to operate until October 1, 2006.
- FY-2007 Budget Reduction in Force 30% carry-over would be \$75,000; which would cause the program to lose 11/2 employees.
- PRC - Program Vehicle – received \$50,000 for the purchase of a program vehicle. The Director is requesting to use the current vehicle be used as a trade-in vehicle after the new FY-07.
- Social Detoxification Licensure for residential program –CIWA anyone that scores 20 or below, it wouldn't cost extra funds to implement the services. If attainable for the

Councilman Hale moved for approval to authorize the Parshall Resource Center to pursue a Social Detoxification License. Councilman Spotted Bear seconded the motion.

VOTE: 3 Ayes. Motion carried.

**06. PARSHALL RESOURCE CENTER - BOARD OF DIRECTORS:**

A Resolution will be drafted and forwarded to full council on September 14, 2006.

**07. PRC-SUBSTANCE ABUSE IMPACT FEE:**

The basic concept of the "Substance Abuse Impact Fee," is any person "convicted" of a substance abuse related offense in Tribal Court would have to pay a nominal fee ranging from \$5-\$20. These funds could be put into the Tribal Budget and earmarked to help supplement operating expenses with recovery programs, domestic violence, and social services. No action taken.

**08. GERALD "TEXX" FOX JUSTICE CENTER UPDATE:**

- Budget and Fiscal Management
- Federal Compliance
- Collaboration with other agencies
- Employment/Staff Management
- Facility Management
- Impact Management

**09. MOTION #4 – GTFJC -CONSULTANT AGREEMENT FRANK JEANOTTE:**

Councilman Spotted Bear moved for approval of a Consultant Agreement with Frank Jeanotte, subject to using the proper format as designed by legal counsel. Councilman Hale seconded the motion.

Councilman Spotted Bear amended his motion to include language; "to coordinate services to cost share with Tribal Court." Councilman Hale concurred with the amendment.

VOTE: 3 Ayes. Motion carried.

**10. TRIBAL DISTRICT COURT:**



- Hire of two temporary employees
- Juvenile Officer has resigned.
- Data Coordinator position has been advertised, Committee Chairman has the authority to appoint for 30 days.
- Need assistance from CEDS. Lisa Redford -have the grant from the Bureau of Justice Assistance Tech and Enhancement Grant needs modification or could lose \$100,000 grant. Needs to be prioritized.
- New director Adult Probation to implement fitness standards
- Artisa to get some training. Not able to carry firm arms - training arrest powers for probation officers. She is the only Judge and haven't had time to do any administrative duties.
- Physical and mental, drug and alcohol, training standards to do job effectively serving public to keep grants and funding. Individual hired for probation is eligible for retirement – Reorganization of department will allow change in job descriptions, set standards and bring to council for approval. Work with legal then Judicial and forward to full council.
- Court Arraignments: Would have to close court to go to the Justice Center to have arraignments outside of the facility.
- Have three lay-offs. Juvenile cases hectic
- Possible closure of Tribal Court – not enough employees- contact with Associate Judges to do procedures. Judge Conklin needs to do 90 day probation evaluations .

Councilman Hale moved to recommend to the Tribal Business Council approval to grant Judge Conklin the authority to seek a Special Prosecutor and bring back to the Judicial Committee. Councilman Spotted Bear seconded the motion.

VOTE: 3 Ayes. Motion carried.

**11. CHILD SUPPORT SEPARATE ACCOUNT:**

Councilman Spotted Bear moved for approval to allow Tribal Court to set up a separate account for Child Support payments to streamline the turnaround for payment. Councilman Hale seconded the motion.

VOTE: 3 Ayes. Motion carried.

Other discussions:

- Drug forfeiture of a Van
- Foreclosures on the reservation. Jennifer Fyten will interpret the "Opinion of States Attorney for Mountrail County."
- Repossession is unlike Foreclosure

**12. COPS FAST GRIEVANCE UPDATE – Vernon Young Bear  
Closed Session.**

**13. SOCIAL SERVICES DEPARTMENT: Deb Young Bear  
Closed Session**

Recessed at 1:30 p.m. - Reconvened at 1:52 p.m.

**12. BESSIE WELLS COMPLAINTY –TRIBAL COURT:**



Closed Session

13. **ADJOURNMENT:**

Committee Chairman Packineau adjourned the meeting at 2:19 p.m.

**CERTIFICATION**

I, the undersigned, as Chairman for the Tribal Business Council 's Judicial Committee of the of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council's Judicial Committee is composed of three [3] members of whom [3] constitute a quorum; 3 were present at the **Judicial** Meeting thereof duly called, noticed, convened and held on the 30<sup>th</sup> day of **August**, 2006; that the foregoing Minutes were duly adopted at such meeting by the affirmative vote of 3 members; 0 members opposed; 0 members abstained; 0 Members not voting.

Dated this 28 day of September, 2006.

ATTEST:



Recording Secretary, Jean Baker  
Judicial Committee - Tribal Business Council  
Three Affiliated Tribes



Judicial Committee Chairman, Mervin Packineau  
Judicial Committee - Tribal Business Council  
Three Affiliated Tribes

